



Sunrise River WMO

2241 – 221st Ave
Cedar, MN 55011

FINAL MINUTES

Sunrise River Water Management Organization Meeting

Tuesday June 28, 2022

Special Meeting was held in person at the East Bethel City Hall

1. Call to Order

Ms. Kantor called the meeting to order at 5:35 pm.

2. Roll Call

Present: Janet Hegland, Tim Harrington, Candice Kantor, Tim Peterson, Troy Wolens, Jeff Entsminger, Leon Mager

Audience: Jamie Schurbon, Anoka Conservation District (ACD)
Kerry Goldstrand, Linwood Lake Association
Cameron Blake, Recording Secretary (attending remotely via Zoom)

3. Approval of Agenda

Mr. Peterson moved to approve the agenda as presented and Ms. Hegland seconded this motion. The motion carried with all in favor.

4. Approval of Minutes for May 5, 2022

There were edits received from Ms. Kantor and Ms. Hegland that will be incorporated into the minutes.

Ms. Hegland moved to approve the minutes with those edits and Mr. Peterson seconded this motion. The motion carried with all in favor.

5. Financial Reports

A. Treasurer’s report

Mr. Harrington reported a beginning balance of \$34,289.42. He noted that all member community contributions have been received for 2022. Mr. Schurbon said he projects the bank balance by the end of the year to be close to \$14,000 which the board has been reaching by spending down the reserves.

Mr. Harrington moved to accept the treasurer’s report and Mr. Wolens seconded this motion. The motion carried with all in favor.

6. Unfinished Business

A. Facilitation services for joint powers agreement update

Ms. Hegland presented the resume of the proposed facilitator for the JPA amendment process. The meeting attendees will be the administrator and one elected official from each SRWMO member community. The facilitator provided a typical agreement and Ms. Hegland's city attorney adjusted it for the SRWMO. The delegation of authority is currently undefined in the JPA. The SRWMO board needs to authorize the Chair or Ms. Hegland to execute the agreement if it wishes to proceed, as it is the SRWMO who is entering into the agreement on behalf of the cities.

Ms. Hegland noted that one new edit to the SRWMO JPA that may be warranted is to specify who acts on the SRWMO's behalf for administrative matters.

The group agreed that the SRWMO funding model will likely take the most discussion during the facilitated meeting of cities, and whether the SRWMO budget process will require a majority vote or all in favor. The group is optimistic that the amendment process could be completed in one meeting, however two facilitated meetings will initially be scheduled.

Mr. Mager moved to authorize Chair Kantor or Vice Chair Hegland to execute a contract for services with Milt Thomas for facilitation of the member community meeting(s) to discuss SRWMO JPA amendments in an amount up to \$1,500. Mr. Peterson seconded this and the motion carried with all in favor except Ms. Hegland who abstained from the vote.

B. Legal services for joint powers agreement update

The SRWMO had previously selected Troy Gilchrist of Kennedy and Graven as its legal counsel, with work to be billed hourly. Mr. Schurbon suggested the board re-affirm they wish Mr. Gilchrist to provide legal services for the update of the joint powers agreement. His hourly rate is currently \$193 and not expected to exceed \$205 during the term of this work. Provided there is not a lot of back-and-forth, he expects his work to consume <20 hrs.

Ms. Hegland moved to authorize hourly services of Mr. Troy Gilchrist of Kennedy and Graven as the SRWMO joint powers agreement update attorney not to exceed \$4,100. Mr. Harrington seconded this and the motion carried with all in favor.

C. Coordination services for joint powers agreement update

The board discussed an amendment to its 2022 Water Monitoring and Management contract with the Anoka Conservation District to additionally provide coordination of the JPA amendment process. This work would include coordinating meetings and meeting packets, attending meetings, drafting recommended JPA changes for attorney refinement, coordinate the legal process of the JPA update including member community signatures, and others as needed to complete the JPA amendment process.

The board noted that the fees listed in the meeting packet would put the budget for the JPA amendment over by \$250 compared to the \$2,000 each member community has committed. Mr. Schurbon stated the ACD "up to" amount can be revised downward by \$250. so the motion was adjusted. The group asked how the ACD contract amendment would occur and Mr. Schurbon explained this motion and Ms. Kantor's signature would suffice.

Ms. Hegland moved to authorize hourly services of ACD for SRWMO joint powers agreement update coordination at a rate of \$88/hour not to exceed \$2,400. Mr. Entsminger seconded this and the motion carried with all in favor.

D. Determine member community invoicing timing and structure for joint powers agreement updates

Each SRWMO community has committed up to \$2,000 toward the JPA updates process expenses. The SRWMO is contracting the services (facilitation, legal, coordination) and will invoice the communities accordingly. The group discussed different invoicing options (up front, partial up front, or only at the conclusion of work). There was consensus to invoice the member communities for equal shares of actual expenses at the end of the process. Similarly, the parties doing contracted work will be paid at the conclusion of the process.

Mr. Wolens moved to authorize invoicing of SRWMO member community’s equal shares of the balance of actual expenses at year end and the completion of work. Mr. Peterson seconded this and the motion carried with all in favor.

E. JPA member communities meeting logistics

Mr. Schurbon explained the question of whether the SRWMO could include the Upper Rum WMO in the JPA amendment process. The URRWMO has similar issues regarding its JPA. The group was concerned this could lead to discussion getting off track and taking longer than the time they currently have for the SRWMO JPA amendment. They also expressed concern about the communities outside of the JPA not having contributed financially to the process, and the frustration that could result because of this. Additionally, the SRWMO has had lengthy discussion about the JPA and proposed amendment so the additional communities wouldn’t be coming in with the same level of understanding and background. There also may have been some recent turnover in communities that could lead to a lack of background knowledge of this topic. The board agreed they do not wish to include the Upper Rum WMO cities in the SRWMO JPA amendment process, however could share with the URRWMO the options considered and choices made so that it can guide a separate URRWMO process. Mr. Schurbon will send out a poll to identify a meeting time, and will first get some options of times from the facilitator. The SRWMO board would like administrators and a council member from each community to participate. It was agreed that a hybrid meeting is likely not the best option for this meeting which will be intensely discussion-based. Mr. Schurbon will proceed with meeting coordination based on this input.

7. New Business
None

8. Mail
MN Counties Intergovernmental Trust (MCIT) bulletin newsletter from May/June 2022

9. Other

Mr. Schurbon updated the board that Clean Water Fund applications are now open. He received the board's direction to use existing cost share funds as a match to try and receive a larger grant for projects. They should find out in December if they were successful.

Mr. Schurbon updated the board that the brochures discussed at the last meeting are done. They have been brought to the Martin Lake Association and he will bring to Linwood's meeting as well.

Mr. Schurbon asked for volunteers for the Linwood Family Fun Day and Booster Days. He is looking for a display for the SRWMO as well. Ms. Kantor and Mr. Mager volunteered for partial shifts as did Mr. Peterson. Mr. Schurbon will send out a reminder. Mr. Mager stressed the importance of asking, during the event, for contact information from residents who are interested in help from the SRWMO. Then, staff can respond. Providing SRWMO contact information is much less effective.

Ms. Hegland asked what options the SRWMO has to address local ordinance's compliance with the SRWMO Management Plan/Standards. The issue has not been resolved in a timely way at some cities. Ms. Hegland suggested that there needs to be clear direction on what is needed and consequences of inaction. Mr. Schurbon explained that the SRWMO has the option of not approving a community's Local Surface Water Management Plan without the ordinances being consistent with SRWMO standards. The worst case scenario is that BWSR can say the SRWMO is not implementing its own management plan and withhold funding. Ms. Hegland requested a letter on behalf of the SRWMO board with a deadline and response the SRWMO can take. Mr. Schurbon said he would draft a letter and bring it to the board at the September meeting. He will also ask communities for an update on their ordinance compliance process.

11. Invoice(s) approval

A. Recording Secretary services for May 2022 meeting (\$200)

Mr. Harrington moved to and Ms. Hegland seconded to pay the invoice #50522, payment for \$200. The motion carried with all in favor.

12. Adjourn

Ms. Hegland moved to adjourn the meeting and Mr. Harrington seconded this. The motion carried and Ms. Kantor adjourned the meeting at 6:19PM.

Upcoming Events: September 10 at 10am-4pm (need volunteers to staff the SRWMO booth)

Upcoming Meeting Dates: September 1, November 3

Submitted by:

Cameron Blake