



Sunrise River WMO

2241 – 221st Ave
Cedar, MN 55011

Final Minutes

Sunrise River Water Management Organization Meeting
Thursday January 6, 2022
Meeting was held in person at the East Bethel City Hall

1. Call to Order
Ms. Hegland called the meeting to order at 6:33 pm.

2. Roll Call
Present: Leon Mager, Tim Harrington, Tim Melchior, Candice Kantor, Janet Hegland, Tim Peterson.

Audience: Jamie Schurbon, Anoka Conservation District (ACD)
Cameron Blake, Recording Secretary (attending remotely via Zoom)

3. Approval of Agenda
Mr. Schurbon proposed one addition to the agenda: Matt Downing's and Dan Babineau's resignations as item 7f.
Ms. Kantor moved to approve the agenda with the one addition and Mr. Melchoir seconded this motion. The motion carried on a roll call vote with all in favor.

4. Approval of Minutes for November 4, 2021
Mr. Mager had some corrections for the discussion about curlyleaf pondweed in Coon Lake. Ms. Hegland and Ms. Kantor also had some edits for the minutes.
Ms. Kantor moved to approve the minutes with those corrections and Mr. Harrington seconded this motion. The motion carried on a roll call vote with all in favor.

5. Financial Reports
 - A. Treasurer's report
Mr. Schurbon displayed the most recent bank statement and reported a beginning balance of \$37,491.35 for the most recent month of December 2021 with a debit of \$11,402.34 to the ACD and a deposit of \$3,000.00 from the county AIS grant. This results in an end of year balance of \$29,089.01.

Mr. Harrington moved to accept the treasurer's report and Mr. Melchoir seconded this motion. The motion carried on a roll call vote with all in favor.

B. Current grants financial report from Anoka Conservation District (ACD)

Mr. Schurbon presented the current grants financial report. The 2019 WBF grant from BWSR is about to be closed out with \$1,596 remaining and already-incurred staff time to consume that amount. The BWSR Carp Management grant has about \$100,000 remaining out of the \$148,000 grant. The board asked if the grant needs to be spent by the end of 2022 and Mr. Schurbon confirmed this. He explained they are technically behind on accomplishment by the number of carp harvested. They may underspend the grant.

6. Unfinished Business

A. Review of communities' ordinances for compliance with SRWMO minimums

Mr. Schurbon explained that this was a recurring agenda item with no new information. Ms. Hegland said she left a message for her city's staff and will reach out again. Mr. Harrington said he would reach out again as well.

B. JPA amendment recommendations update

Ms. Hegland is looking for input on next steps to take in this process. Linwood, Columbus, and East Bethel agreed with the recommended JPA changes. One exception is that East Bethel wishes to maintain the requirement that SRWMO budgets be unanimously ratified by all four communities. Ms. Hegland explained her concern is that currently one community could prevent the SRWMO budget from being approved; at the moment she was unsure how the SRWMO could address this if this occurs. Columbus wanted to discuss the funding mechanism further. Ms. Hegland thought one option would be to proceed with the other changes and wait on the controversial items.

The City of Ham Lake has expressed concerns with the JPA amendment. Ham Lake city council did not provide an opinion on the recommended JPA edits, but did express a strong desire to revise the funding method in the JPA. Ham Lake wishes to pay 3.8% of all expenses. They currently pay 3.8% of non-operating expenses based on the formula in the JPA, and an equal share of operating expenses. Ham Lake does not want to contribute funds for attorney and staff time to update the JPA, as the other three communities are willing to do.

Ms. Hegland reported that Columbus is also interested in discussing the funding formulas for the SRWMO. She described that her city has explored other options. She feels discussion is warranted.

Ms. Hegland explained that she wants to coordinate a meeting that invites the four communities to discuss these items but would need a neutral facilitator. Ms. Hegland will see if the League of MN Cities could provide a facilitator but she is unsure as to cost. She recommends that decision makers such as mayors or council members be present at that

meeting. Ms. Hegland also suggested that it may be helpful to separate the non-controversial housekeeping JPA changes that can proceed quickly and the funding formula discussions.

The board recalled that Ham Lake's financial concerns were also voiced in a recent year and were believed to be resolved. Mr. Schurbon explained that the concern was voiced during budget discussion two years ago and it was addressed by moving some budget line items from operating expenses to non-operating expenses. At that time meetings with all the communities found general agreement that moving those line items was appropriate and consistent with the JPA.

Ms. Hegland mentioned that another option for Ham Lake is to withdraw from the SRWMO and take on the administration and management of the current watershed activities on their own. This would allow the SRWMO to continue its work in the other participating communities. She believes that Hugo or Centerville in the RCWD chose this option and follow the watershed rules and administer the required activities on their own. Mr. Mager expressed concern that any community opting out results in a WMO that does not cover the whole watershed. Mr. Schurbon noted that the Ham Lake city boundary runs through Coon Lake and having one lake in multiple watershed management jurisdictions is problematic. Mr. Melchoir and Mr. Mager expressed concern about effective watershed management if a community were to leave the SRWMO, and questioned whether that was legally an option.

The board noted that the City of Ham Lake currently does not have a representative on the SRWMO due to recent resignations, but is seeking replacements. The group discussed if anyone knew someone in Ham Lake who could be engaged in these discussions. Ensuring the Ham Lake city officials are well informed and engaged is important. This engagement is important both to resolve JPA concerns as well as ensuring regular business can occur, such as approving annual budgets (which requires ratification by all member communities).

Ms. Hegland wanted some guidance from the MN Board of Water and Soil Resources (BWSR) on what could occur if one of the four current communities chose to block SRWMO regular business such as budget ratification or paying budgeted amounts to the SRWMO. She discussed an option of using help from one of their attorneys to draft a letter asking the community to participate and pay their share of the budget or to decide to do these activities on their own. Mr. Schurbon explained the last time the SRWMO faced this issue two years ago BWSR essentially told them to figure it out internally. There is a new BWSR Board Conservationist.

Ms. Hegland said she would feel more comfortable moving forward in discussions with Ham Lake with some clarifying information from BWSR about what options exist and what different possible outcomes would mean for the SRWMO. This might be accomplished through a phone call with Mr. Schurbon, Ms. Hegland, and their BWSR representative. Mr. Schurbon will coordinate this phone call with BWSR. Ms. Hegland will reach out to the

League of MN Cities about the question of a facilitator for a meeting of all the communities' leaders.

The board discussed whether communities really understood the value of work they get from their participation in the SRWMO, and how most of them would not have the capacity to take on the activities the SRWMO does. Communicating this value to Ham Lake would be important and BWSR may help with this. Mr. Melchoir commented that none of the Ham Lake elected officials participated in the SRWMO tour this fall, so they are likely less familiar with the SRWMO's work.. Mr. Harrington noted that the other communities have a council liaison to the SRWMO, but Ham Lake does not. Mr. Schurbon noted that Ham Lake has relatively small area in the SRWMO and URRWMO.

C. Carp management update

Mr. Schurbon updated the board on the carp management efforts. He explained that they will likely not catch the number of carp they believed they were going to in every lake but that the improvement to water quality still reflects success of the grant. This is the last year of the grant and he is developing the 2022 work plan with discussion with ACD staff, consultants, BWSR grant staff, and colleagues in other watersheds.

Generally, approaches may be:

- Martin Lake – PIT tagging, spring spawning migration netting, and box netting. As a bonus, PIT tags can provide an updated population estimate. There is little chance of catching our goal of carp at this lake.
- Linwood Lake – Winter seine, spring spawning migration netting, and/or box netting. Our goal is to remove 600+ carp, which is possible.
- Typo Lake – The latest population estimates find we have met goals at this lake. Therefore, little work is planned.

Mr. Mager talked with one of the contractors doing the work. One strategy discussed was putting a trap on the Martin Lake side of county road 85 and funneling the carp into it. They could tag many of carp in early spring and see when they are moving via antennas. The carp can't move between lakes with the carp barriers but they still try.

Ms. Hegland asked for more explanation for Martin Lake and why they may not reach the goals there. Mr. Schurbon explained there has been decreasing returns with box netting. A commercial seine captured few carp. Ms. Hegland asked about other strategies. Mr. Schurbon replied electrofishing isn't a good option because it does not produce large numbers. There is no currently accepted form of chemical sterilization or biocontrol. There is a carp specific virus but that is not approved yet. The board discussed a carp bounty and fishing contests, but these are generally not cost effective. There are treatments to kill all fish in the system but it is a major reset that would produce a lot of dead biomass. Mr. Schurbon invited members of the board to participate in the process of developing 2022 work plans.

D. Internal loading studies grant opportunity for Martin and Typo Lakes

Mr. Schurbon submitted a request for funding internal loading studies at Martin and Typo Lakes. The funding would be through the Lower St. Croix 1W1P group, and its WBIF grants.

We should hear an answer by the February SRWMO meeting. The consultant quote Mr. Schurbon obtained for the studies at these two lakes was \$39,000 and he requested the grant pay 100%. Mr. Schurbon explained that it seems likely that the request may not be funded this round, but be positioned for funding in 2023. In 2022, it is more likely that Forest Lake be funded because they are asking for the grant to pay <100% and have funding immediately for any alum treatment that is recommended. This may be just fine, as the SRWMO would realistically need until 2023 to have match for any alum treatment grant. Moreover, it is not until perhaps 2023 or later that WBIF grant funds might be available for such a treatment. The group discussed the potential cost for alum treatment and the length of time the feasibility study would be viable for in the case of needing to budget for match for an alum treatment. Mr. Schurbon reminded the group that in the case of an alum treatment there could be funding assistance from other organizations. He reminded the group that the potential cost of the treatment is still unknown and could be less than they are predicting which is what the study will show. At the moment the SRWMO had budgeted \$11,000 just for the feasibility study, and if the study is grant funded then these dollars could be repurposed for implementation.

7. New Business

A. 2019 WBIF grant closeout

The 2019 WBIF grant financial report needs an authorized signature for grant closeout. BWSR reporting is due February 1st. Typically the chair signs the reports. The acting chair is Ms. Hegland. Ms. Kantor asked if they planned on overspending grant funds for stormwater retrofits and underspending funds for shoreline stabilizations. Mr. Schurbon explained this was planned and allowed.

Ms. Kantor moved to authorize Ms. Hegland to sign the financial report and other grant closeout documents for the 2019 WBIF Metro grant to the SRWMO and Mr. Melchoir seconded this motion. The motion carried on a roll call vote with all in favor.

B. 2022 request for proposals for professional services

The SRWMO is required to seek bids for professional services every two years. This needs to be done now for services to be provided in 2022. Because the Anoka Conservation District plans to submit a proposal, it is best for the board to take a lead role in soliciting proposals.

Draft RFPs for water monitoring and management, and recording secretarial services were reviewed. Ms. Hegland asked if the recording secretarial services RFP had to be sent out as the SRWMO recently went through that process. The board discussed requesting that Mr. Blake provide a proposal for that service and he indicated his willingness. Ms. Hegland asked if the RFP for water monitoring and management needed to comply with open bidding law, and discussion was that it did not but did need to comply with rules for WMOs to solicit proposals. The board discussed sending that RFP to the consulting engineering firm for each member community. Ms. Hegland agreed to distribute the RFPs and receive responses.

C. Recording secretary agreement extension

Mr. Schurbon explained the SRWMO needs a motion to extend the current Recording Secretary agreement through the February board meeting. At that time new proposals will be considered.

Ms. Kantor motioned to extend the current recording secretary contract with Cameron Blake through the February 2022 SRWMO board meeting and Mr. Melchoir seconded this motion. The motion carried with all in favor.

D. 2023 budgeting

Mr. Schurbon presented this agenda item. A draft 2023 SRWMO budget is attached. The timeline for budget consideration is generally:

- January SRWMO Board reviews first draft budget
- February SRWMO reviews second draft, approve for submission to communities
- April Communities consider ratification.
- May SRWMO Board adopts budget

The draft budget attached follows the SRWMO Watershed Management Plan. Items are categorized as Operating or Non-Operating as was agreed during discussions with Ham Lake in 2019-2020, and consistent with the 2021 budget. The SRWMO Watershed Management Plan calls for the SRWMO to maintain a flat \$50,000 budget until 2026. During 2021 & 2022 budgeting the SRWMO elected to spend down reserve funds in order to request less funds from the communities than planned. The amount spent down was \$8,724.72 for 2022 and \$7,013.76 for 2021. Mr. Schurbon does not recommend further spend down of reserve funds during 2023 budgeting. The SRWMO Plan sets a reserve target of approximately \$5,800 to \$11,500 (15-30% of an average annual budget). After 2021 and 2022 are complete, Mr. Schurbon estimates that reserves will be below \$8,500 and in the mid-range of the SRWMO target. Mr. Schurbon noted there was \$5,500 set aside in 2022 and again in 2023 for alum treatment budgeting.

One item to discuss was Line 15 which was the carp feasibility studies. By 2023 the current carp management grant will be expended. The SRWMO Plan includes a line item to keep track of carp populations and determine any “maintenance work.” At Typo Lake, a population assessment is unlikely to be needed because one was done in 2021. Martin Lake may or may not have one done in 2022. That leaves Linwood and Coon Lake. Linwood will not have had a recent population estimate. Coon Lake was included in the SRWMO plan, but may deserve discussion again given there are no clear carp or water quality problems. As a final consideration, the SRWMO should consider what is would do if carp populations were not within target levels – without another grant only modest funding is available for “maintenance work.” Mr. Mager acknowledged the SRWMO will not likely do carp management work in Coon Lake due to high water quality there. There was discussion to maintain this budget line item and in 2023 decide whether to use the funds for a Coon Lake carp management feasibility study or maintenance harvests on other lakes.

The board discussed the water monitoring schedule and strategy and when Coon Lake would be monitored. It will be monitored next in 2022. This strategy will be revisited next year and Mr. Mager will continue to advocate for a return to the previous cycle of monitoring each lake at least every other year to address data accuracy to better inform management decisions and responses. There would be an increased cost to this monitoring frequency.

Ms. Hegland brought up the cost in the budget for the 1W1P organization despite initial promises that there would not be another ongoing cost for another watershed organization. There is a lot of time involved on Mr. Schurbon's and Ms. Hegland's part. Ms. Kantor said she considers it a small investment relative to possible kickback of funding opportunities. Mr. Peterson asked about the lake grades for Martin and Typo and if there was improvement in those. Mr. Schurbon explained there was improvement. Mr. Peterson asked about the Sunrise River and there was testing done in the river for pH levels by another organization. The board discussed the budget timeline. The board will revisit this budget next month before sending to the communities to ratify.

The board discussed any potential changes to the budget before the next meeting. Mr. Mager wants to keep the carp management funds and use wording in the budget to give some flexibility in how the SRWMO chooses to use it. The board discussed strategy to promote better monitoring of SSTS systems. They can do more education and outreach with articles through lake associations. This could be backed more with ACD funding.

The group discussed the lack of SSTS ordinances in communities, attempts to fit SSTS inspections at point of sale, and BWSR's decisions around this. There are triggers for SSTS inspections at the point of sale.

Mr. Schurbon will re-present the budget at the February board meeting.

E. West Branch Sunrise River removed from Impaired Waters List

Mr. Schurbon updated the board in the exciting news that the West Branch Sunrise River was removed from the impaired waters list for pH. pH is higher with higher amounts of algal growth and had been dropping over the last 10 years in this part of the river. He sent this update to communities and newsletters.

F. Matt Downing and Dan Babineau Resignations

The board accepted Matt Downing's and Dan Babineau's resignations and the need to select a new treasurer and secretary. Officer elections will take place at the next meeting in February, which happens to be the annual meeting.

Mr. Harrington motioned to accept Matt Downing and Dan Babineau's resignations Ms. Kantor seconded this motion. The motion carried with all in favor.

8. Mail

There was one item of mail which was an insurance certificate from the stormwater BMP contractor work this fall.

9. Other

10. Invoice(s) approval

A. Recording Secretary services for Nov 2021 meeting (\$200)

Mr. Melchoir moved to and Mr. Hegland seconded to pay the invoice #11421, payment for \$200. The motion carried on a roll call vote with all in favor.

B. Anoka Conservation District for AIS mgmt. at Typo Lake (\$3,000)

Mr. Peterson moved to and Mr. Melchoir seconded to pay the invoice #2021292, payment for \$3,000. The motion carried on a roll call vote with all in favor.

11. Adjourn

Mr. Mager motioned to adjourn the meeting and Mr. Melchoir seconded this. The motion carried and Ms. Hegland adjourned the meeting at 7:56PM.

Mr. Schurbon checked on if there would be a quorum for the February meeting with Mr. Mager's trip out of town. Mr. Harrington will be present so the quorum will be met.

The board discussed the need for two authorized signers for the SRWMO checks. The board also needs to remove Mr. Downing and Mr. Babineau from the list of authorized signers.

Mr. Peterson motioned to re-open the board meeting and Mr. Mager seconded this. The motion carried and the meeting was reopened.

Ms. Hegland motioned to remove Mr. Downing and Mr. Babineau from the list of authorized signers for the SRWMO. Mr. Harrington seconded this and the motion carried with all in favor.

Ms. Hegland motioned to add Mr. Harrington as an authorized signer at the bank for the SRWMO. Mr. Peterson seconded this motion and it carried with all in favor.

Mr. Harrington noted that his term on the SRWMO expires every year and he won't know he was reappointed until January 10th, but anticipates he will be. Mr. Mager advised Mr. Harrington to take a copy of the minutes to the bank as they would need to see those to add him as an authorized signer. The board suggested Mr. Harrington be made the treasurer at the February election of officers. Mr. Schurbon asked the recording secretary to send these minutes to Mr. Harrington.

Mr. Peterson motioned to re-adjourn the meeting and Mr. Melchoir seconded this. The motion carried with all in favor.

Upcoming Meeting Dates: February 3, 2022.

Submitted by:
Cameron Blake