



Tuesday, February 12, 2013
Prior Lake City Hall
3:00 PM

Members Present: William Schmokel, Bill Kallberg, Curt Hennes & Bruce Thorsen

Members Absent: Marianne Breitbach

Staff Present: Mike Kinney, District Administrator
Nat Kale, Watershed Planner
Chuck Holtman, District Attorney, Smith Partners
Carl Almer, District Engineer

Others Present: Steve McComas, Blue Water Science
Ray Valley, Contour Innovations LLC
Paul Nelson, Scott County
Brad Davis, Scott County
Kathy Nielsen, Spring Lake Township

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE:** Meeting called to order by President Bill Kallberg at 3:08 PM.

Chuck Holtman administered the oath of office to newly appointed Manager Curt Hennes.

Manager Hennes introduced himself to the Board and the public in attendance and provided some background information on himself, his education, and his career.

2. **PUBLIC COMMENT:** None

3. **APPROVAL OF AGENDA:** Mike Kinney stated that staff prepared a memo regarding available property and asked to add that discussion to the agenda. Manager Schmokel moved to accept the agenda with above said addition. Second by Manager Hennes. All ayes. Motion passed 4-0.

4. **CONSENT AGENDA:**

- Minutes (December 2012 and January 2013)

Manager Schmokel moved to approve the consent agenda. Second by Manager Hennes. All ayes. Motion passed 4-0.

5. **TREASURER'S REPORT**

- Cash and Investments
- Claims List
- Annual Budget and Tax Levy

Manager Schmokel moved to approve the first page of the Claims List. Second by Manager Hennes. All ayes. Motion passed 4-0.

Manager Thorsen continued to review the information included in the remainder of the Treasurer's Report, including the investments, levy information, and year to date financial information.

6. **OTHER OLD/NEW BUSINESS**

VEGETATION MONITORING RESULTS

Steve McComas presented the results he obtained through the last year in regard to curlyleaf pondweed on Fish Lake, Spring Lake and Upper and Lower Prior Lake. He explained that while early monitoring is done in April, curlyleaf pondweed increases between April and June. He provided the previous conditions, early monitoring results and June monitoring results for the three lakes observed, noting that both Fish Lake and Upper and Lower Prior Lake have areas of heavy curlyleaf pondweed which he will ultimately recommend a treatment plan for in 2013. He stated that although Spring Lake had been treated for curlyleaf pondweed, the last treatment occurring in 2007, he did not see a reason for treatment at this time. He reported that an aquatic plants survey was completed for Pike Lake and noted that the lake is very shallow and does not contain many plants, with the exception of a few areas where an abundance of natural plants are found. He advised that Eurasian Water Milfoil (EWM) was found in the lake and the proper notification was provided. He recommended that scouting occur on all three lakes, with potential treatment then proposed for Fish Lake and Upper and Lower Prior Lake.

Mike Kinney explained that Mr. McComas is a consultant for the District and is otherwise not associated with the District or the DNR. He advised that Mr. McComas simply completes this aquatic plant survey and develops the report for the District. He reported that staff met in late January with Lake Restoration Inc., as well as members of the Prior Lake Association, in regard to possible treatment on Prior Lake. He explained the benefit to early treatment, compared to treatment in June when the seeds for the next season have already developed. He stated that staff is open to working with the Lake Association to develop a treatment plan for the lakeshore area of Prior Lake. He confirmed that staff would also like to develop a potential treatment plan for Fish Lake in 2013.

President Kallberg suggested obtaining an additional bid for the job from another business as well, for comparison purposes.

Mike Kinney confirmed the consensus of the Board to direct staff to prepare potential 2013 treatment plans for Upper and Lower Prior Lake and Fish Lake.

CiBioBase PRESENTATION AND PROPOSAL

Ray Valley, Contour Innovations LLC, provided background information on himself and his organization. He explained the different stages and conditions of lakes and the effects on those lakes that can cause impairment. He stated that there is a delicate balance of management once an invasion takes over in a lake, as you do not want to kill off the natural plants while attempting to remove the invasive species. He stated that his company focuses on a system of monitoring that can be easily repeated. He explained that his company empowers local citizens to monitor their own lake and reviewed the different types of equipment offered to assist in the process. He displayed an example where monitoring was conducted before and after an herbicide treatment. He presented the results from a Case Study that was completed on Paradise Lake in Carp Lake Michigan.

Mike Kinney stated that this equipment could assist homeowners and the Lake Associations that have expressed interest in applying herbicide treatments. He noted that one of the Lake Associations has volunteered to donate \$700 towards the cost of purchasing one of the monitoring units and will also assist in organizing volunteers to collect the data. He explained that the District does not have a boat and believed that this equipment could assist in the District obtaining information through this new method. He stated that staff recommends that the Board approve the purchase of two monitoring units and the software.

President Kallberg confirmed that the cost would be higher this year because of the purchase of the monitoring units and the software, with the fees reduced in future years to simply the subscription cost.

Ray Valley explained that the equipment would allow the District to more precisely identify areas that need treatment and to determine whether the treatment is effective.

Manager Thorsen suggested that further discussion be deferred to allow additional time to review the information.

Manager Schmokel stated that he would like to see this brought forward at a workshop.

Manager Thorsen made a motion to defer this request to allow additional time for review. Second by Manager Hennes. All ayes. Motion passed 4-0.

COUNTY COMPREHENSIVE LAND USE PLAN UPDATE AND THE PSLWD

Paul Nelson, Scott County, discussed the Scott County 2030 Comprehensive Plan Update. He provided background information on the previous Comprehensive Plan of the County and the differences between the 2020 and 2030 Plans.

Brad Davis continued to discuss the differences in land use identified on the 2020 Comprehensive Plan and the 2030 Comprehensive Plan for Scott County.

Kathy Nielsen explained that the development of the 2030 Comprehensive Plan has been a collaborative effort between the County, the Watershed Districts, and the Cities and Townships.

Paul Nelson continued to review information in regard to the County stormwater requirements, runoff volume, and phosphorus. He explained that the 2003 Study completed by the District had effect on the land use planning process and the creation of the 2030 Comprehensive Plan.

Manager Schmokel stated that he liked that the concept was moving to volume rather than velocity.

PROPOSAL FROM SPRING LAKE TOWNSHIP

Kathy Nielsen explained an annexation that took place last year in regard to the Sunset project, where a portion of Spring Lake Township was annexed into the City of Prior Lake. She reported that the Township has donated a portion of the land to the City of Prior Lake to assist with the road project. She advised that the Township has discovered that they now own a strip of lakeshore that is fully within the City of Prior Lake, and for which they will be assessed if they keep the property. She explained that the Township has no interest in owning property within Prior Lake and asked the District to determine if they would have an interest in the property. She noted that a decision would not need to occur at this time but asked that further discussion occur at a future Board meeting.

President Kallberg directed staff to obtain additional information in regard to the possible acquisition of this property.

Manager Schmokel asked that the City of Prior Lake also be included in the discussions.

Kathy Nielsen clarified that if the District is not interested in the land for District purposes, the decision to sell to a private buyer would be the Township's.

AWARD CONTRACT FOR FERRIC CHLORIDE FEED SYSTEM

Nat Kale noted that a recommendation was included in the Board packet to award the ferric chloride feed project. He reported that two bids were received, with a range of almost \$55,000 between the two bids. He explained that the lower bidder is located in Jordan and therefore has lower mobilization costs. He advised that staff recommends the contract be awarded to the low bidder.

Chuck Holtman provided additional information on the timing specified in the bid documents and awarding of the contract.

Manager Thorsen asked what the hurry is and believed that the action should be delayed.

Mike Kinney noted that construction was to occur during frozen conditions.

Chuck Holtman noted that there is a special meeting, public hearing, to be held on February 27th.

Manager Thorsen stated that he would like to see this done conservatively and believed that everything should be obtained prior to the contract being awarded.

Mike Kinney explained that during the time that the permits are being obtained, the contractor can be submitting their necessary documents and insurance information. He explained that this is a side-by-side process that is often done.

Nat Kale explained that the bid received is calculated from the date the bid is opened and not the date the bid is awarded. He explained that waiting through the 45-day period does not grant any type of extension on the bid submitted.

Chuck Holtman explained that once a bid is awarded, the contractor has ten days to submit its necessary paperwork and insurance documentation. By awarding the contract today, the Board could allow the paperwork to be completed before the public hearing on February 27th, allowing the notice to proceed to be issued directly thereafter rather than waiting an additional ten days.

Manager Schmokel made a motion to approve Resolution 13-623. Second by Manager Hennes. All ayes. Motion passed 4-0.

Nat Kale stated that the District has successfully negotiated for the purchase of two easements needed, which will satisfy the land easements required for this project.

Manager Schmokel made a motion to approve Resolution 13-624. Second by Manager Hennes. All ayes. Motion passed 4-0.

Manager Hennes made a motion to approve Resolution 13-625. Second by Manager Schmokel. All ayes. Motion passed 4-0.

COST SHARE FRAMEWORK

Nat Kale noted that a memo was included in the Board packet explaining the cost share framework. He explained that this will incorporate the existing program with additional detail and clarification.

Manager Schmokel made a motion to approve the cost share framework. Second by Manager Hennes. All ayes. Motion passed 4-0.

Manager Thorsen departed at 5:30 p.m.

CITY OF PRIOR LAKE – CENTER FOR URBAN AND REGIONAL ASSISTANCE (CURA) PROPOSAL

Nat Kale informed the Board that the City of Prior Lake is applying to CURA to host a “Resilient Cities” project, which was piloted last year with the City of Minnetonka and involves CURA and related resources brought to bear to coordinate and improve sustainability of city elements and activities, including water resource matters. Prior Lake has asked for the District’s support. If the application is accepted, Prior Lake may ask for more active District engagement including funding participation. Support at this time involves no financial obligation.

Manager Hennes made a motion to support the Prior Lake application and authorize staff assistance in its submittal. Second by Manager Schmokel. All ayes. Motion passed 3-0.

STORMWATER RULE

Nat Kale discussed the progress of the Rules Technical Advisory Committee (TAC) thus far. He advised the Board that the technical group has expressed serious reservations about any rewrite of the stormwater rule that requires greater stormwater volume mitigation than the present rule. He recommended bringing a stormwater rule to the TAC that maintains the same stormwater runoff and water quality standards as the current rule, and revises the stormwater volume requirement to be equivalent, but written as a pre-development/post-development standard, rather than an infiltration/abstraction over new impervious standard. Paul Nelson suggested that a 0.5-inch abstraction requirement does reduce volume; the question for the Board is whether it sees a need for greater reduction. The other question, to his mind, is whether the standard should prescribe a certain amount of abstraction, or a proportion of abstraction.

Mr. Kale also discussed a proposed volume banking concept. Since all runoff in the District flows to Prior Lake, there is a wide scope for banking. Managers Schmokel and Kallberg encouraged developing the concept, but said that more exploration and careful consideration are needed.

The managers concurred that staff should continue to explore both the shift to a pre-/post-development standard and a volume banking concept.

SPRING LAKE CORES SUMMARY

Mr. Kale advised that the St. Croix Watershed Research Station and University of St. Thomas have done sediment sampling of Upper Prior, Lower Prior and Spring Lakes. Staff believes that the TMDL target of 40 milligrams phosphorus per liter for Spring Lake may be low in light of a pre-development phosphorus level that may have been higher. Staff is talking with the Minnesota Pollution Control Agency as to what further data might support revising the TMDL. Mr. Kinney added that Spring Lake is classified as a deep lake, but is close to the standard for a shallow lake, which would be assigned a higher TMDL target of 60 milligrams per liter.

PROGRAMS AND PROJECTS UPDATE

Nat Kale provided an update on District programs and projects.

MANAGER PRESENTATIONS AND MEETINGS ATTENDED

None. President Kallberg remarked that he would prefer managers' items to be submitted before the meeting.

MISCELLANEOUS ADMINISTRATIVE ITEMS

Written report provided in Board material.

UPCOMING MEETINGS

President Kallberg noted a February 27 special meeting to be held at the District office and a February 28 meeting of the Citizens' Advisory Committee at Prior Lake City Hall.

ADJOURNMENT

Meeting adjourned at 6:20 p.m.

Marianne Breitbach, Secretary