



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
October 2, 2024**

The Regular Meeting of October 2, 2024, was held at the District Office Board Room, 2665 Noel Drive, Little Canada, Minnesota, and via Zoom web conferencing at 6:30 p.m. A video recording of the meeting can be found at <https://youtu.be/1DzckDnZXmo>. Video time stamps included after each agenda item in minutes.

PRESENT:

Val Eisele, President
Ben Karp, Vice President
Mark Gernes, Secretary
Matt Kramer, Treasurer
Stephanie Wang, Manager

ABSENT:

ALSO PRESENT:

Staff:

Tina Carstens, District Administrator
Paige Ahlberg, Assistant Administrator
Nicole Maras, Regulatory Program Manager
Ashlee Ricci, Grant Program Specialist
Eric Korte, Monitoring Program Manager
Dave Vlasin, Project Coordinator
Paul Erdmann, Natural Resources Program Manager

Consultants:

Laurann Kirschner, Attorney for District
Erin Anderson Wenz, Barr Engineering
Katie Turpin Nagel, Barr Engineering

Visitors:

Cameron Muhic, North St. Paul Commission Member
Matt Schwartz, Kimley Horn
Sophie Taylor, Observer

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA (0:25)

Motion: Manager Kramer moved, Manager Karp seconded, to approve the agenda.

Motion carried unanimously.

3. CONSENT AGENDA (0:45)

- A. Approval of Minutes from September 4, 2024
- B. Treasurer's Report and Bill List
- C. Permit Program
 - i. 24-46 Woodbury WTP – South Wellfield
- D. Stewardship Grant Program
 - i. 24-45 CS Stevenson
 - ii. 24-47 CS Pitrina Park Terrace Association
 - iii. 24-45 CS Escape Climbing

Motion: Manager Kramer moved, Manager Gernes seconded to approve the consent agenda.

Motion carried unanimously.

4. VISITOR COMMENTS (02:25)

No comments.

5. PERMIT PROGRAM (03:11)

A. Applications

i. 24-47 Woodbury WTP – Tamarack Wellfield

Nicole Maras provided details of the permit application 24-47 Woodbury WTP – Tamarack Wellfield. Nicole explained that this is a segment of a water supply project similar to 24-46 Woodbury WTP – South Wellfield and 24-41 Woodbury WTP – Woodlane-Hargis Parkway, which was approved at the September meeting. Nicole stated that there is a variance request for disturbance of the wetland buffer. Nicole stated there are two locations near Woodbury City Hall where the buffer would be impacted. Nicole stated that the buffer requirements are not currently met in the existing conditions due to a paved walking trail and Valley Creek Road. Nicole reiterated that this would be a variance for buffer disturbance with no wetland impacts proposed and noted that this project was a part of a larger planning process related to PFAS.

Motion: Manager Kramer moved, Manager Wang seconded, to approve permit 24-47 Woodbury WTP – Tamarack Wellfield

Motion carried unanimously.

ii. 24-48 Shoreview Villas I

Nicole Maras explained that permit application 24-48 Shoreview Villa I is the initial phase to a larger development on Snail Lake. Nicole provided the details of the site noting that there were structures that needed to be removed and explained that the proposal was to develop single-family homes on the site. Nicole noted that this permit request is for the homes proposed in the interior portion of the development and explained that the lake adjacent homes would need review for grading and impervious surface calculations to ensure that the filtration basin designed is adequately sized. Nicole stated that additional permitting should be anticipated for those lake adjacent homes. Nicole explained there was a variance request to remove existing stairs and outbuildings next to the lake. Nicole noted that a wetland fringe around the lake was identified as jurisdictional and would require the buffer to be maintained. Nicole stated that the variance request included the installation of wooden stairs and a mulch access trail, which would be a reduction in impervious areas within the buffer over existing conditions. Nicole stated that there is another buffer variance for installation of a flared end that would connect the filtration basin towards the east and would outlet to the wetland.

President Eisele asked for more information on the permitting of the proposed lake homes.

Nicole Maras explained that she was unsure of the number of permits, noting that there would need to be review of the grading plans to make sure there would be no alteration to floodplain or to the wetland buffer as well as to verify the impervious area is what was assumed for the stormwater system. Nicole stated that what was included in permit application 24-48 Shoreview Villas I was the interior homes in block two and block three on the plans, the stormwater basin, stair replacement, the outfall to the wetland in the northwest and a potential dock.

President Eisele questioned how common outfall pipes are in no disturb buffers.

Nicole Maras explained that they are very common to get water out of basins. Nicole stated that because this is a filtration basin the water would outlet via drain tile after it had been treated in the sand layer and would be picked up via storm sewer to the wetland, noting that the water would be pre-treated.

Manager Wang questioned if there were opportunities to work with developers to promote healthy lakeshore landscaping due to there being a long-term benefit.

Nicole Maras explained that they would be required to maintain the buffer due to the wetland fringe around Snail Lake. Nicole stated that it could be looked at when plans come in for the lake adjacent homes. Nicole stated that depending on the grading that occurs shoreline restoration grant opportunities could be discussed.

Motion: Manager Gernes moved, Manager Kramer seconded to approve permit 24-48 Shoreview Villas I.

Motion carried unanimously.

B. Monthly Enforcement Report

Nicole Maras provided details of the monthly enforcement report and highlighted the underground inspection case study for closed permits. Nicole provided details of the maintenance inspections done on old systems, noting that the findings and eventual repairs are common. Nicole explained that it can be challenging when the BMPs are underground due to changes in developers, property managers and property owners over time, highlighting the need to stay on top of the inspections. Nicole explained that these inspections are completed for private properties as well as city and county owned facilities.

Manager Gernes expressed the importance of the work being done and noted the importance of potentially expanding that work.

Manager Gernes questioned if annual inspections are included in the maintenance and operations plans.

Nicole Maras confirmed that the need to complete annual inspections are included in the signed agreement. Nicole stated that the agreement goes with the land and it might be an educational opportunity to continue with onsite meetings. Nicole stated that there is a desire to expand maintenance inspections as much as possible.

Manager Wang questioned how frequently staff are able to complete the inspections.

Nicole Maras stated that the underground system inspections began around 10 years ago. Nicole Maras said over 10 years systems are inspected two or three times. Nicole stated that permit closeouts are prioritized due to escrow money being involved. Nicole provided information on how locations are chosen to be inspected.

Manager Gernes questioned if there was a reporting obligation for the completion of annual inspections of the underground systems.

Nicole Maras stated there are reporting obligations and noted that it does raise a red flag when the reports are not completed but with the large number of properties to inspect it can take some time for the follow-up to occur. Nicole stated that more follow-up work is being done when inspection reports are not received and had noticed an improvement in the number of reports being received. Nicole noted that District staff are taking initiative to expand closed BMP inspections.

Laurann Kirschner stated that a suggestion to be considered would be recoding maintenance agreements against the property so that future owners are on notice of the requirements, and would not dependent on the seller providing that information.

Nicole Maras stated that most do get recorded, but proof of recording is not required during the closeout process.

Laurann Kirschner suggested proof of recording before closing out a permit may be an option.

President Eisele stated that he would like proof of recording to be looked at and added as a discussion topic at a later time.

Tina Carstens stated that it could be revisited at the January meeting during the permit program annual summary.

President Eisele stated that he believed that January would be a good time to revisit the closed permit BMP inspections. President Eisele noted that it would give time to see if the new communication strategy was working.

6. STEWARDSHIP GRANT PROGRAM (38:47)

A. Applications – See consent agenda

B. Budget Status Update

Ashlee provided an overview of the budget status report noting five projects had been approved by staff in September.

7. ACTION ITEMS

A. Watershed Excellence Awards Approval (41:40)

Tina Carstens provided details on the Watershed Excellence Awards. Tina stated that the CAC had selected the award winners and were asking the Board to approve the selections. Tina explained that the awards will be given and the annual recognition dinner in November.

The proposed award winners were:

Good Steward Award – Gary Schroeher

Watershed Partner Award – City of Landfall

Educator Award – Mitch Thomsen (Mounds Park Academy)

Lifetime Achievement Award – Simba Blood

Motion: Manger Wang moved, Manager Gernes seconded to recommend and approve the proposed Watershed Excellence Awards winners.

Motion carried unanimously.

B. Woodbury Target Store Project (Peterson Companies) – Change Order No. 2 (43:55)

Erin Anderson Wenz provided details on the proposed change order. Erin stated that the purchase of additional materials was fully expected. Erin stated that the agreement with Peterson Companies stated that if there were not enough supplies, they were to order what was needed and they would be reimbursed with labor being paid separately. Erin continued to explain that there was drain tile found under the parking lot that needed to be patched causing an additional cost to the contractor, Erin noted that this was another piece included in the change order. Erin stated that the next piece of the change order was due to an existing structure that needed to be connected to was falling apart. Erin noted that the structure needed to be fixed to ensure the connection had good integrity. Erin stated this was not in the original scope of the project but was found while work was being completed. Erin continued to detail the planned quantity changes included in the change order. Erin explained the details of the materials that were needed and why those changes were made. Erin went on to provide the dollar amounts associated with the change in quantities. Erin continued on to discuss details of the last item on the change order. Erin explained that it was found that unit prices in the original bid from Peterson Companies in some cases did not include excavation of material needed to install certain items. Erin explained that this was an error on Peterson Companies' part, and it did not come to light until recently. Erin explained with this error the contractor was losing around \$30,000 and recommended that Peterson Companies gets paid for the excavation costs.

Manager Karp asked for clarification that the District did not provide a plan estimate and this error was Peterson Companies missing a quantity. Manager Karp noted that this type of error typically wouldn't be paid for.

Erin Anderson Wenz stated that a plan estimate was provided for the amount of excavation needed only for the rain gardens. Erin explained that there was a misinterpretation on how the excavation would be paid out for other items. Erin stated that the information was reviewed, and it was believed that the additional costs were fair.

President Eisele stated that with the work being done under extenuating circumstances it seemed appropriate to pay.

Manager Kramer stated that he was also comfortable with making the payment. Manager Kramer noted that he believed the situations that arose with this project suggest that tightening bid requirements for performance would be advisable in the future.

Manager Gernes stated that he was comfortable with making the payment given that it did not further exceed the expected cost.

Manager Wang stated that due to being a contractor error she felt it would be best to split the cost but would be ok with paying more due to circumstances of the project.

Motion: Manger Kramer moved, Manager Karp seconded to recommend and approve Woodbury Target Store Project (Peterson Companies) – Change Order No. 2.

Motion carried unanimously.

8. ATTORNEY REPORT (1:01:29)

Laurann Kirschner provided details of the work the attorney's office had worked over the past month, noting that the work completed had been mostly straight forward contract reviews. Laurann noted there were discussions with the St. Paul Port Authority on the Beltline storm sewer repairs, noting that there is now a signed access agreement for the repair work.

9. BOARD DISCUSSION TOPICS (1:02:54)

No comments.

10. NEW REPORTS AND/OR PRESENTATIONS

A. Woodbury Target Project Contract Summary (1:03:16)

Erin Anderson Wenz provided details of the contract price and engineering changes for the Woodbury Target retrofit project and what that meant for cost effectiveness of the project. Erin stated that many things had changed since the project was originally brought to the board for discussion, noting that it was a unique project with challenges occurring along the way. Erin explained now that the project is near completion it was a good time to provide accounting and discuss lessons learned. Erin stated that she felt good about the integrity of the project and that what went into the ground is what was designed. Erin provided an overview of the original opinion of cost and the range provided, noting that with the estimated phosphorus removal amounts the annualized cost benefit of the project was estimated at \$10,100 – \$11,500 per pound of phosphorus removed. Erin noted that this was a typical range for a regional BMP. Erin explained that after updating the project costs the annualized cost benefit increased to \$11,700 per pound of phosphorus removed, stating that this was within a reasonable zone for removal efficiency. Erin continued on to discuss the end of construction project costs. Erin stated with materials being reimbursed to Kurilla and the pay applications completed, the total paid to Kurilla was \$308,356.42. Erin went on to explain that the estimated contract price for Peterson Companies would be around \$606,121.12. Erin noted that it may end up being slightly higher once final accounting is done (due to minor changes in quantities here and there), but that as of right now, the estimated total construction cost of the project is approximately \$914,500. Erin stated that this was slightly higher than the upper end of

the engineer's estimate range, noting that the range did not take into account the mid-project contractor change that occurred. Erin provided more details on why the construction prices were higher. Erin went on to discuss the end of project engineering costs. Erin explained that when a scope summary is provided there is an estimate of engineering costs. Erin provided more details of the scope summary noting that at the time it was originally brought to the board the estimated cost was \$193,000. Erin explained that cost will ultimately be closer to \$300,000. Erin stated that this increase was due to multiple reasons which included unforeseen changes to the project which were required by the property management company. Erin stated that the main cause of the increase in price was due to the substantial increase in construction oversight that was needed for the project.

Paige Ahlborg stated that \$950,000 was budgeted for the construction of the project. Paige stated that there were stormwater impact funds that could be used. Paige explained the stormwater impact fund dollars come out of the permitting program, noting that when projects are unable to meet best stormwater management rules onsite they pay into the fund which are then set aside and allocated to other projects, noting that it is only used for construction costs.

Tina Carstens stated that the engineering costs would come out of the targeted retrofit funds.

Erin continued to discuss the lessons learned throughout this project. Erin stated that the District is required to publicly bid the projects which can leave the District vulnerable to the type of situation that occurred with this project. Erin stated that one of the recommendations would be changing qualification specifications to be more targeted. Erin provided details of the project bidding process and the qualifications that are asked for during the bid process. Erin stated that it would be recommended to be specific with qualification requirements including looking for proof of expertise on projects that require more technical knowledge.

President Eisele questioned how this would be implemented.

Erin Anderson Wenz explained that it could be included under specifications in the instructions to bidders. Erin provided details on what could be included in this section including project examples of similar work.

Manager Gernes questioned if the increased specifications would potentially increase the overall costs of projects due to narrowing the range of bidders.

Erin Anderson Wenz stated that implementing this change would be on a project-by-project basis and this would help prevent overall narrowing of the bidding pool.

President Eisele questioned if there would be something in the engineering estimate that could trigger asking for specific examples of prior work completed.

Erin Anderson Wenz stated with the current process examples of work could be asked for. Erin explained that Kurilla had provided prior examples of work and references which were all checked with nothing obvious showing that they would be unable to complete the work. Erin noted that specific prior experience with specific project elements was not required, which would be something to consider adding in the future. Erin reiterated that she believed that the added specifications would not need to be included for all projects but noted that it would be helpful in projects such as the Woodbury Target stormwater retrofit.

President Eisele stated it would be important to figure out what the trigger factor would be.

Erin Anderson Wenz stated that it could be something brought as a recommendation to the board when a project is nearing the end of design and ready to go out for bid. Erin provided more details on the various check points throughout the process that are in place to help prevent these types of situations.

Manager Kramer stated that he would be more comfortable with communicating with contractors on their ability to complete the project than he would be with narrowing the bidding pool due to increased requirements.

Manager Gernes stated that tightening the requirements would be something worth trying in the future.

Laurann Kirschner stated that from a legal standpoint the district is required to accept the lowest responsible bidder and that any reason to not choose the lowest responsible bidder would need to be heavily discussed and recorded in the minutes per the statute requirements. Laurann stated that the suggestion of showing that they are responsible upfront before any bids occur would allow for a company to be considered not a responsible bidder until they can prove otherwise through their skills and history. Laurann stated that in her experience it is much harder to deny the lowest bidder once the bids have come through without a clear reasoning. Laurann explained that discussions were had regarding Kurilla's bid due to the bid being much lower than others but they did comply and meet all the requirements so there would not have been any legal standing to reject their bid.

President Eisele stated that if there were a way to incorporate the stricter requirements at the start of a project as well as checks throughout the project to make sure things are being completed as expected could be helpful for future projects.

B. Wakefield Lake Aeration Study Scope Summary (1:39:28)

Tina Carstens provided details of the Wakefield Lake aeration study scope summary noting that it was included in the 2025 draft budget. Tina stated the summary was informational and discussed how the District plans to move forward with the research project. Tina explained that the study was based on a presentation given by Keith Pilgrim on shallow lake systems and potential alternatives to alum treatment.

11. ADMINISTRATOR'S REPORT (1:41:14)

A. Meetings Attended

No comments

B. Upcoming Meetings and Dates

No comments.

C. Staff Anniversaries

No comments.

D. Board Action Log

No comments.

E. Minnesota Watersheds Updates

No comments.

F. RWMWD Related Presentations at Upcoming Conferences

No comments.

12. PROJECT AND PROGRAM STATUS REPORTS (1:44:44)

Project Feasibility Studies

A. Ames Lake Area Flood Risk Reduction Planning Study

President Eisele questioned when a timeline would be seen from the HOA.

Tina Carstens stated that it should be expected near the end of the year with the target time frame being in April.

- B. Phalen Village Flood Risk Reduction
- C. Resiliency Study for Non-Beltline Tributary Areas
- D. Owasso Basin Flood Risk Reduction

President Eisele stated it may be worthwhile to complete a lessons learned for this project. President Eisele questioned if earlier communication would have been helpful.

Tina Carstens stated that the District had been in communication with the property manager from the beginning. Tina stated that there were discussions with the people on-site and it may have been helpful to bring in the national company that owned the property earlier in the process.

- E. Street Sweeping
- F. Maplewood Mall 2024 Assessment
- G. Watershed Approach to Retrofit Projects
- H. Tanners Lake, Battle Creek and McKnight Basin Outlet Operation Plan

Watershed Management Plan Update

- I. Watershed Management Plan Update Scoping

Capital Improvements

- J. Woodbury Target Store Stormwater Retrofit Project
- K. Roosevelt Homes
- L. Targeted Retrofit Projects 2024
- M. Stewardship Grant Program

Manager Wang asked if moving the Grove Church in Woodbury to targeted retrofit projects would affect other planned targeted retrofit projects.

Paige Ahlberg stated that if it becomes a targeted retrofit project, it would be scheduled for 2026 and would not affect any of the targeted retrofit plans for 2025.

- N. Permit Program Assistance

President Eisele questioned if there were any updates on the Phalen Creek Daylighting project.

Tina Carstens stated that the District is waiting on additional information. Tina stated that further updates may be coming before the permit application is seen. Tina explained that there has not been an update on the timeline, but something may be seen in the next couple of months. Tina stated that there had been a meeting with Milestone Partners, the project management consultant, that helped them better understand the District's concerns and why there is so much caution with that part of the project. Tina stated that an update can be given when more information is received.

Manager Karp questioned if the project could be brought to the Board for discussion prior to voting on a permit, noting that it may help with the project timeline.

Tina Carstens stated that a discussion prior to the permit vote could be suggested to Wakan Tippi Awanyankapi. Tina agreed that if they continue to seek a direct tie into the Beltline storm sewer a discussion prior to the permit approval would be helpful.

- O. Pioneer Park Stormwater Reuse
- P. Fish Creek Tributary Improvements
- Q. Cottage Place Wetland Restoration
- R. County Road C Culvert Replacement
- S. Kohlman Creek Flood Risk Reduction Projects

CIP Project Repair and Maintenance

- T. Routine CIP Inspection and Unplanned Maintenance Identification

U. Beltline Mississippi Branch Outfall Replacement Project

Program Updates

V. Natural Resources Program

President Eisele questioned if there was a public schedule of the restorations for those who would like to volunteer.

Paul Erdmann stated that there is not a public schedule at this time.

Manager Gernes stated that it would be a good idea to send volunteer opportunities to help with larger projects to the CAC as well as the Board.

Paul Erdmann stated that there are no plantings planned until next spring and there would be plenty of opportunity for volunteer involvement during those plantings.

W. Public Involvement and Education Program

X. Communications and Outreach Program

President Eisele stated that the illustrations could also be useful in a Board member onboarding package to help educate new members.

Manager Gernes asked if the social media numbers from the current and previous month could be shown side by side so that trends could be easily seen.

Manager Wang suggested adding networking opportunities to the Recognition Dinner plan.

Tina Carstens stated that adding networking opportunities could be looked into.

Y. Citizen Advisory Committee

13. MANAGER COMMENTS AND NEXT MONTH'S MEETING (1:59:04)

No comments.

14. ADJOURN

Motion: Manager Wang moved, Manager Karp seconded, to adjourn the meeting at 8:29 p.m. Motion carried unanimously.