



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
February 3, 2021**

The Regular Meeting of February 3, 2021, was held via Zoom web conferencing. A video recording of the meeting can be found at <https://youtu.be/4ZrnrP9TQmE>.

PRESENT:

Marj Ebensteiner, President
Cliff Aichinger, Vice President
Lawrence Swope, Treasurer
Dianne Ward, Secretary
Dr. Pam Skinner, Manager

ABSENT:

ALSO PRESENT:

Tina Carstens, District Administrator
Tracey Galowitz, Attorney for District
Nicole Soderholm, Permit Inspector
Simba Blood, Natural Resources Specialist
Brian Field, Representing Mead Metals

Paige Ahlborg, Project Manager
Brad Lindaman, Barr Engineering
Dave Vlasin, Project Coordinator
Sam Wagner, Lower Phalen Creek Project
Jacob Dobias, Representing Mead Metals

1. CALL TO ORDER

The meeting was called to order by President Ebensteiner at 6:30 p.m.

2. APPROVAL OF AGENDA

A Manager requested to remove Items C and E from the Consent Agenda. Tina Carstens noted that Item C will be moved to the Permit Program and Item E will be moved to Action Items.

Motion: Manager Swope moved, Manager Ward seconded, to approve the agenda as amended.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

3. CONSENT AGENDA

- A. Approval of Minutes from January 6, 2021
- B. Treasurer’s Report and Bill List
- C. ~~Permit Program~~
 - i. ~~#21-02 Mead Metals Addition, Shoreview~~
- D. Keller Channel Weir & Phalen Outlet Modifications – Change Order No. 1
- E. ~~Joint Powers Agreement for the Establishment of Metro INET~~

Motion: Manager Aichinger moved, Manager Swope seconded, to approve the consent agenda as amended.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

4. VISITOR PRESENTATIONS

There were none.

5. PERMIT PROGRAM

- A. Applications – See Consent Agenda
Permit #21-02 Mead Metals Addition, Shoreview

A Manager commented that there are a lot of trees and vegetation that will be removed on the site as a part of this project. The question was asked as to whether the District reviews options to replace that vegetation with applicants, similar to rain garden ideas. Nicole Soderholm commented that most of the tree clearing is to make room for a building and impervious parking area. The Manager commented that the application process would be an opportunity to discuss things that could be available to improve the property overall. Tina Carstens asked if the Manager is suggesting a cost-share program. She explained that the cost-share program would need to be above and beyond the District and all other permit requirements. The Manager commented that it would be a good idea to use this opportunity to discuss restoration opportunities. Nicole Soderholm commented that she does bring it up when she notices opportunities and noted that she can look more into habitat restoration opportunities in addition to water quality.

A Manager commented that they are sad when mature wooded areas are removed for development because 100-year-old trees cannot just be replaced. They stated that it would be great if there are things that could be done to preserve these areas, such as alternative water treatment options that may allow a wooded area to remain.

Nicole Soderholm stated that the applicant is present and could provide additional input. Brian Field, representing the applicant, stated that due to the nature of the expansion and additional parking lots there is very little room to save trees and unfortunately the topography of the site works against that concept. He stated that they did look into the concept, but the site space is very tight.

Nicole Soderholm commented that this site also has poor soils but noted that she can keep that idea in mind for sites with better soils and more space. She noted that the District does not have authority over tree removal. She stated that the member cities have tree replacement and preservation ordinances that govern that activity. A Manager commented that it is simply a contact opportunity that could take advantage of bringing that concept forward.

Another Manager commented that the District is proactive with schools and churches and this would simply be another opportunity to be proactive and discuss the cost-share program. Nicole Soderholm stated that she typically focuses on public sites and site with better soils but will continue to discuss opportunities with applicants.

Motion: Manager Swope moved, Manager Ward seconded, to approve Permit #21-02.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

B. Monthly Enforcement Report

During January, zero notices were sent.

6. STEWARDSHIP GRANT PROGRAM

A. Applications

Permit #22-01 CS: Lower Phalen Creek Study

Paige Ahlborg commented that this is a unique opportunity to work with the Lower Phalen Creek project and do further investigation for daylighting within the portion of the creek that travels through the District. A Manager commented that the daylighting is a great idea.

Sam Wagner, Environmental Stewardship Program Manager for the Lower Phalen Creek Project, commented that this has been a longstanding project not just for the organization but for residents on the east side. He stated that this would provide a different water resource in an urban environment that could set incredible precedent. He also displayed a brochure that has been developed for the project and reviewed additional background information. He noted that this study will be the first step and the second step would go further into daylighting the creek and the associated restoration work around the creek area.

A Manager commented that they had worked on this issue for 30 years and the issue of daylighting the creek has been mentioned since the 1980's. They recognized how difficult it would be to do. They asked where the water would come from and asked whether the existing outlet would be used or whether a new outlet would be created from Lake Phalen. Mr. Wagner replied that he could not answer that with full confidence as he has been working more on public engagement for the project and working with engineers. The Manager commented that in the summer months the level of Lake Phalen drops below the outlet and therefore water would not flow into the creek. The comment was made that at times the creek could then be dry during times of the year unless water is pumped into the creek. Mr. Wagner commented that they are still narrowing the scope of work for engineering services and applying for grants. Mr. Wagner noted that different options will continue to be reviewed and they will also consider flood risk for reaches seven and eight.

A Manager referenced the Stewardship Grant Program and asked if this type of application is allowed under the current program guidelines. Paige Ahlborg stated that staff is looking for that direction and provided other unique projects that have used this program. Tina Carstens explained that staff proposed the Stewardship Grant Program because they would be partner in this special request for grant funds to assist with the project. She agreed that this is a special request. The Manager commented that they do not have an issue with using the program but believes the motion should be clear that this is a special request.

A Manager asked if this would then set precedent for additional study requests to come forward. Tina Carstens noted that this would be a planning grant and could set a precedent for the future. Another Manager commented that the motion should make clear that this project is for a major community asset, restoration, etc. that make this project unique. The Manager stated that Phalen Creek daylighting has been a concept for many years and this study will finally determine whether it would be viable through multiple partners.

A Manager commented that they were comfortable placing this in the Stewardship Grant Program but if funds become tight at the end of the year, this should be funded in another manner as this would be more of a miscellaneous item.

Motion: Manager Aichinger moved, Manager Skinner seconded, to approve Stewardship Grant #20-01 CS in the amount of \$10,000 as a special request for the feasibility planning of a historic community water resource restoration of Phalen Creek.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

Mr. Wagner thanked the Board and staff noting that this is a great step for the project, noting that this is a great opportunity to bring this together. He noted that he would print copies of the brochure and provide them to the District and Managers. He confirmed that he would love to come back to the District to provide updates as often as the Board would like.

B. Budget Status Update

No comments.

7. PRESENTATIONS AND/OR ACTION ITEMS

A. North St. Paul Target Store BMP Retrofit Accept Plans and Solicit Bids

Tina Carstens stated that the plans have been developed and staff is asking to go out for bid for the project.

Brad Lindaman identified the Target store location, noting the large amount of impervious surface for the site. He stated that the area drains into a system that flows to PCU Pond, which discharges into Kohlman Creek, and eventually to Kohlman Lake. He stated that about 45 percent of the site could drain to larger BMP tree trenches and rain gardens, similar to those constructed on the East Saint Paul Target site. He stated that the plans are about 95 plus percent complete, with a few tweaks necessary for completion. He estimated a total cost including contingency of \$1,390,000.

Paige Ahlborg stated that staff ran this project through the prioritization tool, and it ranked number seven out of over 60 projects. She noted that the projects that rank higher are larger flood reduction projects with much higher costs.

A Manager commented that it appears the tree trench concepts from Maplewood Mall were proposed and asked if staff discussed the issue of plowing with the Target maintenance staff. Paige Ahlborg confirmed that staff spoke with Target Corporation prior to the East Saint Paul site.

A Manager appreciated staff mentioning the ranking on the prioritization list and asked staff to share the ranking list. The comment was made that the Manager would like to see that information in the staff report. Tina Carstens agreed that could be included in the staff reports moving forward. She noted that the tool will continue to be used as staff identifies potential projects. The Manager commented that it would be helpful for the Board to continue to see how that new tool is used.

A Manager stated that this action is to authorize the final design and asked if this would come back before the Board if completion of the design changes the project and estimated budget. The question was also asked as to what would happen if the bids can in very high and where the threshold would be. Brad Lindaman stated that staff attempts to develop the plans to a place where they can feel confident in the cost estimate before bringing it to the Board. He commented that if the estimate changed significantly, it would come back to the Board. Tina Carstens noted that the bids come back before the Board and the Board has the opportunity as to whether to accept or reject the bids.

Motion: Manager Aichinger moved, Manager Swope seconded, to approve the preliminary design, and proposed project schedule, and direct staff to finalize the design and bidding documents and solicit bid proposals.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

B. Board of Managers Annual Meeting

Tina Carstens noted that the current officer listing was included in the packet. She noted that a motion would be necessary to elect the Officers for 2021.

A Manager noted that they have been on the Board for several years and each Manager brings skills and attributes. They suggested that the positions be rotated.

Motion: Manager Ward moved, Manager Swope seconded, to elect Larry Swope as President.

Further discussion: Manager Swope commented that he was associated with the Board prior to his time serving on the Board. He commented that it is nice for groups to change the slate of officers in order to bring in different points of view. A Manager commented that they like the way the meetings have been run and hoped that someone would not need to be President in order to bring their perspective to the discussions. Another Manager asked for clarification on whether votes would be taken on both nominees. Tracey Galowitz confirmed that process.

Motion: President Ebensteiner moved, Manager Skinner seconded, to elect Marj Ebensteiner as President.

Motion: Manager Swope moved to elect Cliff Aichinger as President, Manager Ward seconded.

Further discussion: Manager Aichinger commented that he was the Administrator when Roger Lake held the position of President for 20 years. He commented that everyone has a voice and therefore as long as open discussion occurs and the meeting is well run, there is often not a need to change that position. A Manager

commented that they would like to see people hold different roles. Another Manager stated that they would be happy to continue to not hold an Officer position.

Tracey Galowitz stated that there are three nominations for the position of President and therefore the roll call vote should specify the nominee each Manager would vote to elect.

A roll call vote was performed:

Manager Swope	Aichinger
Manager Ward	Swope
Manager Aichinger	Swope
Manager Skinner	Ebensteiner
President Ebensteiner	Ebensteiner

Motion tied with two votes for Swope and two votes for Ebensteiner, therefore a second vote was needed between the two choices.

A roll call vote was performed:

Manager Swope	Swope
Manager Ward	Swope
Manager Aichinger	Swope
Manager Skinner	Ebensteiner
President Ebensteiner	Ebensteiner

Manager Swope was elected as President for 2021 with a vote of 3-2.

Motion: Manager Ebensteiner moved, Manager Skinner seconded, to elect Cliff Aichinger as Vice-President.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

Motion: Manager Skinner moved, Manager Swope seconded, to elect Marj Ebensteiner as Treasurer for 2021.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

Motion: Manager Skinner moved, Manager Ebensteiner seconded, to elect Dianne Ward as Secretary for 2021.

Manager Ward declined.

Motion: Manager Aichinger moved, Manager Ebensteiner seconded, to elect Pam Skinner as Secretary for 2021.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

Tina Carstens noted that the slate of Officers for 2021 will become effective for the next meeting.

Motion: Manager Aichinger moved, Manager Skinner seconded, to appoint Barr Engineering, Galowitz Olson, and Redpath and Company to continue as the consultant for 2021.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

Tracey Galowitz stated that there is a gap in the newspaper coverage area because one of the newspapers went out of business. She stated that the base of the District is broad and provided details on the requirements for coverage. She stated that she would recommend using the *Pioneer Press* because of the coverage areas that have been lost. She noted that the publication options would also provide more flexibility in providing the necessary notices for the District.

Tina Carstens asked what would happen if there were difficulties having the notices published. Tracey Galowitz commented in the past the issue was not in having the notice published but in getting the affidavit that it was published. She stated that the *Pioneer Press* is published daily and therefore provides much more flexible. She stated that she would recommend trying the publication again.

A Manager asked the number of public notices that are done each year. Tracey Galowitz estimated a handful of publications. The Manager commented that the budget implications would not seem to be that large and supported using the *Pioneer Press*. Another Manager commented that it would seem that newspapers are becoming outdated and it would be nice to see that requirement changed so that electronic notice could be provided and suggested that perhaps this be brought up for the next MAWD Annual Meeting.

Motion: Manager Skinner moved, Manager Ebensteiner seconded, to approve the 4M Fund through Minnesota Cities US Bank as the official bank of deposit and designate *Pioneer Press* as the official newspaper.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye
Manager Aichinger	aye
Manager Skinner	aye
President Ebensteiner	aye

Motion carried unanimously.

A Manager commented that it would seem the timing of the elections seems to be early, as appointments to the Board by the county are done following this meeting. It was noted that two Managers are up for reappointment this year.

It was suggested that the Board change the timing for the Annual Meeting activities to occur at the March meeting each year, in order to allow the appointments for the year to occur prior to that time. Tracey Galowitz suggested that item appear on an upcoming agenda in order to discuss and take formal action, which would also allow staff to determine if there would be any other implications.

C. Joint Powers Agreement for the Establishment of Metro-INET

A Manager commented that the previous year the Board agreed to participate in the creation of the Joint Powers Agreement that had not yet been drafted. They stated that the JPA has now been developed and asked the projection for what it could look like next year and whether it would be a good deal for the District. Tina Carstens stated that the District has committed for what has been budgeted for 2021, but the future budget for 2022 has not been developed past that point.

The Manager asked the number of votes the District receives. Tina Carstens replied that the District is two percent of the use and therefore has two votes out of 120. The Manager asked whom the delegates are. Tina Carstens replied that she would be the delegate and has not yet delegated her staff backup. The Manager commented that the language is very comprehensive and wondered where it was going. Tina Carstens commented that once all the JPAs come in, the first item of business would be to determine what would be needed to bring this into its own entity. She noted that she would compare that to other entities that provide similar work/service.

A Manager commented that the decision was made to join Metro-Inet many years ago was when there were under 20 organizations. They commented that the participation has increased because other organizations realized that they were able to obtain much better service and cost than they could gain on their own. They commented that the service provided by Metro-INET has been great and responsive and in order to gain that level of service from an outside service would have a much higher cost.

A Manager commented that the cost will most likely increase to a certain degree because the organization has grown but did not think that increase would be substantial. They commented that the level of service has been great when issues arise that need assistance. Tina Carstens agreed that Metro-INET has been very responsive when issues arise, even with employees working from home.

Motion: Manager Aichinger moved, Manager Swope seconded, to approve the Joint Powers Agreement for the Establishment of Metro-INET.

A roll call vote was performed:

Manager Swope	aye
Manager Ward	aye

Manager Aichinger aye
Manager Skinner aye
President Ebensteiner aye

Motion carried unanimously.

8. ADMINISTRATOR'S REPORT

A. Meetings Attended

No comments.

B. Upcoming Meetings and Dates

A Manager asked what would be anticipated for WaterFest 2021. Tina Carstens replied that with the current outdoor gathering requirements they would not be able to hold the event. She stated that the consultant has sent a survey to the vendors and partners in order to determine whom would want to participate if the event was able to be held or if there are suggestions for a virtual format. She noted that staff will meet in the following week to review the survey results.

A Manager asked for an update on the funding request to BWSR. Tina Carstens provided an update on the different phases, noting that BWSR would like feedback on what the third phase of the program should look like.

A Manager asked how much money the District receives. Tina Carstens noted in the last round the amount was about \$94,000. She commented that this process has been a bit frustrating for those within the metro area as they do not fall under the 1 Watershed 1 Plan (1W1P) process. She commented that most organizations in the metro agree that they would prefer a more streamlined process.

C. MAWA and MAWD Activity

Tina Carstens provided an update on the MAWD issues and activity between MAWA and MAWD, noting that there will be a joint discussion session between the MAWA Executive Committee and MAWD Board.

9. PROJECT AND PROGRAM STATUS REPORTS

A. Ongoing Project and Program Updates

- i. Owasso Basin Flood Risk Reduction Feasibility Study
- ii. Willow/Kohlman Creek Flood Risk Reduction Feasibility Study
- iii. Ames Lake Area Flood Risk Reduction Feasibility Study
- iv. FEMA Flood Mapping Updates
- v. Targeted Retrofit Projects
- vi. Keller Channel Weir and Phalen Outlet Resiliency Modifications
- vii. Twin Lake Outlet Construction
- viii. CIP Maintenance and Repair 2021 Project
- ix. Beltline/Battle Creek Tunnel Inspection
- x. Ryan Drive and Keller Parkway Conveyance
- xi. Automated Lake Monitoring Systems
- xii. Special Project BMP Monitoring
- xiii. Natural Resources Program Update
- xiv. Education Program Update
- xv. Communications Program Update

A Manager commented that they would like to see a Hillcrest update once available.

Tina Carstens provided an example of information that can now be found the lake pages of the District website that includes water levels.

A manager requested that a summary page with all the graphs of lake levels in one place be created to make discussions easier.

A Manager thanked Tina Carstens for her participation with MAWA.

The Manager commented that they would like to know more about how the feedback was used and whether it was helpful for the Owasso Basin Flood Risk Reduction. They also requested updates continue to be given as it moves forward. Brad Lindaman stated that staff is attempting to address the different comments and will then summarize that information.

A Manager asked if there is a known reason on the length of time it requires to receive approval from Ramsey County Parks for their access agreements. Tina Carstens stated that the process is to require Ramsey County Parks approval for every access agreement, which is where the pinch point occurs in the process. She recognized that it is a consuming process that she continues to bring forward to Ramsey County Parks staff to seek a better solution.

A Manager commented that she participated in the Tree Identification Zoom presentation the previous night and there were good things that could be used for restoration work.

Brad Lindaman stated that the Phalen/Keller project is in full force and noted that staff has been taking photos of the progress. He shared that progress with the Board of the Phalen Outlet Modifications. He also shared a photo showing the start of the Gervais Creek cleaning.

A Manager asked where the ads and articles were posted attempting to recruit CAC members. Tina Carstens noted that the articles were included in the emailed newsletter and then targeted ads were done on social media. She stated that ten applications were received thus far.

10. REPORTS OF MANAGERS

President Ebensteiner stated that she is more than happy to pass the torch to Manager Swope as President.

The Board expressed appreciation to President Ebensteiner for her service as President.

11. ADJOURN

The meeting adjourned at 8:33 p.m.