Managers Present: Kristin Tuenge, Tom Polasik, Joel Stedman, Wade Johnson, Andy Weaver & Eric Lindberg

Managers Absent: Paul Richert

Others Present: Jim Shaver (Administrator), Susannah Torseth (Galowitz • Olson Law), Carl Almer (EOR), Mike Isensee (WCD); John Bower (Resident); Mike Caron (Tiller Corp.)

President Johnson called the meeting to order at 6:33 p.m.

1) a) Approve Agenda
   Manager Polasik moved to approve the agenda as amended. Seconded by President Johnson. Motion carried 5-0.

2) Minutes from September 12, 2018
   Manager Weaver moved to approve the September 12, 2018 minutes as amended. Seconded by President Johnson. Motion carried 5-0.

3) Treasurer’s Report
   Manager Tuenge presented the Treasurer’s Report.
   President Johnson moved to accept the Treasurer’s Report. Seconded by Manager Tuenge. Motion carried 5-0.

   a) Old invoices from Washington Conservation District: Administrator Shaver and Mike Isensee explained that there are a number of WCD invoices that have not been paid and need to be paid. The unpaid invoices may have been sent to an incorrect email address.

4) Public Comments:
   • John Bower: Provided Managers with a document with his thoughts/comments on hiring a new administrator based on when he was a Manager on the CMSCWD and the District was hiring an Administrator. Sarah Noah and Cliff Aichinger are both good resources according to Mr. Bower.

5) Presentations and Agenda Items subject to Public Comments:
      • Administrator Shaver described history of the Permittee (Zavoral/Tiller Corp.) in obtaining a CMSCWD permit and other actions that Permittee took to obtain other required permits to open the gravel mine at the project site and then installation of the solar panel farm.
      • Engineer Almer reviewed history of request of Tiller Corp. to close out permit and turn over site responsibility to Argo-Navis in Summer 2017. On July 25, 2017, site was
(P17-013 Zavoral (Argo-Navis) Solar Update Continued)

• inspected by EOR and found that there had been significant improvement to site and had no indication of water ever reaching or breaching the overflow area.

• August 2017: CMSCWD signed off on releasing the permit and returning surety with two exceptions: One stipulation was that responsibility for restoration of site be forwarded to Argo-Navis and be part of Argo-Navis’ permit.

• When Argo-Navis submitted plans for its permit, there was a requirement to restore the vegetation of the property and improve the stability of the slopes of the pit.
  o There was concern with the quality of the soil for infiltration by EOR, which was passed on to DNR. Argo-Navis was supposed to take action that includes de-watering of the site. The de-watering was regulated by DNR.
  o Engineer questioned during an inspection whether the ponds were fully de-watered and scraped. Answer he received was that Argo-Navis did not fully de-water the ponds, they did it just enough to install the solar garden.

• Manager Tuenge commented that she and her neighbors are upset about the overflow and that she believes there is public opinion that the problem is due to lack of oversight of the watershed district.

• Administrator Shaver commented that the District and EOR are unable to state at the present moment whether the plans provided by Argo-Navis were insufficient.

• Question: why did the plan include an overflow to an area that wasn’t designed to be an overflow? Engineer explained that he questioned this design when the plans were presented and that the explanation he was given was that the design was intended to preserve the steep hill from completely eroding; it wasn’t intended to be a regular overflow.

• Ultimate responsibility for ensuring the site was constructed and maintained according to the plans presented is Argo-Navis. The authorities responsible for oversight of Argo-Navis are many, including CMSWD, MPCA and the City of Scandia.

• Current status of the basin is that Argo-Navis started pumping to de-water the site to an excavated trench that is infiltrating. Argo-Navis will enlarge the pumping area.

• Multiple agencies are involved at this point and there is an ongoing fact-finding process occurring.

• Mike Caron of Tiller commented that his company and their consultants are concerned with the sites condition. The plan that Tiller utilized was successful and they are not associated with the site plan Argo-Navis is using and are not connected to the overflow issue.

• Administrator shared photos he had taken of the overflow and resulting sediment in the stream and St. Croix River.

• Engineer Almer explained that a full topographical survey will be conducted of the damage and will provide much needed factual information. Additional investigation will include review of inspection reports generated since the permit were issued and review of the modeling by EOR.

• Administrator Shaver handed out a Memorandum from Jen Sorenson of the DNR and the Declaration for Maintenance of Stormwater Facilities for Argo-Navis.
6) Project Updates
   a) Marine Stormwater Phase 1: Engineer Almer reported that there was a meeting with County and the District’s issues were heard. He cautioned the Managers on working with the County again on this type of project due to the loss of control of the project.
      • Anti-seepage collar issue: County still says the issue is not with the contractor but Engineer Almer believes the County understands the District’s argument. The issue of who is responsible for paying for the fix may be revisited in the future.
         o The plan is to have a series of meetings and Engineer Almer believes there will be an offer of payment for part of the fix by the County in the future.
      • Discussion occurred regarding vegetation and research the County is doing on hardier grasses for the shoulders. County committed to replanting the areas that are not well established and communicating with the residents that once the property is replanted, it is up to the residents to maintain the vegetation.
      • The change order is in place and the County needs to be diligent following-up with the contractor to get the items done. Due to the time of year and multiple rain delays, it may be difficult to have the contractor complete the final punch-list items.
   b) Marine Stormwater Phase 2 (Ravine): Meeting with landowners scheduled for October 25th to go over revisions and the plan of attack that has been revised coming from the highway. Will review design and discuss easements with the property owners.
   c) 133rd Street/Panorama: Workplan was in for approval and reviewed last week by Administrator Shaver and Engineer Almer. Waiting for approval of the plan.
   d) Long/Terrapin AIS Filter: Engineer Almer is trying to touch base with Roger Rydeen.
   e) Sand Lake Iron Filter: Engineer Almer noted that there is a sediment buildup that is affecting the effectiveness of the iron-sand filter and recommends the silt be removed. He suggests that Roger Rydeen may be able to clean the sediment when he is working on other CMSCWD projects.
   e) Bliss Addition Stormwater: Workplan was in for approval and reviewed last week by Administrator Shaver and Engineer Almer. Waiting for approval of the plan.

7) New Business
   a) Permits
      i) Manager Tuenge moved to issue conditional approval of Permits 18-013 (South Twin Lake Outlet) and P18-014 (Martsching), pending the District engineer’s approval. Seconded by Manager Polasik. Motion carried 5-0.
         • Engineer Almer described the basic applications and proposed projects associated with both permits.
      ii) Polasik moved to return the sureties for P17-034 (Firkus) and P17-030 (Phippen), P17-007 (Fuith) Seconded by Manager Tuenge. Motion carried 5-0.
iii) Fill Violation at 12860 Paradise Avenue North (Big Carnelian): Administrator Shaver provided update. DNR and other agencies have reviewed the site.

b) Cost Share
   i) Reimbursement Request: Mr. Isensee provided update and reviewed memorandum provided in Manager’s packet regarding actions taken on project and basis for reimbursement request.
   • Manager Polasik commented that he would like to see more consistency in the Managers’ approval of cost-share for buckthorn cost-share proposals. Managers discussed use restoration plans in cost-share applications, and that this specific project does include a restoration plan. Managers discussed different ways to treat buckthorn and whether it is more effective to re-seed after killing the buckthorn, or if the native vegetation that has been kept at bay by the buckthorn will emerge on its own.
   President Johnson moved to authorize reimbursement payment to Anderson in the amount of $870.00. Seconded by Manager Weaver. Motion carried 5-0.

c) Goose Lake/St. Sauver: Engineer Almer presented bids submitted to CMSCWD for the Project. Engineer Almer requested that the motion include authorization for the District Administrator to authorize small change orders up to 5% of the construction contract.
   Manager Tuenge moved to authorize the District to award the construction contract for the Goose Lake – St. Sauver Iron-Enhanced Sand Filter to GF Jedlicki, the lowest responsible bidder, in the amount of $180,468.50 and to authorize the District Administrator to authorize small change orders up to 5% of the construction contract. Seconded by President Johnson. Motion carried 4-1. Opposed by Manager Weaver.
   Manager Weaver clarified that voted against the motion because he supports the Project but opposes ability of the Administrator to authorize small change orders to the Project.

d) EMWREP Agreement 2019-2021:
   Manager Lindberg moved to approve the Agreement Between Washington Conservation District and Members of the 2019-2021 East Metro Water Resource Education Program. Seconded by President Johnson. Motion carried 5-0.

8) Old Business

a) Planning Updates:
   i) LSCWP (One Watershed) Update: Advisory Committee has a meeting tomorrow (10/11/18) to decide priority issues.

   ii) CMSCWD Plan Update: On hold until the next CMSCWD Administrator is hired. CMSCWD may want to request that BWSR issue a letter supporting putting the Plan update on hold until the next Administrator is hired.
b) **Administrator Transition Update**: President Johnson will send a timeline to the managers and wants to schedule a workshop.

- President Johnson asked the Managers to consider generally what kind of structure they would like to pursue and think about different models (i.e. Sole Administrator; Administrator with an assistant; utilize WCD similar to Brown’s Creek’s model; rely more heavily on Engineering and consultants, etc.).
- Managers discussed the benefit of utilizing the recommended professional consultant, such as Sarah Noah.

*President Johnson moved to permit the executive committee in the interim prior to the next meeting to solicit services of a consultant to facilitate an Administrator workshop in an amount not to exceed $800.00. Seconded by Manager Tuenge. Motion carried 5-0.*

9) **Other Reports**: None

10) **Bills to Be Paid**
- Manager Tuenge moved to pay the bills in the amount of $63,169.14. Seconded by Manager Polasik. Motion carried 5-0.

11) **Next Meeting is November 14, 2018 at 6:30 p.m. at the Scandia Heritage Room.**

12) **Adjourn**
- President Johnson moved to adjourn at 9:20 p.m. Seconded by Manager Tuenge. Motion carried 5-0.

Submitted by: Administrator Jim Shaver