

# Bassett Creek Watershed Management Commission

## Minutes of the Meeting of March 17, 2011

### 1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., on Thursday, March 17, 2011, at Golden Valley City Hall by Chair Loomis. Ms. Herbert conducted roll call.

#### Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf	<i>Administrator</i>	Geoff Nash
<i>Golden Valley</i>	Commissioner Linda Loomis, Chair	<i>Counsel</i>	Charlie LeFevere
<i>Medicine Lake</i>	Commissioner Ted Hoshal	<i>Engineer</i>	Karen Chandler
<i>Minneapolis</i>	Alternate Commissioner Lisa Goddard	<i>Recorder</i>	Amy Herbert
<i>Minnetonka</i>	<i>Absent</i>		
<i>New Hope</i>	Alternate Commissioner Al Sarvi		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	<i>Absent</i>		
<i>St. Louis Park</i>	Commissioner Jim de Lambert, Secretary		

Also present: Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park  
Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth  
Jeannine Clancy, BCWMC Technical Advisory Committee, City of Golden Valley  
Jack Frost, Metropolitan Council Environmental Services  
Christopher Gise  
Dave Hanson, Alternate Commissioner, City of Golden Valley  
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal  
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale  
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley  
Keith Pilgrim, Barr Engineering Company  
Jason Quisberg, Bonestroo/ City of New Hope  
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka  
Brad Wozney, Minnesota Board of Water and Soil Resources

### 2. Approval of Agenda and Consent Agenda

Chair Loomis removed the March financial report from the Consent Agenda at the request of Administrator Nash. Commissioner Black moved to approve the Consent Agenda as amended and to approve the agenda. Commissioner Langsdorf seconded the motion but added that the date of the Zachary Lane Environmental Fair was incorrect in the February meeting minutes and the date should be listed as May 12<sup>th</sup>. Chair Loomis requested reordering the agenda to move up today's presentations so that they would follow Agenda item 3 – Citizen Input on Non-agenda Items. Commissioner Black and Commissioner Langsdorf approved the friendly amendment to the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].

### 3. Citizen Input on Non-Agenda Items

Alternate Commissioner Al Sarvi brought up an item as a resident of New Hope. He said that the residents around Northwood Lake have a lot of concerns about geese. He asked if anyone knew of a regional organization that had a goose management plan or if there should be a local movement for the creation of such a plan. Mr. Asche said that a few years ago the City of Plymouth had a goose management program and that the City worked through the University of Minnesota. He said that the

City had stopped that program and the professor that headed the program handed it over to someone else. Mr. Asche volunteered to do a little research to try to track down a contact. Alternate Commissioner Hoshal added that the City of Medicine Lake has a contract with the Canada Goose Program through the University of Minnesota and that he can provide that contact information to Alternate Commissioner Sarvi.

#### **4. Administration**

Administration items were deferred to later on the agenda.

#### **5. New Business**

- A. **Presentation by Brad Wozney, Board Conservationist with the Minnesota Board of Water and Soil Resources (BWSR), on the Watershed Management Plan Process and 8410 Rules Revisions.** Mr. Wozney gave a brief overview of the three different ways that watersheds are organized: joint powers organizations, watershed districts, and as a function of county government, which are typically governed by the county planning department. He reminded the Commission that Watershed Management Plan revisions are required every ten years and that BWSR's process for watershed management plans is captured in the 8410 rules, which are currently being revised. He also reminded the Commission that Mr. LeFevere and Ms. Chandler, BCWMC staff, are part of the Advisory Committee for the 8410 rules revision.

Mr. Wozney recommended that the Commission consider engaging the Mississippi WMO, Scott WMO, and Carver WMO in dialogues regarding their experiences with the Plan approval process. He mentioned that similarly to the BCWMC, the Shingle Creek WMO would be going through their revision process concurrently with the 8410 rules revision process.

Mr. Wozney stated that BWSR envisions that the BCWMC will create the Plan with the intent that there will be frequent updates throughout and the Capital Improvement Plan will be reviewed every two years at the minimum.

Mr. Wozney referred to the handout entitled, "Revised Watershed Management Plan Process under draft revised 8410 rules." He said that although it is not listed on the handout, BWSR strongly recommends that the first action the Commission should undertake is a visioning process. Mr. Wozney said the Commission should envision what it wants its watershed to look like in 10 years. He continued by saying that the Commission's vision process could include considerations for its goals for the next 10 years in terms of the watershed's natural resources, its administration, and its external communications as in how does the organization deal with all of these members jointly. Mr. Wozney reiterated that BWSR strongly advised the Commission to go through a visioning process. He said that once the Commission completes that visioning process, it should begin with the steps laid out by BWSR in its "Revised Watershed Management Plan Process."

Mr. Wozney explained that step one is to establish a means of public and technical participation in the revision process that is acceptable to BWSR. He mentioned that JPA WMOs aren't required to have formal technical and citizen advisory committees, but if the Commission isn't going to use that model then BWSR and the Commission would need to reach an agreement on an acceptable method for obtaining the necessary participation. He recommended that the Commission let BWSR know its intent for the public participation process very soon. Mr. Wozney referred to his second handout, entitled "Example Methods for Acquiring Public Input," and added that another idea would be to conduct an online survey, such as through Survey Monkey, for watershed residents and to enter respondents in a drawing for a prize such as a large-screen television. He said he thinks the public input process will be a combination of the public coming to the BCWMC with input and the BCWMC going to the public to request input.

He said that steps two and three are typically combined and are the notification processes to let stakeholders know that input is requested. Mr. Wozney said that the Commission has a very effective TAC process. He added that the Commission could consider involving in the stakeholder process all relevant city departmental staff such as public works, the Three Rivers Park District, and Hennepin County. Mr. Wozney commented that individual commissioners' input should be gathered during the visioning process he already described. He said the Commission's input into the goals and the actions are important and should be documented.

Mr. Wozney explained that step 4 is to receive, review, and discuss the input that was received. He explained that this step is really the kickoff of the planning process. He added that part of this step is documenting that an effective public mechanism was utilized.

He moved on to step 5, which is working through priority issues. He said that the Commission will want to assess the issues identified in its earlier steps. Mr. Wozney spoke about trend analysis and said that as part of the plan the Commission should develop trend analyses to determine whether the waterbodies are improving, hitting plateaus, or getting worse, which will play into the prioritizing process. He said the Commission will want to evaluate all relevant plans and programs, such as monitoring, modeling, previous studies, clean water plans, and resource management plans. He spoke about gap analysis and referred to the gap analysis handout he passed out. Mr. Wozney clarified that these plans are "watershed" plans not "watershed management organization" plans. He instructed the Commission to take inventory of what everyone in the watershed is doing and then to identify the gaps. He said the Commission could also conduct a gap analysis of issues by taking into consideration all that is going on with local water plans and stormwater pollution prevention plans (SWPPPs). Mr. Wozney said that BWSR hopes to provide more guidance on that piece.

Mr. Wozney said that BWSR recommends that the Commission keeps the state agencies informed early in the process and that BWSR is pushing the state agencies to provide input to the watershed organizations early in the process. He reminded the Commission that although BWSR awards the Clean Water Fund grants, the state agencies help to rank and ultimately determine the fate of the CWL grant applications.

He continued with the plan process and explained that the next portion of the process is the plan content as described starting with step 6 "Goals" listed on the handout "Revised Watershed Management Plan Process under draft revised 8410 rules. Mr. Wozney stated that the Commission should make its goals outcome-based and measurable. He said to avoid the use of the following terms in the plan: support, encourage, working with, cooperating with, and whenever possible. He said those terms are nebulous and it would be hard to tell when those goals have been accomplished. Mr. Wozney said that the Commission should establish procedures for grading performance for each goal at a minimum of every two years.

Mr. Wozney moved onto step 7 – implementation. He said that BWSR wants the Commission to concentrate on this component and basically spend the most time working on this area. He said that in this step the Commission will clearly define who will do what, when, and for how much. Mr. Wozney said that BWSR expects there to be a robust Capital Improvement Plan included in the Commission's plan. He commented that the plan signals the watershed's intentions to its taxpayers and that being vague isn't fair to them and conversely being clear and as specific as possible will give the Commission an advantage.

He briefly touched on steps 8 and 9, which describe plan amendments and the annual report and audit component.

Mr. Wozney added that he recommends that the Commission do things as a service to its member cities. He also added an outside-of-the-box suggestion. He remarked on Hennepin County's interest in learning more and considering the pursuit of legislation to grant joint powers WMOs in Hennepin

County special taxing authority, which is the Mississippi WMO model. He suggested that the Commission consider that idea and decide if it supports it or not and maybe even go as far as having language in its plan to incorporate that possibility. Mr. Wozney suggested that having BWSR and the County in the room with the Commission may facilitate that process.

He mentioned assessment programs and again highlighted the importance of the Commission establishing an assessment process as part of its plan and that it will undertake at least every two years. Mr. Wozney mentioned BWSR's PRAP (Performance Review and Assessment Program). He said that one of the components is whether the organization has a commissioner training plan and he added that the Commission could discuss its training plan or its needs for a training plan as part of the revision process. Commissioner Black asked if the every-two-year assessment process relates to the Commission's annual audit and report process. Mr. Wozney said that they aren't the same processes although the Commission would likely report its Plan assessment process and information as part of its annual report. Mr. Wozney commented that he particularly likes the Commission's model of appending the audit with the activity report. He says the areas in which BWSR sees deficiencies in other annual reports is in the assessment of implementation and the assessment of implementation by the local water plans.

Mr. Wozney said that another component to determine the Commission's success would be an evaluation of budget figures such as the percent of administrative expenses versus the percent of construction costs. He pointed out that the Commission should make sure that its Joint Powers Agreement should provide all of the authorities its needs to implement its next plan.

Mr. Wozney opened the discussion up for questions. Ms. Clancy asked about revision of goals between second and third generation plans for plans that already have detailed goals. Mr. Wozney replied that potentially and even likely the Commission's goals will stay the same and the Commission will just take the goals to the next level of implementation.

There was some discussion about the amount of time it will take BWSR to review the plan once it's submitted by the Commission and whether the Commission should consider submitting the plan to BWSR on a conservative timeline, meaning the Commission would allow plenty of time for BWSR to review the plan prior to the plan's expiration in September 2014. Mr. Wozney added that according to today's BWSR policy, if an organization's plan expires, it is not eligible for Clean Water Legacy Grant Funds.

Mr. Hoshal asked if Mr. Wozney knew of any WMOs restructuring into watershed districts. Mr. Wozney said he didn't know of any organizations considering restructuring into the district model but that there are WMOs considering gaining a special taxing authority designation.

## 6. Old Business

### D. 2010 Water Quality Monitoring Activities:

- i. 2010 Lake Water Quality Study for Medicine Lake. Dr. Keith Pilgrim, limnologist with Barr Engineering Company, provided a PowerPoint presentation and discussed the Commission's water quality monitoring program on Medicine Lake and its results from the 2010 monitoring. He said that the long-term monitoring program on the lake detects land-use changes, BMP implementation, in-lake activities, and other changes such as affects of climate.

Dr. Pilgrim explained that phosphorus, chlorophyll *a*, clarity, temperature, conductivity, and dissolved oxygen are measured to evaluate the health of the lake. He said that phytoplankton, zooplankton, and aquatic plants are also monitored as part of the

**Commission's program.**

**Dr. Pilgrim showed the phosphorus data and explained that the trend analysis showed that the 2010 changes in phosphorous and chlorophyll *a* were not significant, although there were some fluctuations, perhaps due to climate. He said that the clarity of the lake has improved since the late 1990s and he is not sure why there has been that improvement. He said clarity is typically a function of phytoplankton, but the improvement could be that less suspended solids are being discharged into the lake due to implementation of BMPs.**

**Dr. Pilgrim showed the 2010 water quality monitoring results in comparison to state standards. He said the lake is not meeting the state standards for Secchi depth evaluation of clarity, total phosphorous, or chlorophyll *a*. He compared the 2010 results to the Bassett Creek WMO's goals, which are more stringent than state standards, and said that the lake water quality is not meeting the WMO's goals for Secchi depth evaluation for clarity, total phosphorous, or chlorophyll *a*.**

**He commented on the plant growth in the lake and said that it is medium-density and grows to the 10-foot contour, which means mostly along the shoreline. He discussed potential changes in the lake with the implementation of further BMPs. Dr. Pilgrim said that it would be important for the Commission to track and document projects and activities that reduce phosphorous loading to Medicine Lake.**

**Commissioner Black asked if there is any way to correlate the weather patterns to the water quality of the lake. Dr. Pilgrim said yes there are ways to evaluate those impacts. He said weather patterns change how much phosphorous loading there is into the lake and they also affect the lake's internal processes. Commissioner Hoshal commented on the benefit of collecting data on chloride in the lake via chloride monitoring.**

- ii. Twin Lake Phosphorous Internal Loading Investigation. Dr. Pilgrim said that his understanding is that there has been Commission concern about levels of phosphorous increasing in recent years so this water quality study was structured to try to identify the reason or reasons for the increase. He explained that Twin Lake has a very different structure than Medicine Lake. Dr. Pilgrim stated that Twin Lake is small, deep, and sheltered and is in a small, undeveloped watershed. He said the lake is strongly stratified and is largely self-contained. Dr. Pilgrim noted that changes in the lake are largely due to climate.**

**He said that sediment cores didn't show extremely high phosphorous levels for lakes in the Twin Cities metro area. Dr. Pilgrim said this lake is highly stratified. He added that the lake has low dissolved oxygen at the bottom and below 16 feet the dissolved oxygen is nearly permanently low. He said that this lake doesn't mix except once in the spring and once in the fall and the lake doesn't have any net loss in phosphorous like some lakes have.**

**Dr. Pilgrim addressed the topic of the increase in phosphorous in Twin Lake in recent years. He said the increase tracks well with the temperature on the bottom of the lake. Dr. Pilgrim said that the increase in temperature has the effect of increasing sediment oxygen depletion and phosphorous release from lake bottom sediments. He also explained that as Twin Lake becomes more eutrophic (more algae) the lake will stratify more towards the lake's surface and the oxygen depletion will rise upwards. He stated that as oxygen depletion rises upwards, more of the lake's bottom surface area is exposed to low oxygen and more internal loading occurs. He added that the recent increase in internal loading appears to be a natural, climatic process. He also noted that there could be two outcomes of recent increase in algae in Twin Lake: 1. The stratification dynamics of the lake change permanently pushing it into a more permanent eutrophic state; or, 2. With colder weather**

the lake reverts back to its historic trophic state.

Dr. Pilgrim pointed out that there are some management options that could be taken. He said the lake sediments could be treated with iron, aluminum, or calcium to bind to the phosphorous to stop internal loading. Dr. Pilgrim said that biomanipulation is an option to affect zooplankton and algae levels. He said barley straw could be used as an annual treatment to inhibit algal growth. He said that lake aeration would increase the oxygen levels of the lake but may not necessarily stop the internal loading of the lake. He said aeration helps iron bind to phosphorous, so if a lake is iron-poor then aeration wouldn't help. Dr. Pilgrim said there is also the wait and see approach in order to discover if the increase in phosphorous is a natural phenomenon and if temperature changes would change the phosphorous levels.

Commissioner Hoshal asked about discharges from the relatively recent development on Twin Lake. Mr. Oliver responded that there are no discharges into Twin Lake from the development.

#### 4. Administration

- A. Presentation of the February 17, 2011, BCWMC meeting minutes. The February 17, 2011, meeting minutes were approved under the Consent Agenda.
- B. Presentation of the Financial Statement. Administrator Nash said that he would like Commission direction to work with Deputy Treasurer Sue Virnig to update the construction project financial report and the project analysis spreadsheet. Commissioner Black suggested that the Commission create a policy with criteria that would facilitate the Commission closing CIP projects. Chair Loomis suggested that the topic be discussed with the Deputy Treasurer. Commissioner Black moved to approve staff updating the financial reports. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].

Commissioner Langsdorf brought up the confusion around paying for West Metro Water Alliance expenses out of two budget lines and suggested that the WMWA expenses all be paid out of one education budget line, which would require the financial report to reflect the reallocation of those budgeted funds. Commissioner Black moved to combine the Education and Public Outreach and the Watershed Education Partnerships budgets into one budget. Commissioner Langsdorf seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote.]

Commissioner Black moved to receive and file the March financial report. Commissioner Langsdorf seconded the motion. The motion carried unanimously [Cities of Minnetonka and Robbinsdale absent from vote.]

The general and construction account balances reported in the March 2011 Financial Report are as follows:

Checking Account Balance	718,806.17
<i>TOTAL GENERAL FUND BALANCE</i>	718,806.17
Construction Account Cash Balance	1,622,365.53
Investment due 3/18/2014	1,010,687.50
Investment due 5/13/2015	508,918.39
Investment due 9/16/2015	512,059.83

<b><i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i></b>	<b>3,654,031.25</b>
<b><i>-Less: Reserved for CIP projects</i></b>	<b>4,986,804.86</b>
<b><i>Construction cash/ investments available for projects</i></b>	<b>(1,332,773.61)</b>

**C. Presentation of Invoices for Payment Approval.**

**Invoices:**

- i. Barr Engineering Company – Engineering Services through February 25, 2011 - invoice for the amount of \$32,184.69.
- ii. Watershed Consulting, LLC – Geoff Nash Administrator Services through January 31, 2011 – invoice for the amount of \$3,795.40.
- iii. Amy Herbert – February Recording Administrator Services - invoice for the amount of \$2,787.46.
- iv. D’amico Catering – March Meeting Catering - invoice for the amount of \$359.37.
- v. JASS – 2011 WMWA Workshops through 1/5/11 – invoice for the amount of \$279.50.
- vi. Shingle Creek Watershed Management Commission – 2011 WMWA Workshops through 3/1/11 – invoice for the amount of \$364.17.
- vii. JASS – WMWA General Expenses Quarterly Invoice through March 11, 2011 – invoice for the amount of \$141.73.
- viii. Shingle Creek Watershed Management Commission – WMWA General Expenses Quarterly Invoice through March 11, 2011 – invoice for the amount of \$518.66.
- ix. MMKR – Progress Billing for Audit Services through 1/31/11 – invoice for the amount of \$1,500.

Commissioner Black moved to approve the payment of the invoices i – ix. Commissioner Langsdorf seconded the motion. By call of roll, the motion carried with six votes in favor [Cities of Minnetonka, New Hope, and Robbinsdale absent from vote].

- D. Order Production of 2010 Annual Report.** The Commission discussed the format of its 2009 annual report and changes that it would like to its 2010 report. Commissioner Black moved to direct Administrator Nash to draft the 2010 annual report with the revisions he deems necessary and to present the draft at the BCWMC’s April meeting. Commissioner Goddard seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].

**6. Old Business**

- A. 9209 40 ½ Avenue Compensating Storage: New Hope.** Ms. Chandler reported that the City of New Hope contacted the Commission that there has been 33 cubic yards of compensating storage provided to compensate for the floodplain fill at the site of the residence. She reminded the Commission that it had directed the City to work out between the City and the resident to provide

21 cubic yards of storage and to update the Commission. Ms. Chandler said that more than 21 cubic yards of compensating storage has been provided and asked if there are any questions. Chair Loomis thanked the City of New Hope for working through the issues.

- B. Discuss Sweeney Lake Outlet Project Schedule, Public Hearing, and Cooperative Agreement.** Mr. LeFevere summarized that the Sweeney Lake Outlet Project is a maintenance project instead of a capital improvement project. He said that the Joint Powers Agreement requires a feasibility report and public hearing whenever a project is constructed by a member. Mr. LeFevere recommended that the Commission follow the formal process for this maintenance project included mailing notice to the member city clerks, ordering a feasibility report, and holding a public hearing. He suggested that the public hearing not be set until the Commission decides who is going to do the feasibility report and when it is going to be done.

Ms. Chandler added that the feasibility report in the case of this replacement project would be more of a preliminary design. She said that the Commission would want to obtain at least one soil boring, which would cost approximately \$1,500. Ms. Chandler said that the cost estimate for Barr Engineering to produce a preliminary design for the project would be approximately \$5,000 on top of the cost of the soil boring.

Mr. Mathisen asked if the Commission could put together an RFP for the feasibility report and design so that the same contractor could do both. Mr. LeFevere said that the Commission could handle the project that way. He said that in the past the Commission has handled the feasibility reports for the Commission and the cities have handled the contract for the construction but the Commission could coordinate with the city so that the Commission uses the same consultant for the feasibility report and the design.

Mr. Oliver agreed with the benefit in the continuity of the same company doing the preliminary design and the construction documents. He said the City would be favorable to go through its selection process to choose a contractor to do the feasibility report and the design. Mr. LeFevere said the Commission could also ask for the City's input and if the Commission agrees with the City's selection then the Commission could use that firm to prepare the feasibility report. Mr. Oliver recommended that the Commission contract with the City for the City to provide the feasibility report and the project design.

Commissioner de Lambert moved to direct the attorney to prepare for the April BCWC meeting a letter of understanding between the City of Golden Valley and the Commission that the Commission requests that the City go forward with its processes to hire a contractor to prepare the feasibility report and the preliminary design for the Sweeney Lake Outlet Project. Commissioner Black seconded the motion. The motion carried unanimously with seven votes in favor [City of Minnetonka and Robbinsdale absent from vote].

### **C. TAC Recommendations**

- i. Hydrologic and Hydraulic Modeling and Water Quality Modeling in the Watershed.** Administrator Nash summarized that the TAC recommended updating both the hydrologic – hydraulic model and the water quality model. Ms. Chandler provided detailed information about the current status of the existing models, discussed the benefits of updating the models and the use of the information to the Commission and the cities, discussed XP-SWMM models, and the cost of updating the models.

Ms. Chandler explained that the Commission Engineer presented two options at the planning level for the TAC to consider regarding updating the hydrologic and hydraulic



models. She said the Commission Engineer's cost estimate for option one, which is converting the model in its current format and updating it to the most current version of those models, is \$77,000, including the cost for calibration. She said that option two, which is converting the entire watershed's hydrologic and hydraulic models to XP-SWMM, would cost \$70,000 including calibration. She reported that the TAC discussed the options and recommended that the Commission convert the hydrologic and hydraulic model to XP-SWMM.

Ms. Chandler explained that the TAC discussed updating the water quality model with the newest version of P8 and updating current land use and runoff/ drainage and BMP (best management practice) conditions. She said that if this updated model was in place then the Commission could use it as a tool to evaluate the potential impact on the watershed of proposed projects. Ms. Chandler said the TAC recommended that the Commission institute a surcharge to permit fees to underwrite the costs of annual updates to the model. She reported that the estimated cost for converting to the new P8 model and updating it with current information and calibrating it would cost approximately \$135,000.

Ms. Chandler brought to the Commission's attention the communication from Mike Trojan, MPCA, to the Commission Engineer regarding MPCA-required reporting on TMDL BMP implementation. She noted that the Commission's first report to the MPCA will be due February 8, 2012, which would be one year out from the TMDL's approval date, assuming the MPCA has its forms and processes ready in time.

Mr. Mathisen remarked that there would need to be an official proposal for the work. Ms. Chandler said yes, these estimates were for planning purposes at the Commission's request. Commissioner Black said that she supports the Commission going out for an RFP for the work. She said that she has some concerns about the cost of the updates because it would mean that the cities would see a 20% increase in the Commission's budget and the cities would really need to take a look at that. She also commented that she is worried about overlap or duplicative effort by staff during the ongoing updating process between cities and the Commission. She said she would like to hear how the model could be put "in the cloud" so that cities can update the model in real time. Ms. Goddard mentioned that XP-SWMM is an expensive model and not everyone has it and actually may not even want it because it can be a temperamental program. Ms. Clancy commented that most cities don't have XP-SWMM either. Mr. Oliver added that the TAC recommended that a permit fee surcharge be added to cover the cost of updating the model on an ongoing basis.

Ms. Clancy said that the TAC envisions the model-update project as a CIP improvement and not as an operating cost. She said that when the Commission's data isn't up-to-date then the cities pay for it. She said she thinks that in the long term this initiative will be a benefit to all of the cities.

Mr. LeFevere said the project isn't bricks and mortar but could potentially be funded through the construction fund via funds left from the tunnel construction. He estimated the funds to be in the amount of \$1.5 million and said that there are no legal limitations on the use of those funds.

Chair Loomis said that the Budget Committee should discuss options for working such a cost into the budget at the Budget Committee meeting. She asked if XP-SWMM is the appropriate model to use. Ms. Clancy replied that the information would come out during the RFP process. Chair Loomis commented that if the Commission isn't going to be doing the project until 2012 then it seems too early to go out for RFPs so the Budget Committee will need to use the Commission Engineer's planning level cost estimates for its discussions.

- ii. **Recommendations for 2011 Watershed Tour.** Administrator Nash listed the tour stops recommended by the TAC as written in the March 7, 2011, TAC memo. He said the TAC also recommended holding the tour on a weekday afternoon in June to be able to accommodate more attendees. The Commission agreed to the tour stops recommended by the TAC and decided to hold the tour on the afternoon of Wednesday, June 22<sup>nd</sup>.
- iii. **Recommendations for Engineering and Technical Services.** Administrator Nash reported that the TAC recommended that the Commission approve Barr Engineering Company for a two-year contract with the BCWMC for Engineering and Technical Services. He said the TAC also recommended that the Commission go out for a full RFP every ten years. He said the TAC also recommended that the Commission direct the TAC to develop a short list of contractors that the Commission could contact to request proposals for engineering and technical services for projects. Administrator Nash said that the TAC directed the Administrative Services Committee and the Administrator to develop a plan of succession with Len Kremer and Barr. He said that the TAC also recommended that the Commission direct him to have a discussion with Barr Engineering about its fee schedule because an analysis of Barr's fee schedule would be in order given the economy.

Commissioner Black said that she would need to see a contract before she votes and that she would like the Commission to direct the Administrator to talk to Barr Engineering Company about its fees and to bring a contract in front of the Commission at its April meeting.

Commissioner Black moved to approve pursuing a two-year contract with Barr Engineering pending the discussion with Barr on its fee schedule and the contract coming in front of the Commission at its April meeting. Commissioner Hoshal seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].

Commissioner Black said that she would have a hard time approving a contract that had any cost increases. Commissioner Black stated that cities are getting decreases and that public employees are getting decreases as well and she thinks that what's fair for the public sector is fair for the private sector.

Commissioner Black commented that the recommendation that the Commission go out for a full RFP for Engineering and Technical Services every 10 years seems like a policy and should go to the Administrative Services Committee. The Commission directed it to the Administrative Services Committee to fashion the recommendation into a Commission policy.

Alternate Commissioner Goddard asked if the TAC had considered how it would go about getting its list of three pre-qualified contractors. Chair Loomis said that the TAC was straight-forward about who it thought was qualified and who wasn't out of the proposals it received, although project work is a little different. Ms. Clancy said that the TAC meant for the Commission to direct the task to the TAC, which would use the same practice as the cities do and develop an RFI for Engineering and Technical Services.

Chair Loomis moved to direct the TAC to develop the RFI. Commissioner Black seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].

Commissioner Hoshal recommended that the Commission notify the firms that submitted letters of interest of the Commission's decision and to thank them for their submittals. The

Commission directed Administrator Nash to draft and send out the letters.

**D. 2010 Water Quality Monitoring Activities. Discussed earlier in Agenda.**

**E. Education Committee.**

- i. Commissioner Langsdorf stated that the Education Committee is seeking approval of the Commission for entering into a modified contract with writer Judy Arginteanu. She said the contract is modified to allow the Commission to submit the articles to the newspaper under the name of a Commission representative and she would not be responsible for marketing the articles and the Commission would pay \$300 per each of the two articles. Commissioner Black moved to approve the contract with Judy Arginteanu. Commissioner Langsdorf seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minnetonka and Robbinsdale absent from vote].**
- ii. Commissioner Langsdorf said that she thinks that the Commission should send thank you notes each year to its CAMP volunteers.**
- iii. Commissioner Langsdorf reported on the first Pathway to Clean Water forums and said that there need to be more registrants or the March 23<sup>rd</sup> forum will be cancelled.**
- iv. Commissioner Langsdorf announced that the League of Women Voters will be playing the watershed game on April 5<sup>th</sup> at the New Hope City Hall.**
- v. Commissioner Langsdorf stated that the Plymouth Yard and Garden Expo will be on April 8<sup>th</sup> and 9<sup>th</sup> and the Education Committee needs at least one more volunteer to help with the event.**
- vi. Commissioner Langsdorf reported that the first rain garden workshop of the year will be held on April 14<sup>th</sup> at Meadowlake Elementary School in New Hope.**
- vii. Commissioner Langsdorf announced that the Zachary Lane Environmental Fair will be held on May 12<sup>th</sup> and the Education Committee needs an additional volunteer to help with the event.**
- viii. Commissioner Langsdorf noted that she brought in and set up the BCWMC's education displays today so commissioners can see what is available for their use with the displays. She announced that reservations for the use of the display are handled through Amy Herbert. Ms. Herbert added that Barr Engineering has offered to create at its own expense, as a thank you to the BCWMC as a Barr Engineering Client, an online calendar for the BCWMC's Web site to track the display reservations. The Commission agreed to the development of the online reservation calendar.**
- ix. Commissioner Langsdorf asked the member cities to let her know if they need more educational brochures such as the "10 Best Things" brochure. She said new brochures will be arriving next week from Blue Thumb.**

## **7. Communications**

**A. Chair:**

- i. Chair Loomis commented that there are a lot of education opportunities coming up. She added that this year the BCWMC's Budget Committee will look into funding commissioner participation in education opportunities.**

**B. Administrator:**

- i. Administrator Nash announced that he has been doing the eLink reporting for the BCWMC's grants and on behalf of the City of Plymouth and the City of Golden Valley for their Hennepin County-directed BWSR grant. He said that through the reporting process it has been discovered that the local match numbers that BWSR was assuming are different from the Commission's assumptions for the local match. He said that BWSR is expecting a local match for the Plymouth Creek restoration project in the amount of \$665,200 from the Commission and based on the Commission's grant application. Administrator Nash said that the amount doesn't take into consideration the Hennepin County grant awarded to the City of Plymouth, which really should be called a local match. He said that the same situation applies to the grant for the Bassett Creek Main Stem project. Administrator Nash said that he and Karen Chandler are working with BWSR to rectify the differences.**
- ii. Administrator Nash reported that Metro Blooms received a contract from the Minnesota Conservation Corps for labor and Metro Blooms is moving ahead with the planning and the installation for 15 rain gardens.**
- iii. Administrator Nash said that the Commission received today a reimbursement request from the City of Plymouth for the Plymouth Creek restoration project.**
- iv. Administrator Nash stated draft Sweeney Lake TMDL public notice was posted today by the MPCA for public comment.**
- v. Administrator Nash announced that he will be working on the BCWMC's annual report and that he expects to exceed his \$3,000 budget for March.**

**C. Commissioners:**

- i. Commissioner Hoshal reported that he had attended a meeting of the Freshwater Society entitled "Community Clean ups for Water Quality." He said the program provided toolkits to groups wanting to undertake spring and fall and curbside leaf clean ups. He said that the group was interested in receiving leaves from each of the cleanup projects. Commissioner Hoshal said that the group explained that five 33-gallon bags of leaves equate to approximately one pound of phosphorous impact and that if leaves were removed from the stormwater drains then phosphorous would be removed from entering the lakes.**

**D. Committees: No Communications.**

**E. Counsel: No Communications.**

**F. Engineer: Ms. Chandler reported that the Commission received an e-mail from Brad Wozney of BWSR communicating that the Commission's Major Plan Amendment request was received and that the deadline for comments is May 2<sup>nd</sup>.**

## **8. Adjournment**

**Mayor Loomis adjourned the meeting at 3:00 p.m.**

