



Special Meeting
Thursday August 27, 2009
PLSLWD Office Conference Room

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

Members Absent: William Kallberg

Staff Present: Mike Kinney, District Administrator
Joshua Mankowski, District Technician
Stacy Sass, Water Resources Technician
Chris Schadow, District Accountant

Others Present: Dan Jobe, Scott County Highway Department
Deb Jezierski, HLB Tautges Redpath
Ross Bintner, City of Prior Lake
Steve Albrecht, City of Prior Lake
Emily Javens, Scott SWCD
Gale Mord, Harbor Community Church

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE:** Meeting called to order by President Gontarek at 9:10 AM

2. **PLEDGE OF ALLEGIANCE**

3. **2008 AUDIT REVIEW**

Administrator Mike Kinney presented Deb Jezierski of HLB Tautges Redpath, the District auditor. Ms. Jezierski gave a summary of the 2008 District audit. The financial portion of the audit received an unqualified fair opinion for the District. The legal compliance report states that the District is in compliance with the conditions of legal provisions. The only recommendations were to obtain a statement of perfected collateral and to ensure the public indebtedness report is filed with the County auditor on time annually.

Administrator Kinney told the Board that the District is in the process of obtaining a statement of perfected collateral from the District's banking institution.

Ms. Jezierski continued with a summary of their review of internal controls. The District was found to have deficiencies in internal control regarding separation of duties. However, it was recognized that these deficiencies are unavoidable with small staff sizes. It was recommended that the District provide more complete documentation of activities of disbursement.

Administrator Kinney stated that the Board approves all claims at the monthly meetings and Board signatures are required for all disbursements. Provisions for more fully documenting disbursements are already being enacted in the office.

Ms. Jezierski stated that overall there were no major concerns regarding the 2008 audit and that any findings reported were small and typical of institutions of this size. Chris Schadow, the District accountant, told the Board that the audit process was smoother this year than in past and that the JPA/MOA accounting issues that were raised in 2007 have been worked out.

4. **COUNTY ROAD 12 RETROFIT COST SHARE**

Steve Albrecht of the City of Prior Lake presented to the Board the current plans for the County Road 12 water quality retrofits. The three portions include a subsurface storage unit on the east side in City parkland, a bioinfiltration area on the west side in City parkland and an increase in street sweeping and use of pervious sidewalk for a portion of the center of the project. The City has \$75,000 available for retrofits on this project and the three proposed options total an estimated \$150,000. The City is requesting that the Watershed District match 50% of the cost, and aid in the application for grant funding for the project.

Administrator Kinney stated that due to the nature of the project, in a TMDL zone, uses innovative practices and the partnership between the organizations, there is a high probability of obtaining grant funding. Grant funds would reduce each contributor's costs to 25% of the project total. There was discussion regarding the use of stormwater for irrigation in the parkland on the east of the project and snow removal practices and their effect on the pervious sidewalk. The Board asked about monitoring effectiveness. Mr. Albrecht said that as a part of the grant monitoring would be conducted and the Board would receive project reports on all cost share projects with the City.

President Gontarek made a motion to pay 50% of the project costs, currently estimated at \$73,000, pending review of the final costs by the District Engineer and that the District would proceed with applying for a grant for the project. Seconded by Manager Schmokel. All ayes.

Mr. Albrecht presented the Board with an additional opportunity to cost share on a project. Mr. Albrecht said that the City has received a grant to complete an intensive street sweeping study with the University of Minnesota which will analyze effectiveness and efficiency of street sweeping in removing Phosphorus. As part of the study the City will incur additional costs due to increased sweeping frequency and maintenance costs. The City is requesting both the Watershed District and the Scott WMO cost share the additional costs for the City over the three year study. The City is requesting cost share from the Watershed District of 37%, or \$10,806.59 in year 1, \$8,031.59 in year 2 and \$8,273.30 in year 3.

The Board agreed that this is a good partnership and that the cost effectiveness of the Phosphorus removal is promising. Manager Wahl stated that he would support it if there were an increase in press releases on this project so that the

public knows about the project and the study behind it. Mr. Albrecht agreed that there would be increased press releases for this study.

President Gontarek made a motion for the District to provide support for the increased cost to the City during the study in the amounts presented over the three years of the street sweeping study. Seconded by Manager Wahl. All ayes.

-- Break --

5. **HIGHWAY 101 CULVERT REPLACEMENT**

Administrator Kinney stated that we have received an opinion from Inter-fluve, who was reviewing the County's designs for the culvert replacement, that said that placement of a check dam in the channel would only be a temporary measure and that over time the channel will destabilize and need to be repaired within an estimated 2 years. He added that the JPA/MOA partners have stated a concern over the Scott County rules' requirement for culvert replacements that require both upstream and downstream analysis of any project as part of the permit process and that any impacts associated with the project would need to be addressed by the permit applicant. It was acknowledged that the County designs were based upon the District's numbers for ultimate build out flows. Administrator Kinney stated that he is concerned that the temporary structure may fail and send sediment downstream, as well as the costs associated with restabilizing the channel due to the changes in hydrology from the culvert replacement.

Manager Schmokel stated that since the County is using the District's numbers and that we can find nothing wrong with their design today that we should go ahead with the permit. It was agreed that the District would approve the permit for the project with additional conditions of placing a temporary rock check dam as indicated by Inter-fluve as well as requiring the project applicant to work with the District, on behalf of the JPA/MOA partners, to evaluate the future impacts of the channel and determine an adequate cost share amount for any repair work needed on the channel from the Highway 101 culvert to the railroad crossing as a result of the permitted project.

Manager Schmokel made a motion to conditionally approve the Highway 101 project permit with the conditions previously stated in the Technician's Report as well as a condition to evaluate any changes or impacts to the channel from Highway 101 to the railroad crossing and to work with the District on any future work needed to restabilize the channel as a result of impacts from the project. Seconded by Manager Wahl. All ayes.

Manger Mueller excused himself for the remainder of the meeting.

6. **HARBOR CHURCH COST SHARE APPLICATION**

President Gontarek gave the Board an update of the site conditions and suggested that before moving any further the Cities of Prior Lake and Savage and the actual property owner be included in the discussion due to the situation being a

violation of WCA and the liability issues involved. The Board discussed the design options for addressing the current erosion as well as possible innovative retrofits to address the runoff.

Manager Schmokel proposed that the District not participate in the mitigation of the erosion or the excavation of the wetland due to the complexity of the liability issues but rather that the District participate if there were interest in completing innovative retrofits to address the rate and volume of water runoff. He also recommended looking at the restoration order that was issue to the adjoining property owner previously and to ensure they are involved and approve whatever corrective action is taken since they are a downstream recipient of what flows off of the Harbor Church site.

Emily Javens summarized that the Board does not want to participate in the cost share as presented. She requested the Board approve her time to provide technical assistance to bring the project to the point of construction, estimated at 40 to 50 hours.

President Gontarek agreed that we would like to see a solution to the situation but due to reasons discussed the District is unable to participate in a cost share. He supported using SWCD technical assistance to finalize designs and made a motion to provide technical services to the project in an amount not to exceed \$1000 to get the project to the point of being able to be constructed. Seconded by Manager Wahl. Gontarek and Wahl aye. Schmokel nay.

7. **2010 PRELIMINARY BUDGET REVIEW**

Administrator Kinney presented the Board with the current draft budget for 2010. He also presented a letter from BWSR stating the District's taxable value for 2009, payable in 2010, is \$3.476 billion, which increased from \$3.275 billion in 2008. The Board and Administrator Kinney discussed anticipated costs for 2010 and budgeted amounts.

There will be a public hearing on the preliminary 2010 budget at the September 8th regular Board meeting and the preliminary 2010 budget will be certified with Scott County by September 15th.

8. **OUTLET STRUCTURE FINAL PLAN REVIEW**

Administrator Kinney stated that the Prior Lake Outlet Structure project is ready for bidding and that the Board needs to formally approve the final designs for the project. A meeting was set for Thursday September 3rd at 9:00 AM at the District Office for the purpose for approving the final Outlet Structure designs.

Meeting Adjourned at approximately 12:45 PM.

Craig Gontarek, President

William Schmokel, Secretary