



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: February 8, 2024

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 2/15/24 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
 - A. Approval of Minutes – January 18, 2024 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of Financial Reports - **ACTION ITEMS with attachments**
 - i. January (2023 Fiscal Year End)
 - ii. February 2024
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.**
 - i. Keystone Waters, LLC – January 2024 Administration
 - ii. Keystone Waters, LLC – January 2024 Administrative Expenses
 - iii. Barr Engineering – January 2024 Engineering Services
 - iv. Redpath – January 2024 Accounting Services
 - v. Triple D Espresso – Meeting Catering
 - vi. Metro Watershed Partners – 2024 Membership
 - vii. INCASE LLC – Watershed Map Contractor
 - viii. Kennedy and Graven – Legal Services
 - D. Approval of Reimbursement of Channel Maintenance Funds to City of Plymouth – **ACTION ITEM with attachment – At its meeting in October 2022, the Commission approved the use of \$25,099 in Channel Maintenance Funds by the City of Plymouth. An agreement with the city was subsequently executed in April 2023 after project designs were approved by the Commission Engineer. The project is complete and the City of Plymouth is requesting reimbursement of \$25,099. I reviewed the project and expense materials and recommend approval.**
 - E. Approval of Agreement with MMKR for FY23 Financial Audit – **ACTION ITEM with attachment (full document online) – Staff recommends approving the agreement with and engagement letter from MMKR to perform the FY2023 financial audit. Redpath staff, Plymouth staff, and I will assist with providing auditors with necessary information.**
 - F. Approval to Designate Finance and Commerce as the Official News Publication of the BCWMC – **ACTION ITEM no attachment – Staff recommends continuing to designate Finance and Commerce as the BCWMC official publication as it covers the entire watershed, and to continue the practice of sending notices to local news outlets (such as the Sun Post) and neighborhood newsletters when appropriate.**
 - G. Approval to Adopt Data Practices Policy – **ACTION ITEM with attachment (full document online) –**

Commission Attorney Anderson recommends annually adopting this policy. There have been no changes to the from the version adopted in May 2020.

5. ORGANIZATIONAL MEETING (30 minutes)

- A. Elect Officers – **ACTION ITEM no attachment** - *The Commission should elect a Chair, Vice Chair, Secretary and Treasurer. Officers hold one-year terms and positions can only be held by commissioners. The Secretary and Treasurer can be combined into one position. Current officers are Chair Cesnik, Vice Chair Welch, and Secretary/Treasurer Sicora.*
- B. Review Roles and Responsibilities Document and Bylaws – **INFORMATIONAL ITEM with attachment** - *The annual organizational meeting is a good time to review the roles and responsibilities of commissioners and alternates, staff, and TAC members. A description of roles and responsibilities was developed and adopted in 2013 and was updated last August (see attached). The organization’s bylaws should also be reviewed at this time. They are available with policy documents online at: <https://www.bassettcreekwmo.org/document/policy-documents>*
- C. Review 2024 Commission Calendar and Areas of Work - **DISCUSSION ITEM with attachment** - *February 1st marks the beginning of the Commission’s business and fiscal year. The attached document shows items the Commission considers annually and/or will consider over the next 12 months. The document also lists the various Commission committees, the approximate timing of committee meetings, and work areas for the committees this year. Please mark your calendars with Commission meeting dates.*
- D. Appoint Committee Members - **ACTION ITEM see Item 5C** - *Committees are an important part of the Commission. Commissioners and Alternate Commissioners should consider participating on at least one committee. Committee meetings will be held in person, the timing of which will depend on availability of members. TAC members and other non-commissioners can also sit on Commission committees. See the document in 5C for a description of committees and their work slated for this year. Current committee members are listed here: <http://www.bassettcreekwmo.org/about/our-members>.*
- i. Administrative Services Committee
 - ii. Budget Committee
 - iii. Education Committee
 - iv. Plan Steering Committee
 - v. Technical Advisory Committee Liaison
- E. Review Open Meeting Law - **INFORMATION ITEM with attachment** - *The attached document is included to remind Commissioners about key provisions of the open meeting law, ways in which the law can be easily broken, and links to further information.*
- F. Discuss Hybrid Commission Meeting Options – **DISCUSSION ITEM with attachment** – *Last fall the Commission directed me to arrange for hybrid commission meetings. The attached memo, which was developed with input from Commission Attorney Anderson, outlines various reasons for hosting hybrid meetings and items to consider for each. The Commission should determine its goals for hosting hybrid meetings and direct staff to develop appropriate parameters for the meetings.*
- G. Review Year End Financial Report (Feb 1, 2023 - Jan 31, 2024) - **INFORMATION ITEM see ITEM 4Bi** - *The Commission is in good financial standing and ended the year in the black when expenses are adjusted with revenue. Including investment earnings, total revenue = \$1,119,000. Because investment*

earnings will be moved to the newly created Special Projects Fund, it's better to look at income excluding investment earnings which totaled \$779,336. Expenses totaled \$774,200 (excluding the Medicine Lake TMDL Assessment funded out of the new Special Projects Fund). While some expenses were higher than budgeted – particularly for the Watershed Plan Development budget line – other areas were under budget resulting in an overall budget surplus.

6. BUSINESS

- A. Review Plan Steering Committee Recommendations (30 min) – **DISCUSSION ITEM with attachment** – *The Plan Steering Committee (PSC) reviewed the discussion notes and key points raised at the January Commission Workshop on the issues and goals for the 2025 Watershed Management Plan. The committee recommends some revisions to issue statements and goals along with other discussion items for the Commission to review. Please see the memo attached.*
- B. Approval to Appoint Administrator as BCWMC Representative for Watershed Based Implementation Funding Convene Meeting (15 min) – **ACTION ITEM with attachment** – *The process for convening entities eligible for Watershed Based Implementation Funds and deciding on how and where the funds should be spent will begin soon. I am requesting to again be appointed as the official representative of the BCWMC in the upcoming convene meetings. Please find more information in the attached memo and fact sheet.*
- C. Discuss Commission Review of Wetland Impacts and Buffers (20 min) – **DISCUSSION ITEM with attachment** – *Recently commissioners have voiced questions about wetland impacts or wetland buffer establishment resulting from development or redevelopment projects reviewed by the Commission Engineer. Because this type of information is not required to be submitted with project plans nor reviewed by the Commission Engineer, Commission staff would like direction on how to proceed. Options include changing the development review process now, or working to incorporate appropriate wetland impact/buffer review within the 2025 Watershed Management Plan. Please see the attached memo with additional considerations.*
- D. Consider Participation in Minnesota Watershed's Legislative Briefing and Day at the Capitol (15 min) – **ACTION ITEM with attachment** – *Each year the Minnesota Watershed organization hosts a legislative event to give watershed board members an opportunity to learn more about the organization's legislative priorities and meet with lawmakers. Registration for the complete event is \$120. I am requesting to attend (for me, the day also includes a quarterly meeting of the MN Association of Watershed Administrators). Commissioners and alternates are encouraged to attend and to contact their legislators to schedule appointments or invite them to the reception on March 6th.*

7. COMMUNICATIONS (15 minutes)

- A. Administrator's Report – **see attachment**
 - i. Discover Plymouth Event
 - ii. Update on Crane Lake Impaired Waters Listing
 - iii. Update on Watershed Map Project
- B. Engineer
 - i. Update on Schaper Pond 2023 Monitoring
 - ii. Update on Medicine Lake TMDL Assessment Project
- C. Legal Counsel
- D. Chair
- E. Commissioners
 - i. Update on Proposed Medicine Lake No Wake Zone

- F. TAC Members
 - i. Report on February 7th Meeting
 - ii. Appoint Liaison for March 7th Meeting
- G. Committees

8. INFORMATION ONLY (Information online only)

- A. CIP Project Updates www.bassettcreekwmo.org/projects
- B. Grant Tracking Summary and Spreadsheet
- C. Minnesota Watersheds 2023 Strategic Plan Accomplishments
- D. Adopt-a-Drain 2023 Bassett Creek Report

9. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Education Committee Meeting: Thursday February 29th 4:00 p.m., location TBD
- MN Watersheds Legislative Days: March 6 – 7, 2024: St. Paul www.mnwatersheds.com/legislative-event
- BCWMC Plan Steering Committee Meeting: Thursday March 7th, 8:30 a.m., Location TBD
- BCWMC Technical Advisory Committee Meeting: Thursday March 7th, 10:30 a.m., Location TBD
- Discover Plymouth Event: March 23, 9:00 a.m. – 2:00 p.m.: Plymouth Community Center Fieldhouse