PRIOR LAKE - SPRING LAKE
WATERSHED DISTRICT

Monday, August 13, 2012
Prior Lake City Hall
3:00 PM

Members Present: Bill Kallberg, Bruce Thorsen and Greg Aamodt, Bill Schmokel and Marianne Breitbach

Staff Present: Mike Kinney, District Administrator
Nat Kale, Watershed Planner
Emily Javens, Watershed Engineer
Chuck Holtman, District Attorney, Smith Partners
Carl Almer, District Engineer
Stacy Sass, Water Resources Technician

Others Present: Scott Walz, SMSC Land Department
Dr. Christian Morkenberg, CAC

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**: Meeting called to order by Manager Kallberg at 3:07 PM.

2. **OATH OF OFFICE AND ELECTION OF OFFICERS:** Marianne Brietbach was sworn into office by Chuck Holtman. Open positions for up for election: President, Vice President, Secretary and Treasurer. Manager Schmokel nominated Manager Kallberg for President, seconded by Manager Aamodt. Motion carried 4-0-1 (Thorsen). President Kallberg nominated Manager Aamodt for Treasurer, seconded by Manager Schmokel. Motion carried 4-0-1 (Thorsen). Manager Aadmodt nominated Manager Schmokel for Secretary. Manager Schmokel declined the nomination, and nominated Manager Breitbach. Motion carried 4-0-1 (Thorsen). Manager Aamodt nominated Manager Schmokel for Vice President, Manager Breitbach seconded. Motion carried 4-0-1 (Thorsen).

3. **PUBLIC COMMENT:** Dr. Christian Morkenberg from CAC addressed the board and wanted to call attention to the health consequences of warm water due to recent weather conditions; he believes that Prior Lake and Spring Lake are at risk and asked the board to consider some of these concerns into the water plan. Stacy Sass, Water Resources Technician, presented a few samples that had been

taken recently near the Spring Lake outlet, and explained that the samples are laden with algae from low flows, lack of rain and warm temperatures.

4. **APPROVAL OF AGENDA:** Manager Thorsen requested to add an Open Meeting Law to the end of the meeting. President Kallberg made a motion to approve the amended agenda, seconded by Manager Thorsen. Motion carried 5-0.

5. **CONSENT AGENDA:** Manager Schmokel made a motion to accept the consent agenda, seconded by Manager Aamodt. Motion carried 5-0.

ARCTIC LAKE FUNDING REQUEST

Scott Walz, from the SMSC Land Department, provided a background on the Arctic Lake Restoration Project. He pointed out that there is a concern for the level of phosphorus level in the lake, even after conservation and restoration efforts. He proposed a partnership between the City of Prior Lake, The Sioux Community, and the District to help with the development of a hydrologic and water quality model for Arctic Lake. The cost for the project was estimated at $42,500, to be divided three ways. The benefits of this type of project would help to improve water quality and control the carp population.

Mike Kinney, District Administrator confirmed that the PLSLWD staff approves the project. Manager Schmokel made a motion to approve the Arctic Lake proposal and divide and share the cost of the project three ways between the Sioux Community, City of Prior Lake and the PLSLWD. Manager Thorsen suggested that the District's contribution should be quantified before the motion was accepted to eliminate ambiguity; the contribution of the District was estimated at $14,167. Manager Schmokel agreed and added to his motion that the District would contribute $14,167, seconded by Manager Aamodt.

Chuck Holtman, District Attorney, Smith Partners questioned if the motion would allow the District Administrator to sign some sort of agreement to establish equal participation and identify the parameters, scope and the outcome of the project.

President Kallberg made a motion to approve the Arctic Lake proposal; the District's contribution would be $14,167 and the District Administrator would be authorized to sign an agreement to establish equal participation between the City of Prior Lake, Sioux Community, and the PLSLWD, that identified the parameters, scope, and outcome of the project. Motion carried 5-0.

SPRING LAKE OUTLET CHANNEL RESIDENTS

Emily Javens introduced Vicky and Joel Decker, and Chuck Debett, who are currently Spring Lake outlet channel residents. The Deckers and Mr. Debett were approached by the District to establish an easement on their properties to allow access rights to the outlet channel. The residents said a few words about their property, their concerns regarding erosion and their optimism about working with the District.

President Kallberg requested more information about the properties and what the easement would entail.

FEMA FLOODPLAIN SCOPING

Nat Kale discussed the update for the floodplain FEMA analysis for Spring Lake. After modeling, the current floodplain elevation is too high, because the PLOC was not incorporated in the model. Mr. Kale suggested that the model should be updated to include the PLOC; if the PLOC was included in the model, the change in the 100-year floodplain would affect 42 homes. He also stressed that this project is important because the District strives to have the most accurate data available for any regulatory activity. The approximate cost for the survey would be $9,200, to be shared with the City of Prior Lake.

Manager Breitbach questioned how the new floodplain elevation might affect resident's insurance rates. Nat Kale said that the floodplain elevation directly affects who must have flood insurance and the rates that they must pay.

Manager Schmokel presented concerns about the plan. He said that FEMA is supposed to update the floodplain elevations in 2012, and the way they calculate the 100-year flood elevation. Nat Kale said that he contacted FEMA directly, and addressed Manager Schmokel's concerns.

Manager Aamodt made a motion to approve the scope of the project as given previously in the June meeting and not to exceed a contribution of $5,000, given by the direction of Administrator Kinney. Seconded by President Kallberg. Motion Carried 4-1 (Thorsen).

FeCl MINOR PLAN AMMENDMENT

Nat Kale explained that the PLSLWD staff had put together a redesign of the FeCl system. IF the resolution was approved, the PLSLWD staff could distribute the proposed amendment to other appropriate entities for review. The amendment would then come back in October, and the plan could then be approved.

Manager Thorsen made a motion to approve Resolution 12-248. Seconded by Manager Aamodt. Motion carried 5-0.

UPPER PRIOR RETROFIT RAIN GARDEN BID

Emily Javens informed the board that the District received five quotes for the Upper Prior retrofit. The low bidder was D&J Landscaping. Ms. Javens said that this project would eliminate 3.6 pounds of phosphorus per year from Prior Lake; the cost per pound of phosphorus over time would be $340/lb/year. There is currently no treatment to this area.

Manager Thorsen made a motion to accept the bid from D&J Landscaping of the Upper Prior Retrofit Rain Garden Project. Manager Aamodt seconded the motion. Motion carried 5-0.

COUNTY ROAD 12/17 WETLAND RESTORATION

Emily Javens provided an update about the parcel of land near County Road 12/17 where the wetland restoration would take place; the parcel was annexed to the City of Prior Lake, and was appraised at a rate three times higher than estimated. This raises the cost of the District's contribution from $80,000 to $125,000. The wetland restoration project would help to reduce phosphorus from the sub watershed of Crystal Lake. The total cost of the project would be $240,000, which includes the land acquisition. Ms. Javens suggested that the District pay for the construction costs.

Chuck Holtman, District Attorney, Smith Partners, said that the District cannot make a commitment to the project, based on the amendments to the documents that were provided. Ms. Javens asked for a verbal agreement from the board to proceed with the project.

President Kallberg directed the PLSLWD staff to continue negotiations but to minimize increasing costs with project stakeholders.

DISTRICT PROGRAMS & PROJECTS UPDATE

Emily Javens and Nat Kale each gave verbal updates on current projects, showing current progress and any impending actions. A visual presentation was shown as well as written material provided.

2013 CIP AND BUDGET UPDATE

Mike Kinney discussed the levy and current budget update. The final budget will be brought to the special meeting on August 28th with respect to the levy and the levy rate.

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CAC UPDATE

Mike Kinney extended an invitation to the board for the Lake Association Tour on August 28th; the tour will discuss programs, projects and concerns for Prior Lake.

FINANCIAL POLICY UPDATE

Mr. Kinney discussed the financial policy update. Managers will have to re-sign the credit cards at the bank. District Administrator, Mike Kinney, will no longer be on the cards. Banking will now be a formal policy.

ADMINISTRATOR'S REPORT

Mr. Kinney shared that Shawn Tracy is no longer an employee with the PLSLWD. He will be meeting with Katie from the City of Prior Lake to discuss sharing skills and duties/activities.

OPEN MEETING LAW

Manager Thorsen discussed the idea of Open Meeting Law. He proposed that an open meeting law be added to the standard meeting agenda to allow discussion. The board decided to table the discussion until the next meeting.

ADJOURNMENT

President Kallberg declared the meeting adjourned at 5:51PM.

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Marianne Breitbach, Secretary