



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

AGENDA

Tuesday, July 12, 2022

6:00 PM

Council Chambers
Prior Lake City Hall

BOARD OF MANAGERS:

**Bruce Loney, Vice President; Frank Boyles, Secretary;
Christian Morkeberg, Treasurer; Matt Tofanelli, Manager; Ben Burnett, Manager**

Note: Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

Board Workshop 4:00 PM – Parkview Conference Room

- Office Appointments (Bruce Loney)
- Liaison Appointments (Bruce Loney)
- Joint Board of Managers & CAC Meeting Debrief (Bruce Loney)
- Draft Vegetation Policy (Jeff Anderson)
- Draft Employee Benefits Policy (Joni Giese)
- Watershed Management Study – Status Update (Joni Giese)
- Project Manager Hiring – Status Update (Joni Giese)
- Cates Lake Water Quality (Joni Giese)
- June Board Meeting Citizen Comment Follow-up (Joni Giese)
- Real Estate Assistance – Status Update (Joni Giese)
- Liaison Updates

6:00 – 6:02 PM 1.0 **BOARD MEETING CALL TO ORDER & PLEDGE OF ALLEGIANCE**

6:02 – 6:07 PM 2.0 **PUBLIC COMMENT**

If anyone wishes to address the Board of Managers on an item not on the agenda or on the consent agenda, please come forward at this time. Go up to the podium, turn on the microphone and state your name and address. (The Chair may limit your time for commenting.)

6:07 – 6:10 PM 3.0 **APPROVAL OF AGENDA** (Additions/Corrections/Deletions)

6:10 – 6:20 PM 4.0 **TREASURER'S REPORT**

4.1 Monthly Financial Reports (Discussion Only)

- Financial Report
- Treasurers Report
- Cash Flow Projections

4.2 Quarterly Financial Reports

- Balance Sheet
- Cost Analysis

- 6:20 – 6:40 PM 5.0 **OTHER OLD/NEW BUSINESS**
 5.1 Programs & Projects Update (Discussion)
 5.2 Board Officers Appointment (Vote)

6:40 – 6:45 PM 6.0 **CONSENT AGENDA**

The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of the Board member, staff member, or a member of the audience. Please state which item or items you wish to remove for separate discussion.

- 6.1 Meeting Minutes – June 14, 2022, Board Workshop
 6.2 Meeting Minutes – June 14, 2022, Board Meeting
 6.3 Meeting Minutes – May 26, 2022, CAC Meeting
 6.4 Claims List & Visa Expenditures Summary
 6.5 Spring Lake Ridge Development Agreement and Conservation Easement

6:45 – 6:50 PM 7.0 **UPCOMING MEETING/EVENT SCHEDULE:**

- Special Board Workshop (2023 Budget Focus), Monday, July 18, 2022, 5:00 – 8:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)
- CAC Meeting, Thursday, July 28, 2022, 6:00 – 8:00 pm (Prior Lake City Hall – Parkview Conference Room)
- Board of Managers Meeting, Thursday, August 18, 2022, 6:00 pm (Prior Lake City Hall – Council Chambers)

6:45 – 6:50 PM 8.0 **ADJOURNMENT**

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT
Financial Report - Cash Basis
January 1, 2022 Through June 30, 2022

Reflects bills paid through June 30, 2022

Program Element		2022 Budget	2022 Actual Results		
			June 2022	YTD	YTD % of Budget
	General Fund (Administration)				
	Revenues				
	Property Taxes	\$ 246,200	128,902	128,902	52%
	Grants	-	-	-	#DIV/0!
	Interest	-	(33)	93	#DIV/0!
	Other	-	-	-	#DIV/0!
	Total Revenues	\$ 246,200	128,869	128,994	52%
	Expenditures				
	Administrative Salaries and Benefits	\$ 133,800	20,563	54,874	41%
	703 · Telephone, Internet & IT Support	20,000	1,078	7,314	37%
	702 - Rent	27,400	2,318	13,082	48%
	706 · Office Supplies	10,000	1,094	3,470	35%
	709 · Insurance and Bonds	12,800	3,682	3,682	29%
	670 · Accounting	27,000	2,352	12,644	47%
	671 · Audit	7,700	-	8,500	110%
	903 · Fees, Dues, and Subscriptions	1,500	127	458	31%
	660 · Legal (not for projects)	6,000	286	911	15%
	General Fund (Administration) Expenditures	\$ 246,200	31,499	104,933	43%
	Net Change in General Fund	-	97,370	24,062	

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

2022 Budget

January 1, 2022 Through June 30, 2022

			Reflects bills paid through June 30, 2022		
Program Element		2022 Budget	2022 Actual Results		
			June 2022	YTD	YTD % of Budget
	Implementation Fund				
	Revenues				
	Property Taxes	\$ 1,602,735	839,138	839,138	52%
	Grants/Fees	105,000	3,534	19,364	18%
	Interest	-	365	377	#DIV/0!
	Sales/Other	-	-	500	#DIV/0!
	Budget Reserves	252,700	-	-	0%
	Total Revenues	\$ 1,960,435	843,036	859,378	44%
	Expenditures				
	Program Salaries and Benefits (not JPA/MOA)	\$ 461,700	21,857	199,464	43%
Water Qual	550 Public Infrastructure Partnership Projects	\$ 6,750	-	-	0%
Water Qual	611 Farmer-led Council	61,000	-	4,923	8%
Water Qual	611 Cost-Share Incentives	58,000	-	500	1%
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	65,000	74	1,485	2%
Water Qual	611 Fish Management, Rough Fish Removal	88,000	5,354	19,307	22%
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,050	-	-	0%
Water Qual	611 Alum Internal Loading Reserve	230,000	-	-	0%
Water Qual	611 Alum Internal Loading Project 2022 Costs	20,000	-	-	0%
Water Qual	637 District Monitoring Program	109,000	2,621	8,194	8%
Water Qual	626 Planning and Program Development	20,000	1,301	5,586	28%
Water Qual	626 Engineering not for programs	15,000	744	4,179	28%
Water Qual	626 Debt Issuance Planning	10,000	-	-	0%
Water Qual	648 Permitting and Compliance	27,000	5,534	19,282	71%
Water Qual	648 Update MOAs with cities & county	10,000	-	-	0%
Water Qual	648 BMP and easement inventory & inspections	12,000	46	345	3%
Water Qual	626 Upper Watershed Blueprint	443,035	2,467	33,181	7%
Water Qual	752 Fish Lake Shoreline Restoration Project Maintenance	-	1,484	1,034	#DIV/0!
Water Qual	611 Fish Stocking	3,000	3,505	3,505	117%
	WQ TOTAL	\$ 1,178,835	23,130	101,520	9%
Water Storage	550 District-wide Hydraulic & Hydrologic model	\$ 5,000	-	-	0%
Water Storage	550 S&I Sutton Lake Outlet Structure Project	125,400	534	3,249	3%
	WS TOTAL	\$ 130,400	534	3,249	2%
AIS	611 Aquatic Vegetation Mgmt	\$ 7,000	3,168	3,168	45%
AIS	637 Automated Vegetation Monitoring (BioBase)	5,000	-	99	2%
AIS	637 Aquatic Vegetation Surveys	18,000	4,600	4,600	26%
AIS	637 Boat inspections on Spring, Upper & Lower Prior	30,000	7,076	7,095	24%
	AIS TOTAL	60,000	14,843	14,962	25%
Ed & Out	652 Education and Outreach Program	\$ 10,000	-	-	0%
	E&O TOTAL	\$ 10,000	\$ -	\$ -	0%
	PLOC Contribution	\$ 19,500	-	19,148	98%
	Debt Payment Reserve	100,000	-	-	0%
	Total Implementation Fund	\$ 1,960,435	60,364	338,343	17%
	Net Change in Fund Balance Implementation Fund	-	782,672	521,035	
	Grant Funds/Fees Anticipated				
Water Qual	611 Farmer-led Council (BWSR Grant)	\$ 10,000			
	648 New Easement Acquisition Fees	5,000			
Water Qual	648 BMP and easement violations fees	500			
	626 Upper Watershed Blueprint (BWSR WBIF Grant)	19,800			
	550 S&I Sutton Lake Outlet (DNR Flood Hazard Grant)	62,700			
AIS	611 Aquatic Vegetation Mgmt. (Scott County)	7,000			
	Total Grant Funds/Fees Anticipated	\$ 105,000			

PLSLWD Monthly Treasurers Report

Treasurer: Christian Morkeberg

Account balances as of 6/30/2022

Old National Bank (Checking Account)	\$	865,589
Sterling Bank (Checking Account)	\$	236,935
4M Fund (Checking Account)	\$	1,500,338
Total Uncleared Transactions	\$	(11,465)
SUBTOTAL	\$	2,591,397

RESTRICTED/ASSIGNED FUNDS

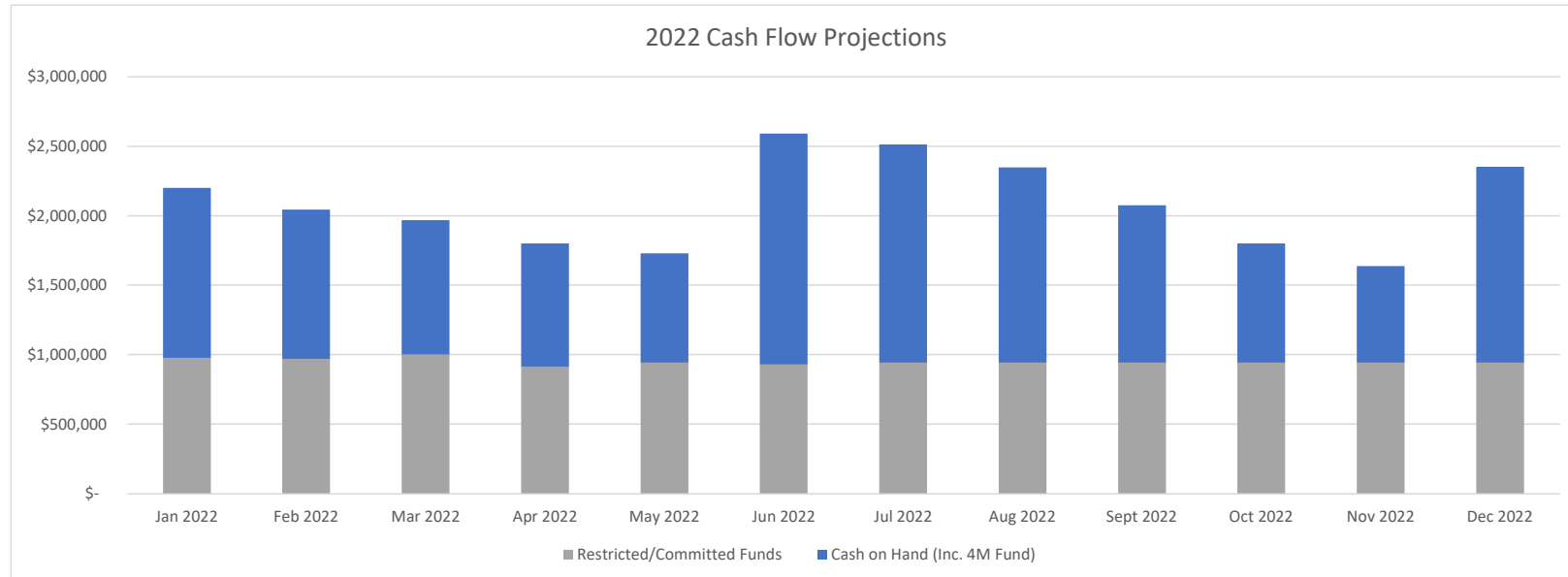
Restricted - Permit Deposits, etc.	\$	89,001
Restricted - PLOC Contingency Reserve (850)	\$	260,076
Restricted - PLOC O&M Funds (830)	\$	160,424
Assigned - Alum Internal Loading Reserve	\$	230,000
Assigned - Upper Watershed Blueprint Fund Balance	\$	190,000
TOTAL DISTRICT/PLOC RESTRICTED OBLIGATIONS	\$	929,501

Available cash at end of June 2022	\$	1,661,896
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72.3% of 2022 Budget

Cash Flow Chart

Month (End of Month)	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022
Cash on Hand (Inc. 4M Fund)	\$1,223,157	\$1,072,763	\$ 966,996	\$ 887,945	\$ 786,363	\$1,661,896	\$1,569,804	\$1,405,613	\$1,131,363	\$ 857,052	\$ 693,432	\$1,408,297
Restricted/Committed Funds	\$ 977,195	\$ 970,484	\$1,000,461	\$ 912,165	\$ 942,723	\$ 929,501	\$ 942,723	\$ 942,723	\$ 942,723	\$ 942,723	\$ 942,723	\$ 942,723
Total Cash on Hand	\$2,200,352	\$2,043,247	\$1,967,457	\$1,800,110	\$ 1,729,086	\$2,591,397	\$2,512,527	\$2,348,336	\$2,074,086	\$1,799,775	\$1,636,155	\$2,351,020



PLSL Watershed District

Starting cash on hand

Cash Minimum Balance Alert \$ 150,000

	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Total
Cash on hand (beginning of month)	\$ 2,288,043	\$ 2,200,352	\$ 2,043,247	\$ 1,967,457	\$ 1,800,110	\$ 1,729,086	\$ 2,591,397	\$ 2,512,527	\$ 2,348,336	\$ 2,074,086	\$ 1,799,775	\$ 1,636,155	

Cash Receipts

Property Tax Levy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 968,039	\$ -	\$ -	\$ -	\$ -	\$ 750	\$ 868,999	\$ 1,837,788
BWSR WBIIF - Lower MN River	-	-	15,830	-	-	-	-	-	-	-	-	4,000	19,830
BWSR BWF Metro Grant	-	-	-	-	-	-	18,500	-	-	-	-	-	18,500
DNR Flood Hazard Mitigation Grant	-	-	-	-	-	-	31,350	-	-	-	-	31,350	62,700
Grants - Other	-	-	-	-	-	-	7,000	-	-	-	-	-	7,000
PLOC Contributions	-	-	-	-	69,993	-	28,410	-	-	-	-	-	98,403
Interest Income	6	6	7	10	118	450	360	300	240	180	120	300	2,097
Other Receipts	-	-	-	-	500	3,534	-	-	-	-	-	-	4,034
Total Cash Receipts	\$ 6	\$ 6	\$ 15,837	\$ 10	\$ 70,611	\$ 972,023	\$ 85,620	\$ 300	\$ 240	\$ 180	\$ 870	\$ 904,649	\$ 2,050,352
Total Cash Available	\$ 2,288,049	\$ 2,200,358	\$ 2,059,084	\$ 1,967,467	\$ 1,870,721	\$ 2,701,109	\$ 2,677,017	\$ 2,512,827	\$ 2,348,576	\$ 2,074,266	\$ 1,800,645	\$ 2,540,804	

Cash Paid Out

Salaries and Per Diems	\$ 41,794	\$ 37,100	\$ 55,501	\$ 42,212	\$ 51,016	\$ 39,133	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 564,506
Office Expense, Audit, Accounting	3,423	5,751	8,095	9,738	19,199	11,743	9,367	9,367	9,367	9,367	9,367	9,367	114,149
PLSLWSD Program Costs	40,586	107,548	16,022	27,111	13,770	40,997	94,103	94,103	94,103	94,103	94,103	94,103	810,652
PLOC Contribution	-	-	-	-	19,148	-	-	-	-	-	-	-	19,148
PLOC Operations	1,894	6,712	12,009	88,296	38,502	17,839	11,396	11,396	121,396	121,396	11,396	36,690	478,921
Debt Service	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal	\$ 87,697	\$ 157,111	\$ 91,627	\$ 167,357	\$ 141,635	\$ 109,712	\$ 164,490	\$ 164,490	\$ 274,490	\$ 274,490	\$ 164,490	\$ 189,784	
Cash on Hand (end of month)	\$ 2,200,352	\$ 2,043,247	\$ 1,967,457	\$ 1,800,110	\$ 1,729,086	\$ 2,591,397	\$ 2,512,527	\$ 2,348,336	\$ 2,074,086	\$ 1,799,775	\$ 1,636,155	\$ 2,351,020	

Prior Lake-Spring Lake Watershed District Balance Sheet

	6/30/2022 Balance
Cash/Investments	
Sterling Bank	\$ 225,470
Old National Bank	865,589
Northland Securities	1,500,338
	<u>\$ 2,591,397</u>
Receivables	
PLOC - Contributions	28,410
Other Receivables	3,751
	<u>32,161</u>
Total Assets	<u><u>\$ 2,623,558</u></u>
Liabilities	
Permit Security	\$ 74,666
Permit Deposits	14,335
	<u>89,001</u>
Fund Balance	
Restricted	420,500
Committed	420,000
Unassigned	1,694,057
	<u>2,534,557</u>
Total Liabilities and Fund Balance	<u><u>\$ 2,623,558</u></u>

PLSLWD
Cost Analysis
Year to Date 6-30-2022

	Year to Date 6-30-2022	
	Amount	% of total
<u>Program staff costs</u>	<u>199,464</u>	<u>45.0%</u>
<u>Consultants</u>		
EOR	58,623	
Blue Water Science	4,600	
WSB & Associates	17,204	
	<u>80,427</u>	<u>18.1%</u>
<u>Projects - (without staff cost or consultants)</u>		
HAB Aquatic Solutions	-	
Hard costs, exclusive of prog staff & consultant costs	39,305	
Permitting Revenue	-	
	<u>39,305</u>	<u>8.9%</u>
<u>Overhead and Administration</u>		
Staff costs	54,874	
Audit/Accounting/Legal	22,054	
Other admin overhead	28,005	
	<u>104,933</u>	<u>23.7%</u>
<u>Bonds payments</u>	<u>-</u>	<u>0.0%</u>
<u>PLOC Contribution</u>	<u>19,148</u>	<u>4.3%</u>
Expenses excluding PLOC expenses per manager report	<u>443,276</u>	<u>100.0%</u>

No assurance is provided on this statement.

This statement omits required disclosures.

This statement is prepared on the cash basis of accounting.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

JULY 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Sutton Lake Outlet and Lake Management Plan <i>Project Lead: Joni</i>	Lake Management Plan <ul style="list-style-type: none"> Scheduled meeting with DNR Sutton Lake Outlet <ul style="list-style-type: none"> Final vegetation establishment inspection and process contractor project closeout paperwork. 	Lake Management Plan <ul style="list-style-type: none"> Make revisions to Lake Management Plan, as needed, based on Board of Managers comments. Review plan concepts with DNR and Landowners. Sutton Lake Outlet <ul style="list-style-type: none"> Close out DNR grant within month
Carp Management <i>Rough Fish Management (Class 611)</i> <i>Carp Management Project (Class 750 & 751)</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Tracking: Tracked radio tagged carp in Spring and Upper Prior Lakes. Continued receiving Carp Espionage volunteer submissions with carp sightings across Upper Prior and Spring Lakes in early June. Downloaded PIT station data. Low water levels have limited migration routes where PIT stations are located. Removals: Completed electrofishing removals in Mud Bay and additionally netting up CD13 on Spring Lake. Removals are estimated at over 1000 lbs. 	<ul style="list-style-type: none"> Continue to track the tagged carp. Remove fish in open water as permit allows. Radio tagged carp are trapped in the desilt pond up CD13. Use similar strategy to remove additional carp using block net. Low water made carrying boats into pond difficult. Box or hoop netting in Spring or Upper Prior Lakes Look into topics for next Metro Carp Management Group (MCMG) meeting.
Ferric Chloride System Operations <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Completed MPCA required weekly water quality sampling when flowing Solved issues with ISCO data logger. Performed site vegetation maintenance. 	<ul style="list-style-type: none"> Complete 2021 FeCl load and efficiency calculations. Complete Q2 MPCA DMR report
Farmer-Led Council <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> No new activity 	<ul style="list-style-type: none"> Plan for summer meeting and (date to be set). Lake Friendly Farm event postponed to winter 2023.
Cost Share Incentives <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> No new activity 	<ul style="list-style-type: none"> Review cost share applications with Scott SWCD as needed.
Fish Lake Shoreline & Prairie Restoration Project <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> Submitted final CPL grant report and final reimbursement requests. 	<ul style="list-style-type: none"> Receive reimbursement from DNR for grant expenditure. Begin drafting project handoff to Spring Lake Township.

JULY 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Upper Watershed Projects <i>Buck East Wetland, Sutton IESF, Swamp IESF, Buck Chemical Treatment, Ditch 13 Chemical Treatment, Spring Lake West IESF</i> <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Sent Buck wetland study landowners notice of soil sampling work to be performed by EOR. 	<ul style="list-style-type: none"> Refine budget request value and submit budget request to BWSR for FY2022 – 2023 WBIF grant (includes Ditch 13 Chemical Treatment). Schedule second landowner meeting for Buck Wetland study. Meet with potential real estate consultants to learn what services they could provide. Complete BWSR grant reconciliation that covers Spring West Feas. Study
Website and Media <i>Project Lead: Elizabeth</i>	<ul style="list-style-type: none"> Articles posted: None (SCENE article in the works for next edition) Website articles: 2022 intern introductions Social Media – posted on all social channels about: evaporation/lake levels, the benefits of aquatic plants in lakes, advertising for a new Project Manager, carp removals, and 2022 interns 	<ul style="list-style-type: none"> Continue writing posts and updates about projects on the website Continue updating Facebook, and Instagram about projects & news Submit Illicit Discharge article to Scott County Scene in July
Citizen Advisory Committee <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Joint Meeting June 30. Prep for next CAC meeting: Troy Kuphal from SWCD will be providing an educational seminar to CAC at July 28 meeting. 	<ul style="list-style-type: none"> Facilitate July 28 meeting. Need more CAC members! Pushing to recruit and spread the word. Coordinating two Prior Lake Farmer's Market events Summer 2022 to educate local citizens on the role of PLSLWD, illicit discharge, and what we do for the community. Future educational seminars: DNR in August and City of Prior Lake Water Resources Engineer in October.
Education Program <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> See Website and Media comments 	<ul style="list-style-type: none"> Stormwater Stenciling event postponed to fall of 2022 due to lack of registrations for June 11th. Set new date for fall. Farmer's Market (see CAC comments).

JULY 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Monitoring Program <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> • Data management. • Responded to numerous questions about lake levels. • Spring Lake Logger is working now. New issues for the Prior Lake logger have started. Spent time troubleshooting the logger and database. • WISKI server contract in final stages, legal counsel's suggested revisions under review by KISTERS. • Bi-weekly stream water quality monitoring and CAMP Lake sampling. • Bi-weekly flow monitoring. 	<ul style="list-style-type: none"> • Data analysis. • Update lake level loggers with new DNR survey. • Finalize and sign KISTERS contract (July) and begin set-up and training (July/August).
Aquatic Vegetation Management and Surveys <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> • Submitted for reimbursement on Upper Prior Lake for DNR AIS control grant. • Coordinate Summer point intercept surveys. 	<ul style="list-style-type: none"> • Submit for reimbursement from Scott County for CLP treatments in Spring and Lower Prior Lakes. • Complete Aquatic Plant Management Policy. • Map Biobase and bathymetry lakes as identified in the Long-Term Monitoring Plan including Lower Prior Lake, Upper Prior Lake, Spring Lake, Arctic Lake, Sutton Lake, Crystal Lake, and Swamp Lake.
AIS <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> • Discuss I-LIDS with Spring Lake boat inspectors. • Coordinated with Blue Water Science to conduct Zebra Mussel veliger surveys in Spring Lake. 	<ul style="list-style-type: none"> • Work with Scott County to complete AIS Rapid Response Plan to share with CAC and managers. • Continue monitoring boat inspectors
Rules Revisions <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> • Recorded rules at Scott County. • Initiated process to establish the linear project cost cap and stormwater impact fund rates. 	<ul style="list-style-type: none"> • Schedule meeting with LGU's for rate establishment for cost cap and impact fund (2nd or 3rd week of August). • Renegotiate equivalency agreements with implementing partners.

JULY 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
BMPs & Easements <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Amazed Acres, Big Sky 2nd and 3rd Additions, Vergus Estates South, and Eagleview 1st Addition were all approved in the June Meeting. Amazed, and Vergus Estates South signed DA's have been received in office. Spring Lake Ridge DA and CE are in progress. Waiting to receive signed Big Sky 2nd and 3rd Addition DA. 	<ul style="list-style-type: none"> Continue to follow-up with property owners on establishing outstanding Development Agreements and Conservation Easements Summer interns are nearly complete with Conservation Easement Inspections. Continue to work with landowners to resolve identified easement violation issues on their properties We are working on revamping our Escrow and Surety Tracking via improved spreadsheet recording and previous database use Creating amendments for two conservation easements that have been in violation, in addition to a third that we are working with the landowners on.
Permitting <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Permit #22.01 construction continues Permit #21.02 overlay for our District is complete. Hydromulch and BMPs are in place and Langford Basin is in development. Continue inspections until sites are re-established. 	<ul style="list-style-type: none"> Inspections for #22.01 and #21.02 continue. Close Permit #20.01 – Pickleball Facility. Site looked good, vegetation was re-established, BMPs removed and area was in compliance. Continue to follow up with Permittees to close remaining open permits that are in adherence.
Outlet Channel Projects and Administration <i>Project Lead: Joni/Jeff</i>	<ul style="list-style-type: none"> Conduct weekly channel inspections Updated inspection report and mapping to reflect current crossing and points of interest. Negotiating easement amendment over PLOC for parcel recently acquired by the Metropolitan Council. Cooperators Meeting held on June 16. Approved bid award for channel repair. Discussed draft 2023 budget. Issued notice of award to bank stabilization contractor. Working with LMRWD to get permit for bank stabilization project. 	<ul style="list-style-type: none"> Secure new easement from the Metropolitan Council. Obtain LMRWD permit and issue notice to proceed for bank stabilization project.

JULY 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
General Administration <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> • Re-posted Project Manager position announcement. • Watershed Management Study <ul style="list-style-type: none"> ○ Prepared for and held June 28 TAC meeting • Worked to open new bank account. • Working to set-up electronic check payment service. • Prepared draft benefits policy. • Set up new managers with 4M and bank account. 	<ul style="list-style-type: none"> • Interview Project Manager candidates. • Watershed Management Study <ul style="list-style-type: none"> ○ Hold second TAC meeting to finish discussion ○ Prepare for Steering Committee meeting. • Transfer remaining District funds to 4M Fund. Tentatively scheduled to start issuing electronic checks from new account in August.



Subject | Board Officers Appointment

Board Meeting Date | July 12, 2022

Item No: 5.2

Prepared By | Joni Giese, District Administrator

Attachments | None

Proposed Action | Board members shall nominate and vote on four officer positions (President, Vice President, Secretary, and Treasurer) for the remainder of 2022.

Background

Per the PLSLWD Bylaws:

- I. **Officers.** The Board annually will elect from among its members the following officers: president, vice president, secretary and treasurer. If any officer cannot complete his or her term of office, the Board immediately will elect from among its members an individual to complete the unexpired term. An officer's term as officer continues until a successor is elected or the officer resigns. The Board, by action at an official meeting, may appoint a manager as an officer pro tem in the event an officer is absent or unable to act, and action by that officer is required.
 - a. *President.* The president will:
 - i. preside at all meetings as chair of the Board.
 - ii. sign and deliver in the name of the District contracts, deeds, correspondence or other instruments pertaining to the business of the District;
 - iii. be a signatory to District documents if the treasurer or secretary is absent or disabled, to the same extent as the treasurer or secretary.
 - b. *Vice President.* The vice president will:
 - i. preside at meetings as chair in the absence of the president;
 - ii. be a signatory to District instruments and accounts if the president is absent or disabled, to the same extent as the president.
 - c. *Secretary.* The secretary will:
 - i. be a signatory to resolutions and other documents certifying and memorializing the proceedings of the District;
 - ii. maintain the records of the District;
 - iii. ensure that minutes of all Board meetings are recorded and made available to the Board in a timely manner and maintain a file of all approved minutes;

- d. *Treasurer*. The treasurer will:
 - i. present a report at the monthly meeting of the Board of Managers that tracks each of the watershed district's funds and account balances;
 - ii. provide such other records as are necessary to inform the Board of the financial condition of the District.

Discussion

The board president position is currently vacant. Filling the president position may free up other officer positions, resulting in reappointments for those positions.

The following list of officers include:

President:	Vacant
Vice President:	Bruce Loney
Treasurer:	Christian Morkeberg
Secretary:	Frank Boyles

Action Item

Board members shall nominate and vote on officer positions for the remainder of 2022.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

WORKSHOP MEETING MINUTES

Tuesday, June 14, 2022

Prior Lake City Hall

4:00 PM

Members Present: Frank Boyles, Christian Morkeberg, Bruce Loney

Staff & Consultants Present: Joni Giese, District Administrator
Patty Dronen, Administrative Assistant
Jeff Anderson, Water Resource Coordinator
Shauna Capron, Water Resource Specialist
Elizabeth Froden, Water Resource Assistant
Kendra Held, Summer Intern
Sydney Jones, Summer Intern
Carl Almer, EOR

Others Present: Jim Fitzsimmons, SWCD
Lisa Quinn, Spring Lake Township
Jason Nabor, EOR

The meeting was called to order at 4:00 PM.

Intern Introductions

District Administrator Giese introduced Kendra Held and Sydney Jones, the District's summer interns. Kendra is a graduate of Gustavus and studied Geography and Environmental Studies. Sydney is a rising senior at Macalester and is studying Environmental Studies, Urban Studies and English Literature. They will work about 400 hours this summer. They will present their summer activities at the August Board meeting.

Draft Sutton Lake Management Plan

Jason Nabor from EOR presented updated information about the Sutton Lake Management plan. The plan is designed to reduce cattails which will create more open water, improve water quality and increase habitat diversity.

Next step dates were presented with the possibility of Board adoption by Mid November 2022.

Various management options are included in the plan. The plan includes a proposed incremental management process, starting with the least expensive option. If that approach doesn't work, then management options of increasing cost can be considered for implementation.

It was suggested that some lake management activities for Sutton Lake be included in the 2023 budget. The next step would be to send the draft plan to the DNR for review and comment. All managers agreed with moving the draft plan forward for DNR review.

AIS Rapid Response Planning

Administrator Giese reported that both Scott County and the District are in the process of developing AIS Rapid Response plans. There were staff discussions with Scott County staff in late 2020 during the development of the County's AIS Prevention Plan. During the DA transition, information was lost on what had been discussed, and it was discovered that both groups were preparing an AIS rapid response plan. While both plans followed the same basic steps, the Scott County plan focuses more on zebra mussels and the PLSLWD draft plan is specific to District priorities.

The draft PLSLWD AIS rapid response plan incorporates a decision tree that takes into account the tier level of each lake in the District and impacts of connected waters that may not get incorporated into a County plan. Another goal of the Draft PSLWD plan was to develop "pre-approved" responses that could be acted on quickly without board authorization.

Giese presented three options for plans go forward: 1) Participate with Scott County in the creation of a countywide AIS rapid response plan and the annual review/update of the County's AIS prevention plan, providing suggested revisions to their plan; 2) Work with the County on their plan and then prepare a supplemental plan for items that are specific to PLSLWD; 3) Not participate in the County plan and prepare our own plan that separate from the County. Giese suggested that the best option would be to work together with Scott County provided that each group's input incorporated into one overall plan.

The current County plan provides reimbursement programs for boat inspections (\$15,000) and curly leaf pondweed treatment (\$12,000) where the district could be reimbursed from Scott County. PLSLWD takes advantage of the curly leaf pondweed reimbursement program. Now that PLSLWD staff is aware of the boat inspection program, staff pursue reimbursements for the District's boat inspection program.

The County's draft AIS rapid response plan has a budget of \$50,000 to respond to new AIS occurrences within the County. Up to \$25,000 can be allocated to an AIS occurrence.

Manager Boyles made a motion to participate with Scott County in the creation of a countywide AIS rapid response plan and the annual review/update of the County's AIS prevention plan, providing suggested revisions to their plan. This was seconded by Manager Morkeberg. All Ayes.

Administrator Giese reported that the DNR confirmed the presence of zebra mussels in Spring Lake. The DNR and Blue Water Science did follow up surveys and both concluded that it's likely too late to clear the lake of mussels. Blue Water Science has said that they have a capacity to perform veliger tows (veliger = larval stage of zebra mussels) for approximately \$600 in cost for travel and lake time for the assessment, plus several lab analyses. All board members present believe performing the veliger tows would be a good use of District funds.

WBIF (Watershed Based Implementation Funding) Proposed Feasibility Studies

Administrator Giese reported that the PLSL planning area will be given \$82,806 from the State of Minnesota to be used within the planning area. Administrator Giese reported that to obtain the funds, BWSR requires a convening of stakeholder partners select projects to use the funds on. The convening partners agreed upon two projects for the WBIF funds.

The first is Fish Lake Water Quality Improvement Feasibility Study which was brought forward by the Spring Lake Township. Fish Lake is a Tier 1 lake and is on the MPCA list of impaired waters. While the lake is getting close to meeting water quality standards lake residents believe there are still water quality issues in the lake that are not being brought to light through the standard indicators. A CAC member has reported that there may be some inlets that the District was not aware of. The convening partners recommend looking at internal loading on the lake. An alum treatment might need to be considered to improve water quality. A very preliminary estimated cost for the study is \$30,000. Spring Lake Township would consider contributing the required 10% match for the project.

The second project proposed is the County Ditch 13 Chemical Treatment System Study, which was identified in the Upper Watershed Blueprint study and is one of the six near term implementation priority projects identified by the Board of Managers last summer. The convening partners suggested that an assessment of the existing Ferric Chloride plant be done along with Ditch 13 study as the operation of one will affect the other. A match of more than 10% will be needed. A very preliminary estimated cost for the study is \$70,000.

BWSR would need to affirm that the studies qualify based on their criteria. Then budget request needs to be put forward to BWSR. Upon approval of the budget requests, work plans will need to be developed and approved by BWSR. Workplans must be submitted by March 30, 2023. Funds need to be spent by December 31, 2025.

Manager Loney asked if we could use additional funds put aside for the Upper Watershed Blueprint. Administrator Giese confirmed we could. Manager Boyles stated that this would require additional staff time, however consultants would be used to help accomplish the studies. All managers agreed that the two studies proposed should go forward.

Joint Board of Managers and CAC Meeting Agenda

Manager Loney presented the draft agenda for the June 30 joint Board of Managers and CAC meeting. Group photos of both the CAC and managers will be taken before the joint meeting. Focus of the discussion will be sharing Board priorities for the year, CAC accomplishments for the prior year, and CAC goals for the upcoming year. Two new Board Managers will be sworn in at the joint meeting.

2023 Budgeting Process

Administrator Giese reported that the maximum 2023 levy amount needs to be established and submitted to Scott County by September 15. Giese proposed scheduling a special board workshop focused entirely on the 2023 budget. Additional revisions could be made to the budget at the August workshop and adoption of the maximum levy could be done in September. Potential items to consider for next year's budget: Inflation, Alum Treatments, Bonding, and use of Consultants (for real estate transactions).

Banking Status Update

Administrator Giese reported that the account set up at US Bank is almost complete. She is hoping to be able to cut checks from the new account next month. One more transfer of funds to Sterling bank will be made. As of this meeting, Manager Loney was able to access the account while Administrator Giese was not, but that should change in the next few days.

Staffing Discussion

Administrator Giese reported that the ad for a Project Manager is posted and we've received a few responses. The date for priority submissions will be changed to June 30. Staff will work to promote the position more.

Administrator Giese reported on the W-2 issues past employees had. She and CLA confirmed that money used to repay the employee did not come out of district funds for the amended 2020 returns. Giese recommended that the District pay the older return amount due of \$3272.50 and have the employee sign that this resolves the matter in full.

A motion was made by Manager Boyles to pay the amount due. The motion was seconded by Manager Morkeberg. All Ayes.

Liaison Updates

Manager Morkeberg attended the Spring Lake Township Meeting with past Manager Hennes who introduced him to the group. Morkeberg also attended the Sand Creek Township meeting. At the July workshop updated liaison appointments will be made. Administrator Giese stated relationships with partners vary and level of effort required to maintain relationships should vary accordingly.

New Business

Manager Loney stated he will be attending the upcoming PLOC Cooperators quarterly meeting. An item of discussion at the meeting will be the assessed condition of the pipe that outlets Prior Lake and estimated costs to line the pipe, the cost of which will be the primary responsibility of PLSLWD. PLOC Cooperators need to make a decision whether the group wants to stay together.

Meeting adjourned at 5:55 pm

Respectfully Submitted

Patty Dronen

6/14/2022



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

REGULAR MEETING MINUTES

Tuesday, June 14, 2022

Prior Lake City Hall

6:00 PM

Members Present:

Bruce Loney, Christian Morkeberg, Frank Boyles

Staff & Consultants Present:

Joni Giese, District Administrator
Jeff Anderson, Water Resources Coordinator
Shauna Capron, Water Resources Specialist
Allison Weyer, Permit Coordinator
Carl Almer, EOR, District Engineer

Others Present:

Mike Myser
Curt Hennes
Steve Pany
Woody Spitzmueller

- **1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE:**

Meeting was called to order by Vice President Loney at 6:05 pm.
Everyone present, recited the Pledge of Allegiance.

- **2.0 PUBLIC COMMENT:**

Steve Pany, 5000 Cedarwood Street NE commented about the Water Surface Use Management regulations and the difficulty finding them on the City of Prior Lake's website. He would like this information on the Prior Lake-spring Lake Watershed District website, and the Prior Lake Association and Spring Lake Association websites as well.

Curt Hennes 17286 Sunset Trail SW, Commented that he enjoyed collaborating with people like Woody Spitzmueller, Mike Myser, Steve Pany, and Bruce Loney and is grateful to previous and current District staff for all they have done.

PUBLIC HEARING ON STORMWATER POLLUTION PREVENTION PLAN (SWPPP) ANNUAL PUBLIC HEARING

District Administrator Giese provided the staff report indicating that an annual hearing is necessary to garner public input.

Motion by Manager Boyles second by Morkeberg to open the public hearing at 6:12pm.

Motion Carried. Three Ayes.

Vice President Loney invited anyone present to speak. None did.

Motion by Manager Morkeberg second by Boyles to close the public hearing at 6:13pm.

Motion Carried. Three Ayes.

No further action required.

- **3.0 APPROVAL OF AGENDA**

Motion by Manager Boyles second by Morkeberg to approve the agenda as submitted.

Motion carried. Three ayes.

- **4.0 TREASURER'S REPORT**

Treasurer Morkeberg summarized the financial information contained in the packet including:

- **4.1 Monthly Reports**

- Financial Report
 - Treasurers Report
 - Cash Flow Projections

- **OTHER OLD/NEW BUSINESS**

- **5.1 Service to PLSLWD Acknowledgement**

Vice President Loney, Manager Boyles, Manager Morkeberg commented about the extraordinary service that Myser has given to the watershed, leaving it both financially sound and with major projects on the docket. Former President Myser complimented Managers he has worked with, District Administrator Giese and the staff for being responsible to the achievements of the watershed.

- **5.2 Programs and Project Updates**

The staff provided a report of its many activities the preceding month.

- **5.3 KISTER'S Contract Authorization**

Motion by Manager Morkeberg second by Boyles to approve the KLISTERS Contract. Motion Carried. Three Ayes.

- **5.4 Office Space Lease Renewal**

Motion by Manager Boyles second by Morkeberg to approve the office space lease renewal. Motion carried. Three Ayes.

- **5.5 Memorandum of Agreement with City of Prior Lake for Stormwater Volume Management for PLSLWD**

Motion made by Manager Boyles second by Morkeberg to approve the MOA as submitted. Motion Carried. Three Ayes.

- **6.0 CONSENT AGENDA**

- 6.1 Meeting Minutes— May 10, 2022, Board Workshop
- 6.2 Meeting Minutes—May 10, 2022, Board Meeting
- 6.3 Meeting Minutes—May 19, 2022, Special Board Meeting
- 6.4 Meeting Minutes- April 28, 2022, CAC Meeting
- 6.5 Claims List & Visa Expenditures Summary
- 6.6 Vergas Estates South Development Agreement and Conservation Easement
- 6.7 Amazed Acres Development Agreement
- 6.8 Keyland Development LLC Development Agreement
- 6.9 Cowan Development Agreement

Motion by Manager Morkeberg second by Boyles to approve the consent agenda as presented. Motion Carried. Three Ayes.

- **7.0 UPCOMING MEETING/EVENT SCHEDULE:**

Different managers summarized upcoming meetings:

- PLOC Cooperator's Meeting Thursday, June 16, 2022. Noon to 1:30pm. (Prior Lake City Hall-Wagonbridge Conference Room)
- Joint Board of Manager's Citizen Advisory Committee Meeting, Thursday June 30, 2022, 6pm to 8pm (Prior Lake City Hall-Parkview Conference Room)
- Board of Manager's Meeting, Tuesday, July 12, 2022, 6pm (Prior Lake City Hall-City Council Chambers)

ADJOURNMENT

Motion by Manager Morkeberg second by Boyles to adjourn. Motion Carried. Three Ayes.

Meeting adjourned at 6:57pm.

Respectfully Submitted,
Frank Boyles, PLSLWD Secretary

July 5, 2022



CAC Meeting Minutes

Thursday May 26, 2022
6:30-8:00 PM

Attendees:

CAC Members: 8 of 10 members present = 80% (>50%)

<input type="checkbox"/> Christopher Crowhurst (Chair)	<input checked="" type="checkbox"/> Woody Spitzmueller
<input type="checkbox"/> Matt Newman	<input checked="" type="checkbox"/> Ben Burnett (Secretary)
<input checked="" type="checkbox"/> Matt Tofanelli	<input checked="" type="checkbox"/> Loren Hanson (Vice Chair)
<input checked="" type="checkbox"/> Maureen Reeder	<input checked="" type="checkbox"/> David Hagen
<input checked="" type="checkbox"/> Ron Hoffmeyer	<input checked="" type="checkbox"/> Curtis Witt

Staff: Allison Weyer Joni Giese

Board members: Bruce Loney (CAC rep)

Pre-meeting Subcommittee workshops

Welcome & Introductions (6:30 pm) – Vice Chair: Loren Hanson

April Meeting Minutes Approval (emailed)

- Joni requested some changes, she will e-mail the specifics to Ben
- Motioned to approve as amended: Woody; 2nd: David; Passed

Approval of the May Agenda

Motioned: Matt T.; 2nd: David; Passed

CAC Business

- Two new members:
 - Ron Hoffmeyer on shoreline subcommittee
 - Curtis Witt on lake life subcommittee
- June 30th is the joint CAC/PLSLWD Board meeting, but it is also scheduled as the “long subcommittee meetings” meeting – we were requested to meet outside the normal meeting in our subcommittees.
- Discussed switching from Prior Lake Chamber of Commerce Event to the doing one or more Farmer's Markets instead.
 - Discussed and Allison presented some options for the farmers markets (Saturday mornings vs. Thursday afternoons).
 - One thing we could do is collect e-mails from citizens for future helping events (drain spray painting, dive-the-lake, etc.).
 - Ben motioned to recommend to the PLSLWD Board that they skip the Chamber of Commerce Event and attend the Saturday morning Farmers market with a booth to offer educational information to the public regarding shoreline and watershed issues.
 - Seconded by: Woody
 - Passed
- June 11th has two events: 1. Dive the lake cleanup day and 2. Spray painting street drains that dump to the lake.
 - Maureen proposed the CAC participate with the drain spray painting event.

Staff Project Updates

- I-LIDS Update
 - Footing installed May 9th; Installed I-LIDS May 11th
 - Sign coming in June – if website desired, SLA will need to do.
- Revised Rules Adopted at May 10 Meeting
 - Next Step: Work with LGU partners to establish rates for public linear projects cost caps and for the stormwater impact fund
- Sutton Lake Management Plan Update
 - EOR helping develop plan
 - Plan needed to allow WD to drawdown water levels as a management tool to enhance plant communities and wildlife habitat
 - Many DNR concerns need to be addressed
 - During intermittent spring drawdowns, there would be increased water storage capacity available
 - Plan will include a management approach decision tree and escalation plan

Board Liaison Updates & Requests to CAC – Bruce

- Joint CAC/Managers Meeting June 30. Meeting focus:
 - Thank CAC for research and ideas
 - Discuss accomplishments & goals for the year
- Retreat in April
 - Minutes are online
 - Reviewed Management Plan
 - Planned/reviewed Upper WD Blueprint plans – District is focusing on near-term implementation for 6 of the projects identified in the plan

May Workshop & Board Meeting – attendee: Loren

- Next (June 14th) Board Meeting – attendee: Ron
- Report:
 - Joni described revised rules
 - Sutton Lake project updates
 - Discussed goldfish problem in Cates Lake – next steps tabled for now
 - Buck Lake Chemical treatment and feasibility discussion – updates needed
 - Staff updates – Jaime Rockney left
 - New CAC members
 - 2021 audit – no findings
 - 2021 Annual report
 - Acknowledgements of service: Jaime Rockney, Jim Weninger, Curt Hennes

CAC Subcommittee Reports – working on goals for 2021 & now re-alignment

- Shoreline Restoration (David, Loren, Matt N., Ron)
 - Will make slides for June to ID problem shorelines
 - Working on proposal for signage
- Lake life and water quality, AIS, Fish Stocking (Matt T, Ben, Curtis)
 - Looking at plant harvesting for phosphorous
- Storage Assessment, Plans and Wetland Banking (Maureen, Christopher, Woody)
 - Review flood mitigation report & submit recommendation (Christopher)
 - Agriculture land preserve programs and grants (DNR, grants.gov, others) (Maureen)
 - Some of these may cover lake life or shoreline as well.
 - Look at comparable watersheds and what they do/did and what we could do (Woody)

Other Topics and Announcements for Next Meeting

- Congrats and farewell to Matt T. moving to the PLSLWD Board of Managers

Adjourn

- Motioned: David; Seconded: Woody; Passed

Upcoming Meetings:

- Board Meeting: Tues, June 14th 6:00 pm (wkshp 4-6)
- Joint Board and CAC Meeting: Thurs, June 30th
 - CAC picture 5:50 pm
 - Meeting: 6:00 – 8:00 PM

Upcoming Educational Seminars

- Thursday, July 28: Troy Kuphal w/Scott SWCD
- Thursday, August 25: Taylor Huinker w/DNR
- Thursday, October 27: Pete Young w/City of Prior Lake

7-12-2022 PLSLWD Board Meeting Materials **Prior Lake Spring Lake Watershed District**
Claims list for Invoice Payments due for the prior month

Page 27

Managers will consider approving this claims list - Staff payroll and Manager per diems have already been paid via ADP. After the managers vote, two Managers will sign checks within three days of the meeting for approve claims. Then, staff will US mail checks (written on the Sterling State Bank) to the claims list parties. Staff will request that all vendors provide information on their invoices to fit into the categories below

Vendor	Invoice	Description	Amount
1. Watershed District Projects (excluding staff payroll)			
RMB	M2200097	Ferric Monitoring - May	1,285.00
	M2200124	Ferric Monitoring - June	1,285.00
RMB	B005102	Watershed Monitoring - May	981.00
	B005257	Watershed Monitoring - June	1,090.00
Vacker Sign	2953	Fish Lake Signage	2,417.00
Scott SWCD	2022-122	FLC Staff Services	8,092.29
	2022-123	Technical Assistance and Cost Share Staff Services	4,096.50
		FLC Staff Services	4,401.71
		Monitoring Program	479.00
		Education	248.00
Waterfront Restoration	1540	Watercraft Inspector - onsite at launch	7,115.36
WSB	R-0197730999-5	Carp Management	14,125.50
Veit & Company, Inc.		Sutton Lake Outlet Retrofit Project - Final Pay Request	14,964.12
EOR	0758-0114-44	Sutton Lake Outlet Retrofit Project	46.50
	0758-0146-8	Buck Wetland Enhancement Feasibility Study	410.00
	0758-0148-9	Sutton Lake Mgmt Plan	891.60
	0758-0152-6	General Engineering	1,023.00
	0758-0152-6	Permitting	602.00
Blue Water Science		CLP Delinations and Assessments - June	5,700.00
		Subtotal	\$ 69,253.58
2. Outlet Channel - JPA/MOA (excluding staff payroll)			
Smith Partners	435-301	Legal Services - 2022 Bank Repairs	29.88
		Legal Services - 2022 Bank Repairs	197.96
		Legal Services - 2022 Bank Repairs	145.67
		Legal Services - Met Council Easement Amendment	74.70
Scott SWCD	2022-123	PLOC Monitoring Program	144.00
EOR	00758-0147-13	PLOC Seg 1, 4 & 5a Bank Repair	168.11
		PLOC Seg 1, 4 & 5a Bank Repair	1,113.71
		PLOC Seg 1, 4 & 5a Bank Repair	819.52
	00758-0153-6	PLOC Segment 1 - pipe lining quote requests	325.50
		PLOC Segment 7 - Met Council Easement Amendment	46.50
		PLOC Non-specific Cooperators mtg	987.33
	00758-0154-1	PLOC Veg Maint	524.03
Minger Construction		Pike Lake Road Sediment Removal - Final Pay Request	1,055.60
CLA	3328370	Qtrly Stmts and cost comparison to budget sprdsht	1,500.00
		Subtotal	\$ 7,132.50
3. Payroll, Office and Overhead			
ADP Manager Per Diems			785.51
ADP Staff Payroll			22,024.42
ADP Taxes & Benefits			13,869.86
Fidelity			165.38
NCPERS		Life Insurance Premiums - June - includes late totals for A	112.00
Reliance Standard		June LTD and STD Premiums	758.73
HealthPartners		Health Insurance Premiums	4,485.95
League of Minnesota Cities		casualty/property Insurance Premium	9,666.00
City of Prior Lake		Rent (August 2022)	2,317.50
Smith Partners	435-105	Legal Contract	74.70
CLA	3328370	Monthly bookkeeping	1,200.00
	3328370	Payroll Services	670.00
	3328370	Technology and Client Support fee	178.50
	3328370	State Reporting Form	200.00
Metro Sales		May-June Billing	103.00
Rymark	29313	June Billing	877.50
VISA		May-June Billing	1,669.61
		Subtotal	\$ 59,158.66
TOTAL			
			\$ 135,544.74

Prior Lake-Spring Lake Watershed District
VISA Transactions 5/25/2022-6/24/2022

Trans Date	Merchant Name	Amount	Receipt?	Staff Approval	Class	Customer	Expense	Description
5/25/2022	ADOBE CREATIVE CLOUD	(\$389.30)		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Refund
5/25/2022	ADOBE CREATIVE CLOUD	(\$30.34)	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Refund
5/25/2022	ADOBE PRODUCTS	(\$3.91)		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Refund
5/25/2022	ADOBE PRODUCTS	(\$3.91)		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Refund
5/25/2022	ADOBE PRODUCTS	(\$3.91)		Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Refund
5/25/2022	ADOBE	\$110.54	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Software
5/26/2022	USPS PO 2676300882	\$13.80	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	701 Postage	postage
5/27/2022	IRONCLAD STORAGE	\$199.00	x	Patty Dronen	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Equipment Storage
5/27/2022	USPS PO 2676300882	\$23.52	x	Patty Dronen	648 Regulation	Rules	701 Postage	Rule Revision Packet mailing
5/29/2022	EDELWEISS BAKERY	\$25.38	x	Joni Giese	626 Planning	Planning and Program Development	902 Meals and Lodging	Staff lunch meeting
5/29/2022	FROGGS TOGGGS	\$171.79	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Waders for stream and carp work
6/1/2022	DAVIS INSTRUMENTS	\$180.00	x	Jeff Anderson	637 Monitoring & Research	Precipitation Monitoring	903 Dues/Fees/Subscriptions	Annual Service Plan
6/2/2022	EDELWEISS BAKERY	\$25.67	x	Allison Weyer	626 Planning	Planning and Program Development	902 Meals and Lodging	Donuts for Intern's first day
6/2/2022	CARLSON HDWE CO	\$4.28	x	Shauna Capron	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Key - Truck Back Window
6/2/2022	PRIOR LAKE HDWE	\$8.14	x	Shauna Capron	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Key - FECL
6/3/2022	HOLIDAY STATIONS 0198	\$101.13	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	gas for truck
6/3/2022	AMZN Mktp US*3Q0DU1CX3	\$14.81	x	Patty Dronen	405 General Fund		706 Office Supplies	Sharpees
6/3/2022	AMZN Mktp US*NK6OL88T3	\$15.11	x	Allison Weyer	648 Regulation	Easement Supplies	706 Office Supplies	Binder spine inserts
6/5/2022	VZWRLSS*APOCC VISB	\$13.04	x	Jeff Anderson	648 Regulation	LGU Permit & Inspections	876 Field Equipment & Maintenance	Cell service
		\$32.66	x	Jeff Anderson	PLOC 839	PLOC Equipment & Maintenance	876 Field Equipment & Maintenance	Cell service
		\$27.62	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Cell service
6/5/2022	AMZN MKTP US*G14309063 AM	\$8.49	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Seining	876 Field Equipment & Maintenance	screwdrivers
6/5/2022	USPS PO 2676300882	\$112.40	x	Patty Dronen	405 General Fund		701 Postage	Stamps
		\$61.60	x	Allison Weyer	648 Regulation	Easement Inspections & violations	701 Postage	Easement Mailing
6/6/2022	AMAZON.COM*QG0NY78W3 AMZN	\$56.94	x	Patty Dronen	405 General Fund		706 Office Supplies	Office supplies
6/6/2022	AMZN MKTP US*QR92C8M93 AM	\$8.29	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Seining	876 Field Equipment & Maintenance	screwdrivers
6/7/2022	VISTAPRINT	\$55.70	x	Patty Dronen	405 General Fund		706 Office Supplies	Car magnets
		\$16.50	x	Joni Giese	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Allison business cards
6/8/2022	Amazon.com*KW7EN46P3	\$39.90	x	Allison Weyer	648 Regulation	Easement Supplies	706 Office Supplies	Easement binders
6/9/2022	PRIOR LAKE HDWE	\$8.15	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Seining	876 Field Equipment & Maintenance	Screwdriver
6/10/2022	FROGGS TOGGGS	(\$85.89)	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	refund for returned waders
6/10/2022	USPS PO 2676300882	\$9.25	x	Patty Dronen	626 Planning	Planning and Program Development	701 Postage	Board Packet Mailing
6/10/2022	USPS PO 2676300882	\$37.00	x	Patty Dronen	626 Planning	Planning and Program Development	701 Postage	Board Packet Mailing
6/12/2022	AMZN Mktp US*F985J03D3	\$11.18	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Seining	876 Field Equipment & Maintenance	screwdrivers
6/12/2022	AMZN Mktp US*157FH0XA3	\$15.49	x	Jeff Anderson	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Dust-off
6/12/2022	EDELWEISS BAKERY	\$24.52	x	Joni Giese	626 Planning	Planning and Program Development	902 Meals and Lodging	staff lunch meeting
6/12/2022	AMAZON.COM*V52IM7XO3 AMZN	\$10.29	x	Patty Dronen	405 General Fund		706 Office Supplies	Mechanical pencils
6/13/2022	ADOBE ACR0PRO SUBS	\$193.15	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Software - will cancel the yearly sub.
6/15/2022	Subway 13006	\$23.68	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Manager Meal
6/16/2022	JIMMY JOHNS - 1206 - ECOM	\$63.37	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Manager Meal
6/19/2022	YOUR BOAT CLUB LLC	\$0.01		Joni Giese	637 Monitoring & Research	Automated Vegetation Monitoring	825 Contracted Services	Visa number test
6/19/2022	MICROSOFTG011245813	\$4.99	x	Joni Giese	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Microsoft Azure software
6/19/2022	DAVANNIS #20 - SAVAGE	\$74.76	x	Patty Dronen	PLOC 839	PLOC Administrative Expenses	902 Meals and Lodging	Cooperators Meal
6/22/2022	HOLIDAY	\$55.84	x	Elizabeth Froden	611 Operations & Maintenance	Fish Mgmt - Radio Tracking	801 Gas, Mileage	gas for boat pre-tracking
6/23/2022	PRIOR LAKE HDWE	\$11.98	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Streams
		\$10.73	x	Elizabeth Froden	611 Operations & Maintenance	Hwy 13 Wetland, FeCl System & Desilt Pond	876 Field Equipment & Maintenance	FeCl
6/23/2022	SHELL OIL	\$115.25	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	gas for truck
6/23/2022	AMAZON	\$91.20	x	Jeff Anderson	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Calibration solution
6/23/2022	PUNCH PIZZA	\$69.08	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Staff appreciation lunch
6/23/2022	PUNCH PIZZA	\$30.64	x	Patty Dronen	626 Planning	Planning and Program Development	903 Meals and Lodging	Staff appreciation lunch
	TOTAL	\$1,669.61						

PLSLWD Board Staff Report
July 7, 2022



Subject | Spring Lake Ridge Development Agreement & Conservation Easement

Board Meeting Date | July 12, 2022

Item No: 6.5

Prepared By | Allison Weyer, Permit Coordinator

Attachments |
1) Project Location Map
2) Spring Lake Ridge Development Agreement
3) Spring Lake Ridge Conservation Easement

Action | Motion to approve the Spring Lake Ridge Development Agreement & Conservation Easement for execution by the District Administrator.

BACKGROUND

District Rule J requires the establishment of a vegetated buffer around wetlands and watercourses for the purpose of maintaining the long-term health and function of these resources. Rule J also requires the establishment of a permanent conservation easement over the buffers.

The conservation easement process includes acquiring a development agreement in conjunction with the conservation easements. A development agreement provides a way for the District to recover costs associated with the acquisition of the easements including title work, staff time, and engineering review, as well as ensures that the easement areas are properly established with native plants that filter stormwater.

PROJECT OVERVIEW

District staff is working with the property owner and the City of Prior Lake to establish a wetland buffer area and to permanently protect the buffer with a conservation easement that will protect the buffers in perpetuity. The location of the project is shown on the attached map.

The attached development agreement and conservation easement documents are based on a template developed by the District Attorney. The development agreement and conservation easement are legal documents that will be recorded in the Scott County Land Records Office.

ACTION REQUESTED

District staff is requesting that the Board of Managers approve the Spring Lake Ridge development agreement and conservation easement for execution by the District Administrator and recording in the Scott County Land Records Office.

Excerpt from Spring Lake Ridge SWPPP

Prepared by Pioneer Engineering P.A., June 29, 2022

SITE LOCATION MAP



DEVELOPMENT AGREEMENT

This Agreement is made this _____ day of _____, 2022, between D.R. Horton Inc. – Minnesota, a Delaware Corporation, and Wink Properties LLC, a Minnesota Liability Company (collectively the “Owners”), and the Prior Lake-Spring Lake Watershed District, a political subdivision of the State of Minnesota (“Watershed District” or “District”).

RECITALS

A. Owner is the fee owner of and is proceeding to subdivide certain land located in Scott County, Minnesota, and legally described in Exhibit A (the “Property”).

B. As a condition of the approval for the subdivision of the Property, Scott County requires that the Declarant grant the Watershed District a conservation easement over a buffer strip around the perimeter of wetland within the Project that meets the requirements of the Watershed District’s Rules (“Rules”).

C. Declarant desires to establish a conservation easement (“Conservation Easement”) under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands within the Project as required by the Rules.

AGREEMENT

In consideration of the mutual covenants herein, the parties hereto agree as follows:

1. RECITALS. The foregoing recitals are true and correct and incorporated herein by this reference.

2. SURVEY. Within 30 days after this agreement has been fully executed, the Owner shall supply the Watershed District with a satisfactory legal description and survey drawing of

the proposed Conservation Easement area that meets the requirements of the Rules.

3. **EASEMENT DOCUMENT.** Within 30 days after of final approval of the subdivision of the Property, the Owner will properly execute and hand-deliver to the District a Conservation Easement that has been drafted by the District and meets the requirements of the Rules. The District will hold the Conservation Easement in escrow.

4. **OWNERS & ENCUMBRANCE REPORT.** The Watershed District will obtain an Owners & Encumbrance Report that includes easements for the Conservation Easement prior to its recording. If the affected area is subject to a mortgage or other encumbrance in conflict with the terms of the Conservation Easement, the Owner will work diligently to obtain a signed consent from interest holders, and to deliver the consent(s) document to the District as soon as possible. On receipt of the consent(s), the District will execute the Conservation Easement and file it for recording.

5. **BUFFER ESTABLISHMENT.** Owner shall, at its expense, establish native vegetation in the Conservation Easement in accordance with the requirements of District Rules as shown in Exhibit B, unless the District agrees in writing that the existing vegetation in the easement area is currently in a condition that meets these requirements.

6. **MONUMENTATION.** A monument shall be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

7. **INDEMNITY.** Owner shall indemnify, defend and hold the District and its agents, employees, officers, and contractors, harmless from all claims made by itself and third parties for damage or loss sustained or costs incurred, in connection with or arising out of this Agreement. Costs incurred includes District staff costs, and consultant and attorney fees, incurred as a result of a claim.

8. **COSTS AND FEES.** Owner shall reimburse the District for all costs incurred in the preparation and review of the Conservation Easement, including but not limited to, District staff time, Owners & Encumbrances report, title policy cost, recording fees, and engineering & attorneys' fees. The Owner shall also reimburse the District for all costs related to the enforcement of this Agreement. Owner shall fully pay all invoices ("Invoices") submitted by the District for obligations incurred under this Agreement within 30 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year or the maximum rate allowed by law, if less.

9. **DEFAULT.** If Owner defaults as to any obligation required by this Agreement, the District may, at its option and after not less than 7 days' notice to Owner, enter and perform the work, and Owner shall reimburse the District for all costs incurred thereby. In the event of an emergency as determined by the District, the requirement of 7 days advance notice of default shall be waived.

10. **DURATION.** This Agreement shall terminate on the date that the Watershed District provides formal written documentation that the Conservation Easement has been planted and fully established in accordance with Exhibit B, meets all Rule requirements, and that all reimbursable costs incurred by the District have been paid. At Owner's request, the District will execute a notice of termination that Owner may record on the title.

11. **ESCROW; SURVIVAL.** Notwithstanding the foregoing paragraph 10, as a prerequisite to termination, Owner will provide the District the sum of \$64,100 to secure the establishment of Conservation Area vegetation in accordance with Exhibit B, and the required installation of buffer signs. The District will hold the funds in escrow, may commingle the funds with other similar escrow funds, and with 7 days' notice may use the funds for the purpose of securing vegetation establishment and fence removal in accordance with Exhibit B. When establishment has been completed, the District will return remaining escrow funds to Owner, less the amount of any unpaid Invoices. The District is not obligated to hold the funds in an interest-bearing account, but if the funds have accrued interest, it will be included in the sum returned. The establishment requirement of paragraph 4 and the escrow requirement of this paragraph 10 will survive termination of the Agreement.

12. **BINDING EFFECT.** This Agreement shall run with the land and bind and inure to the benefit of the parties hereto and their respective heirs, successors and assign. However, Owner and each successor record owner of the Property shall be fully discharged and relieved of liability under this Agreement upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time ownership terminates.

13. **RECORDING.** Owner shall provide the signed original copy of this agreement to the District for recording. Owner shall be responsible for payment of the recording fee(s) and if such fee(s) are advanced by the District, Owner shall reimburse the District for those fee(s).

14. **MISCELLANEOUS.**

(a) The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision.

(b) The failure of the District to insist on compliance or enforcement of any provision of this Agreement shall not affect the validity or enforceability or constitute a waiver of future enforcement of that provision or any other provision by the District.

(c) All notices under this Agreement shall be deemed to be sent or delivered

when personally delivered to the recipient or when mailed by certified or registered mail, postage prepaid, addressed to Owner D.R. Horton Inc. – Minnesota, 20860 Kenbridge Ct., Lakeville, MN 55044, and Owner Wink Properties LLC, a Minnesota Liability Company, 10519 165th Street West, Lakeville, MN 55044 to the Watershed District at 4646 Dakota Street SE, Prior Lake, Minnesota 55372, or at such other address as either party may hereafter designate inwriting to the other.

(d) This Agreement shall be subject to and governed by Minnesota law.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Development Agreement on this _____ day of _____, 2022.

OWNER: D.R. Horton Inc. - Minnesota

By: _____
James R. Slaikeu
(Its Vice President)

OWNER: Wink Properties LLC

By: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by D.R. Horton, Inc. – Minnesota, a Delaware Corporation, and Wink Properties LLC, a Minnesota Liability Company on behalf of the corporation.

Notary Public

My Commission Expires: _____

ACCEPTANCE

The Prior Lake-Spring Lake Watershed District hereby accepts the foregoing Development Agreement this _____ day of _____, 2022.

PRIOR LAKE-SPRING LAKE WATERSHED
DISTRICT

By: _____
Joni Giese

Title: District Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Joni Giese, as the District Administrator of the Prior Lake-Spring Lake Watershed District, a political subdivision under Minnesota law.

Notary Public

My Commission Expires: _____

This instrument was drafted by:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE
Prior Lake, MN 55372

Return to:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE
Prior Lake, MN 55372

EXHIBIT A:

LEGAL DESCRIPTION OF PROPERTY:

Government Lots 1 and 2, Section 8, Township 114, Range 22, EXCEPT the following described parcels:

SUNRISE VIEW, Scott County, Minnesota, according the recorded plat thereof

AND EXCEPT

FIRST ADDITION TO SUNRISE VIEW, Scott County, Minnesota, according the recorded plot thereof

AND EXCEPT

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County, Minnesota, lying westerly of the westerly line of the plat of SUNRISE VIEW and easterly and northerly of the following described line:

Commencing at the northwest corner of said Section 8; thence on an assumed bearing of east along the north line of said Section 8 a distance of 2630.15 feet to the point of beginning of the line to be described; thence South 11 degrees 51 minutes 39 seconds West a distance of 980.40 feet; thence North 79 degrees 27 minutes 47 seconds East a distance of 735 feet more or less to said westerly line of SUNRISE VIEW and there terminating

AND EXCEPT

A tract of land in Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, described as follows:

Beginning at the Southwest corner of FIRST ADDITION TO SUNRISE VIEW; thence South 4 degrees 19 minutes 30 seconds East 98.15 feet; thence North 83 degrees 19 minutes 30 seconds East 220 feet more or less to the shore of Spring Lake, thence Northerly along the shore of Spring Lake to the intersection with the south line of said FIRST ADDITION extended; thence South 80 degrees 05 minutes West 220 feet more or less to the point of beginning, subject to a road easement over the westerly 33 feet.

AND EXCEPT

That part of Government Lot 1 and Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, described as follows:

A strip of land 17.0 feet in width lying westerly and adjacent to the westerly boundary of the plats of SUNRISE VIEW and FIRST ADDITION TO SUNRISE VIEW.

AND EXCEPT

All that part of Government Lot 1 and Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, lying northwesterly of the centerline of C.S.A.H. No. 17 as delineated on SCOTT COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 8, according to the recorded plat thereof, said Scott County.

TOGETHER WITH

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County, Minnesota, lying Westerly of the Westerly line of the plat of SUNRISE VIEW and Easterly and Northerly of the following described line:

Commencing at the Northwest corner of said Section 8; thence on assumed bearing of East along the North line of said Section 8, a distance of 2630.15 feet to the point of beginning of the line to be described; thence South 11 degrees 51 minutes 39 seconds West a distance of 980.40 feet; thence North 79 degrees 27 minutes 47 seconds East a distance of 735 feet more or less to said Westerly line of SUNRISE VIEW and there terminating.

Except the following described parcels:

Parcel 11A as shown on the SCOTT COUNTY RIGHT OF WAY PLAT NO. 83 on file in the office of the Scott County Recorder as Doc. No. 919308, and Parcel 11 as shown on the SCOTT COUNTY RIGHT OF WAY PLAT NO. 83 on file in the office of the Scott County Recorder as Doc. No. 919308, and Parcel 3 as shown on the SCOTT COUNTY RIGHT OF WAY PLAT NO. 8 on file in the office of the Scott County Recorder as Doc. No. 266527, Scott County, Minnesota.

AND EXCEPT

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County, Minnesota, described as follows:

A strip of land 17.0 feet in width lying westerly and adjacent to the westerly boundary of the plats of SUNRISE VIEW and FIRST ADDITION TO SUNRISE VIEW.

EXHIBIT B:

Excerpt from Watershed District Rules

Rule J, Section 4 (c):

All open areas within the buffer strip shall be seeded or planted in accordance with Paragraph 8 below. All seeding or planting shall be completed prior to removal of any erosion and sediment control measures. If construction is completed after the end of the growing season, erosion and sediment control measures shall be left in place and all disturbed areas shall be mulched for protection over the winter season.

Rule J, Section 8:

8. VEGETATION:

- (a) Where acceptable natural vegetation exists in buffer strip areas, the retention of such vegetation in an undisturbed state is required unless an applicant receives approval to replace such vegetation. A buffer strip has acceptable natural vegetation if it:
 - (i) Has a continuous, dense layer of perennial grasses that has been uncultivated or unbroken for at least 5 consecutive years; or
 - (ii) Has an overstory of trees and/or shrubs that has been uncultivated or unbroken for at least 5 consecutive years; or
 - (iii) Contains a mixture of the plant communities described in Subparagraphs 8(a)(i) and (ii).
- (b) Notwithstanding the performance standards set forth in Paragraph 8(a), the managers may determine existing buffer strip vegetation to be unacceptable if:
 - (i) It is composed of undesirable plant species including but not limited to common buckthorn, purple loosestrife, leafy spurge or noxious weeds; or
 - (ii) It has topography that tends to channelize the flow of runoff; or
 - (iii) For some other reason it is unlikely to retain nutrients and sediment.
- (c) Where buffer strips are not vegetated or have been cultivated or otherwise disturbed within 5 years of the permit application, such areas shall be replanted and maintained. The buffer strip plantings must be identified on the permit application. The buffer strip landscaping shall comply with the following standards:
 - (i) Buffer strips shall be planted with a seed mix approved by MnDOT, NRCS or SWCD, with the exception of a one-time planting with an annual nurse or cover crop such as oats or rye in addition to the native seed mix.
 - (ii) The seed mix shall be broadcast according to MnDOT, NRCS or SWCD specifications of the selected mix. The annual nurse or cover crop shall be applied at a minimum rate of 30 pounds per acre. The MnDOT or NRCS seed mix selected for permanent cover shall be appropriate for soil site conditions and free of invasive species. MnDOT, NRCS or SWCD approved mixtures appropriate for specific soil and moisture conditions can be used to meet these requirements.

- (iii) Native shrubs may be substituted for native forbs. All substitutions must be approved by the District. Shrubs shall be distributed so as to provide a natural appearance and shall not be planted in rows.
 - (iv) Any groundcover or shrub plantings installed within the buffer strip are independent of any landscaping required elsewhere by the municipality or county.
 - (v) Grasses and forbs shall be seeded or planted by a qualified contractor. The method of application shall be approved by the District prior to planting or seeding.
 - (vi) No fertilizer shall be used in establishing new buffer strips, except on highly disturbed sites when necessary to establish acceptable buffer strip vegetation and then limited to amounts indicated by an accredited soil testing laboratory.
 - (vii) All seeded areas shall be mulched immediately with clean straw at a rate of 1.5 tons per acre. Mulch shall be anchored with a disk or tackifier.
 - (viii) Buffer strips (both natural and created) shall be protected by erosion and sediment control measures during construction in accordance with Rule E. The erosion and sediment control measures shall remain in place until the area crop is established.
- (d) Buffer strip vegetation shall be established and maintained in accordance with the requirements found in this Paragraph 8 based on an Establishment Plan submitted by the applicant and approved by the District prior to permit issuance and meeting the following requirements:
- (i) Establishment plans must extend for the period beginning at the time of planting and extending two full years from completion of initial planting and mulching operations.
 - (ii) Establishment plans must include an irrigation or watering plan for the period beginning at the time of planting and extending one full year from completion of initial planting and mulching operations.
 - (iii) Establishment plans must include replacement of any buffer strip vegetation that does not survive during the two-year period extending from the completion of the initial planting and mulching operations. Establishment maintenance and watering of replaced buffer strip vegetation shall extend one full year from completion of replacement planting and mulching operations.
 - (iv) The owner shall be responsible for reseeding and/or replanting if the buffer strip vegetation does not survive at any time through human intervention or activities.
 - (v) Establishment plans must include a schedule for weeding throughout the duration of the plan.
 - (vi) Establishment plans must be accompanied by an escrow account for the term of the establishment plan. At the end of the term of the establishment plan the balance of the account shall be returned to the permittee, less the amount required to complete the establishment of acceptable natural vegetation (if any).

DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this _____ day of _____, 2022, by D.R. Horton Inc. - Minnesota, a Delaware Corporation and Wink Properties LLC, a Minnesota Liability Company (the “Declarants”).

RECITALS

Declarant owns land related to the development of Spring Lake Ridge in Scott County, Minnesota, described on the attached Exhibit A (the “Property”). As conditions of the approval of the plat of Spring Lake Ridge, Scott County required that the Declarants establish, to the benefit of the Prior Lake-Spring Lake Watershed District (“Watershed District”), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District’s Rules (“Rules”). Declarants desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described or depicted on the attached Exhibit B (“Easement Area”) shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the “Conservation Easement”), which shall be perpetual and run with the Property and bind each owner (“Owner”) and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation

shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Monuments will be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules and with a two-week advance written notice to the Watershed District. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards with written consent from the Watershed District.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the Conservation Easement or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the Conservation Easement have been avoided or minimized to the extent possible.

(b) Construction, maintenance, repair, reconstruction or replacement of public roads crossing the Easement Area, so long as any adverse impacts of such roads on the function of the Conservation Easement are avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidity of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this _____ day of _____, 2022.

OWNER:

D.R. Horton Inc. - Minnesota
A Delaware Corporation

By: _____
James R. Slaikeu

Its: Owner

OWNER:

Wink Properties LLC
A Minnesota Liability Company

By: _____

Its: Owner

STATE OF MINNESOTA)
) ss.
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by D.R. Horton Inc. - Minnesota, a Delaware Corporation and Wink Properties LLC, a Minnesota Liability Company, the Owners of Spring Lake Ridge.

Notary Public: _____

My commission expires:

ACCEPTANCE

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this _____ day of _____, 2022.

PRIOR LAKE - SPRING LAKE
WATERSHED DISTRICT

By: _____
Joni Giese

Its: District Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Joni Giese, the Administrator of the PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT, a political

Notary Public: _____

My commission expires: _____

This instrument was drafted by:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE, Prior Lake, MN 55372

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY
SPRING LAKE RIDGE

Government Lots 1 and 2, Section 8, Township 114, Range 22, EXCEPT the following described parcels:

SUNRISE VIEW, Scott County, Minnesota, according the recorded plat thereof

AND EXCEPT

FIRST ADDITION TO SUNRISE VIEW, Scott County, Minnesota, according the recorded plot thereof

AND EXCEPT

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County, Minnesota, lying westerly of the westerly line of the plat of SUNRISE VIEW and easterly and northerly of the following described line:

Commencing at the northwest corner of said Section 8; thence on an assumed bearing of east along the north line of said Section 8 a distance of 2630.15 feet to the point of beginning of the line to be described; thence South 11 degrees 51 minutes 39 seconds West a distance of 980.40 feet; thence North 79 degrees 27 minutes 47 seconds East a distance of 735 feet more or less to said westerly line of SUNRISE VIEW and there terminating

AND EXCEPT

A tract of land in Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, described as follows:

Beginning at the Southwest corner of FIRST ADDITION TO SUNRISE VIEW; thence South 4 degrees 19 minutes 30 seconds East 98.15 feet; thence North 83 degrees 19 minutes 30 seconds East 220 feet more or less to the shore of Spring Lake, thence Northerly along the shore of Spring Lake to the intersection with the south line of said FIRST ADDITION extended; thence South 80 degrees 05 minutes West 220 feet more or less to the point of beginning, subject to a road easement over the westerly 33 feet.

AND EXCEPT

That part of Government Lot 1 and Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, described as follows:

A strip of land 17.0 feet in width lying westerly and adjacent to the westerly boundary al the plats of SUNRISE VIEW and FIRST ADDITION TO SUNRISE VIEW.

AND EXCEPT

All that part of Government Lot 1 and Government Lot 2, Section 8, Township 114, Range 22, Scott County, Minnesota, lying northwesterly of the centerline of C.S.A.H. No. 17 as delineated on SCOTT COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 8, according to the recorded plat thereof, said Scott County.

TOGETHER WITH

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County, Minnesota, lying Westerly of the Westerly line of the plat of SUNRISE VIEW and Easterly and Northerly of the following described line:

Commencing at the Northwest corner of said Section 8; thence on assumed bearing of East along the North line of said Section 8, a distance of 2630.15 feet to the point of beginning of \he line to be described; thence South 11 degrees 51 minutes 39 seconds West a distance of 980.40 feet; thence North 79 degrees 27 minutes 47 seconds East a distance of 735 feet more or less to said Westerly line of SUNRISE VIEW and there terminating.

Except the following described parcels:

Parcel 11A as shown on the SCOTT COUNTY RIGHT OF WAY PLAT NO. 83 on file in the office of the Scott County Recorder as Doc. No. 919308, and Parcel 11 as shown on \he SCOTT COUNTY RIGHT OF WAY PLAT NO. 83 on file in the office of the Scott County Recorder as Doc. No. 919308, and Parcel 3 as shown on the SCOTT COUNTY RIGHT OF WAY PLAT NO. 8 on file in the office of the Scott County Recorder as Doc. No. 266527, Scott County. Minnesota.

AND EXCEPT

That part of Government Lot 1, Section 8, Township 114, Range 22, Scott County. Minnesota, described as follows:

A strip of land 17.0 feet in width lying westerly and adjacent to the westerly boundary of the plats of SUNRISE VIEW and FIRST ADDIT'ON TO SUNRISE VIEW.

EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT AREAS

All that part of Block 1 SPRING LAKE RIDGE, according to the recorded plat thereof Scott County, Minnesota, described as follows:

Beginning at the most easterly corner of Lot 4, Block 1, said SPRING LAKE RIDGE, thence assumed bearing North 46 degrees 36 minutes 56 seconds West assumed bearing along the southerly line thereof, 22.79 feet; thence North 19 degrees 34 minutes 43 seconds East, 119.14 feet; thence North 06 degrees 22 minutes 05 seconds West, 111.14 feet; thence North 58 degrees 13 minutes 11 seconds West, 166.77 feet; thence North 89 degrees 37 minutes 50 seconds West, 113.82 feet; thence South 33 degrees 45 minutes 51 seconds West, 329.36 feet; thence South 31 degrees 21 minutes 05 seconds West, 188.01 feet; thence South 47 degrees 56 minutes 16 seconds West, 125.00 feet; thence South 04 degrees 51 minutes 10 seconds East, 36.92 feet to the northerly right of way line of Ridgeline Way as delineated and dedicated on said SPRING LAKE RIDGE; thence southwesterly 91.78 feet along said northerly right-of-way, along a non-tangential curve concave to the south, radius 100.00, central angle 52 degrees 35 minutes 16 seconds, and a chord bearing South 68 degrees 33 minutes 33 seconds West; thence South 42 degrees 15 minutes 55 seconds West along said north right of way line, 150.74 feet; thence southerly 32.89 feet, along a tangential curve concave to the south along said north right of way line, radius 100.00 and central angle 18 degrees 50 minutes 34 seconds; thence South 83 degrees 07 minutes 03 seconds West, not tangent, 76.09 feet; thence South 47 degrees 56 minutes 16 seconds West, 116.32 feet to the southwesterly line of said Block 1; thence North 42 degrees 03 minutes 44 seconds West along said southwesterly line of Block 1, 22.36 feet to the southerly right-of-way of C.S.A.H. No. 17 (Marschall Road) as delineated and dedicated on said SPRING LAKE RIDGE; thence North 53 degrees 20 minutes 29 seconds East along said southerly right-of-way, 154.23 feet; thence northeasterly, 908.55 feet, along said southerly right-of-way along a tangential curve concave to the northwest, radius 2009.86, and central angle 25 degrees 54 minutes 01 seconds; thence South 62 degrees 33 minutes 02 seconds East, not tangent, along said southerly right-of-way, 15.41 feet; thence North 12 degrees 07 minutes 32 seconds East along said southerly right-of-way, 61.66 feet; thence northeasterly, 57.20 feet, along said southerly right-of-way along a non-tangential curve concave to the northwest, radius 2009.86, central angle 01 degrees 37 minutes 50 seconds and a chord bearing North 24 degrees 55 minutes 49 seconds East to the northeasterly line said Block 1; thence South 58 degrees 13 minutes 11 seconds East along a northeasterly line of said Block 1, 601.51 feet to a northerly right-of-way line of Spring View Drive as delineated and dedicated on said SPRING LAKE RIDGE; thence southwesterly, 50.57 feet, along said northerly right-of-way along a non-tangential curve concave to the northwest, radius 217.00, central angle 13 degrees 21 minutes 10 seconds and a chord bearing South 65 degrees 40 minutes 59 seconds West; thence South 72 degrees 21 minutes 34 seconds West tangent to last said curve along said northerly right-of-way, 176.29 feet; thence southwesterly, 59.80 feet along said northerly right-of-way along a tangential curve concave to the south, radius 333.00, and central angle 10 degrees 17 minutes 19 seconds to the point of beginning.

Together with:

Outlot A, said SPRING LAKE RIDGE, except the following described property:

Beginning at the southwest corner of said Outlot A, thence North 01 degrees 14 minutes 06 seconds East, assumed bearing along the west line of said Outlot A, 305.02 feet; thence South 89 degrees 23 minutes 21 seconds East, 299.62 feet; thence North 87 degrees 05 minutes 22 seconds East, 45.74 feet; thence North 08 degrees 09 minutes 08 seconds West, 255.09 feet; thence North 24 degrees 03 minutes 53 seconds West, 144.84 feet; thence North 18 degrees 45 minutes 15 seconds East, 125.10 feet; thence North 40 degrees 58 minutes 24 seconds East, 102.13 feet; thence North 75 degrees 39 minutes 45 seconds East, 85.32 feet; thence South 72 degrees 24 minutes 59 seconds East, 100.87 feet; thence South 53 degrees 18 minutes 08 seconds East, 68.85 feet; thence South 39 degrees 58 minutes 34 seconds East, 71.65 feet; thence South 07 degrees 11 minutes 02 seconds West, 175.79 feet; thence South 10 degrees 33 minutes 41 seconds East, 106.27 feet; thence South 00 degrees 40 minutes 08 seconds West, 102.31 feet; thence North 86 degrees 52 minutes 55 seconds East, 57.50 feet; thence North 11 degrees 13 minutes 51 seconds East, 59.47 feet; thence North 02 degrees 16 minutes 21 seconds West, 86.03 feet; thence North 89 degrees 08 minutes 03 seconds East, 132.37 feet; thence northeasterly, along a non-tangential curve concave to the east 77.04 feet, radius 391.00, central angle 11 degrees 17 minutes 19 seconds and a chord bearing North 11 degrees 05 minutes 33 seconds East; thence North 16 degrees 44 minutes 12 seconds East, tangent to said curve 430.55 feet to the most southerly corner of Lot 30, Block 1, said SPRING LAKE RIDGE; thence South 73 degrees 15 minutes 48 seconds East, along the southerly right of way line of Spring View Drive as delineated and dedicated on said SPRING LAKE RIDGE, 66.00 feet; thence North 16 degrees 44 minutes 12 seconds East along the easterly right of way line of said Spring View Drive, 15.19 feet to the southerly line of Lot 11, Block 3 said SPRING LAKE RIDGE; thence South 73 degrees 15 minutes 48 seconds East along last said southerly line, 125.00 feet; thence South 16 degrees 44 minutes 12 seconds West, 375.00 feet; thence North 73 degrees 15 minutes 48 seconds West, 125.00 feet; thence South 16 degrees 44 minutes 12 seconds West, 70.74 feet; thence southwesterly 128.67 feet along a tangential curve concave to the east, radius 325.00 and central angle 22 degrees 41 minutes 03 seconds; thence southwesterly 17.46 feet along a reverse curve, radius 275.00 and central angle 03 degrees 38 minutes 15 seconds; thence South 85 degrees 25 minutes 04 seconds East, not tangent, 104.84 feet; thence South 19 degrees 23 minutes 03 seconds East, 82.77 feet; thence South 24 degrees 36 minutes 45 seconds West, 155.59 feet; thence South 40 degrees 18 minutes 28 seconds West, 112.84 feet; thence South 47 degrees 25 minutes 19 seconds West, 153.43 feet; thence North 89 degrees 23 minutes 21 seconds West, 25.47 feet; thence North 42 degrees 34 minutes 41 seconds West, 112.57 feet; thence South 47 degrees 25 minutes 19 seconds West, 149.14 feet to said southerly line of Outlot A; thence North 89 degrees 23 minutes 21 seconds West, 579.37 feet to the point of beginning.

AND EXCEPT

That part of said Outlot A lying southerly and easterly of the following described line and its extensions:

Commencing at the southwest corner of said SPRING LAKE RIDGE, thence South 89 degrees 23 minutes 21 seconds East assumed bearing along the south line of said Outlot A, 982.40 feet to the point of beginning; thence North 44 degrees 33 minutes 24 seconds East, 345.27 feet; thence North 13 degrees 13 minutes 40 seconds East, 333.33 feet; thence North 03 degrees 10 minutes 09 seconds West, 128.76 feet; thence North 74 degrees 24 minutes 44 seconds East, 104.31 feet; thence South 71 degrees 52 minutes 36 seconds East, 430.38 feet; thence South 40 degrees 37 minutes 32 seconds East, 242.73 feet to a westerly line of Lot 8, Block 5, said SPRING LAKE RIDGE; thence South 53 degrees 51 minutes 01 seconds East along a southwesterly line of said Lot 8 to the edge of Spring Lake.

“EXHIBIT C”

Easements for Spring Lake Ridge

