



***Tuesday, May 11, 2010
Prior Lake City Hall
2:30 PM***

Members Present: Craig Gontarek, Larry Mueller, William Kallberg, William Schmokel, Roger Wahl

Members Absent: None

Staff Present: Michael Kinney, District Administrator
Amy Tucci, Administrative Assistant
Joshua Mankowski, District Technician
Stacy Sass, Water Resources Technician
Liz Spande, District Intern
Carl Almer, District Engineer, EOR
Chuck Holtman, District Attorney, Smith Partners

Others Present: Scott County Commissioner, Barbara Marschall
Scott County, Paul Nelson
Scott SWCD, Emily Javens
Scott County Highway Dept., Daniel Jobe
City of Prior Lake, Ross Binter
AEM auditor, Andy Berg
McCann property lawyer, Frank Muelken
Resident, Ann Fruetel
Resident, Dick Felch

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE:** Meeting called to order by President Craig Gontarek at 2:30 PM
2. **PUBLIC COMMENT:** None
3. **APPROVAL OF AGENDA:** No changes of the agenda were requested. Manager Kallberg moved to accept the agenda. Second by Manager Mueller. All ayes.
4. **CONSENT AGENDA:** District Administrator Mike Kinney confirmed that there was an invoice typo on the description of claim #10-267, 2009 General Engineering from Wenck Associates. The correct description should be 2010 General Engineering. Manager Kallberg moved to approve the consent agenda as amended and the April 13, 2010 minutes. Second by Manager Wahl. All ayes.
5. **ITEMS REMOVED:** None.

6. **TECHNICIAN'S REPORT:** District Technician Joshua Mankowski gave a brief update on permits and development activity within the District including tree clearing and CSAH 18 and 21. Improper tree clearing took place on the Klingber/Staber property in Prior Lake. The property owners will be held liable for tree replacement and stabilization.

Mr. Mankowski noted that the restoration work being done on CSAH 21 for a water main has a target completion date of May 20, 2010.

Lastly, Mr. Mankowski informed the Board that the District could permit the CSAH 18 project up to the District's boundary line (McColl Drive). County staff made a statement to note that they do not agree with the interpretation of the infiltration rule but are willing to address to accept the low cost solution suggested. District engineer Carl Almer made the recommendation that the District consider looking at modifying the outlet to discharge across CSAH 18 rather than the originally planned NURP pond outlet. Mr. Almer recommended the Board accept this plan under a conditional approval. Manager Schmokel moved to accept CSAH 18 plans under a conditional approval. Second by Manager Kallberg. All ayes.

7. **OLD / NEW BUSINESS:**

2009 Final Audit Review

Andy Berg from Abdo, Eick and Meyers presented the auditing results to the Board. The District audit went well and was submitted to the State office on time. There were no end findings of concern.

District Rule Discussion

Administrator Kinney stated the District rule discussion would be premature until an adequate amount of time is set aside for a larger review session.

Outlet Box Update

Administrator Kinney informed the Board that there was a concern from one of the property owners about how much material was being excavated in the roadway. This is yet to be resolved.

Mr. Kinney also reminded the Board the Morlock condemnation hearings will commence on Tuesday, May 25th 2010 and finish on Friday, May 28th 2010.

Channel Update

Administrator Kinney gave a status report on the following Channel segments. Segment 2 and 3 construction is currently on hold due to water levels. The District is looking to expand easement area with property owners on Segment 4a. A letter has been sent to Mr. Muhlenhardt explaining the District has easement on the land and plans on continuing with the construction plans with Segment 4b. Lastly, Segment 7b is undergoing a final easement delineation and plan design.

SWCD Update

Emily Javens from Scott SWCD reported on the Subwatershed Assessment & Stormwater Retrofit Grant Project proposal. The SWCD is working with the City of PL and EOR to accomplish this study which will help inform the overall TMDL Implementation Plan.

Ms. Javens also provided an update on the targeted landowner meetings. The SWCD looked at a total of 23 residents' properties out of 62 residents contacted. Overall, the land was determined to be in relatively good practice, and the next step will be to identify larger property owners. Of the properties analyzed, 4 residents agreed to put in filter strips through the cost share program.

Lastly, Ms. Javens requested the first half-payment for Robert Hartman's 9.3 acres of filter strips. Manager Mueller moved to accept the filter strip payment. Second by Manager Kallberg. All ayes.

EOR Update

Carl Almer from EOR provided project updates. He informed the Board that the next step in the Spring – Upper Prior TMDL Implementation Plan is to focus on outreach and plan for the kick-off meeting.

Sediment sampling and surveying need to be scheduled for the Highway 13 wetland and desiltation pond assessment.

Mr. Almer also informed the Board that in regards to the Rules & Standards Revisions, a stakeholder meeting will be scheduled sometime in the first half of June with a workshop to follow at the end of June.

Mr. Almer reported the next step for the 3rd Generation Plan will be to attend the BWSR Metro Water Planning Committee meeting sometime in early June, and to submit the full recommendation for approval by BWSR for the June 23rd Board meeting.

Mr. Almer recommended the Permit & Plan Review program needs to focus on resolving outstanding permits by looking at the procedures and technical feasibility of soil amendments and mitigation.

Lastly, Mr. Almer informed the Board that the District will be working on developing a subcatchment analysis for the Spring Lake Subwatershed.

Green Roof Seminar

The Green Roof Seminar will be held on Thursday, May 20th at the SMSC. District staff and Board members are planning to attend.

LMCIT Waiver

District Attorney, Chuck Holtman, recommended the Board not waive the statutory tort liability limits to the extent of the coverage purchased. Manager Kallberg moved to accept his recommendation and not waive the statutory tort limits. Second by Manager Mueller. All ayes.

Scott WMO letter to LMRWD

Paul Nelson from Scott County recommended we support the study on the Lower Minnesota River Watershed District to expand and/or contract boundary lines in order to more efficiently manage water resources within the watershed district. The Scott County Board supports the study in conjunction with Scott WMO.

8. **Administrator's Report**

Administrator Kinney highlighted a letter that has been sent to Richard Dennis, property owner on Spring Lake, over continuous violations on easement area. Mr. Kinney also noted that the District's move to the new office location went very smooth.

9. **Monthly Financial Report**

There were no questions or comments on the monthly financial report. Manager Kallberg moved to accept the monthly financial report. Second by Manager Wahl. All ayes.

Meeting adjourned at 4:17 PM.

Executive Session

Craig Gontarek, President

William Schmokel, Secretary