

Sunrise River Water Management Organization Meeting
Thursday May 2, 2019
6:30 pm at East Bethel City Hall

Present: Chair Dan Babineau, Paul Enestvedt, Leon Mager, Matt Downing, Sandy Flaherty, Tim Harrington

Absent: Janet Hegland, Shelly Logren (both arrived at 6:41pm)

Audience: Jamie Schurbon, Anoka Conservation District (ACD)

3. Approval of Agenda **Ms. Flaherty moved and Mr. Enestvedt seconded to revise the agenda by moving #6 Unfinished Business item b. to #7 New Business item a. Motion carried.**

Mr. Downing moved and Mr. Harrington seconded to approve the revised agenda. Motion carried.

4. Approval of Minutes **Mr. Harrington moved and Mr. Enestvedt seconded to approve the April 4, 2019 minutes as written. Motion carried.**

5. Financial Reports

A. Treasurer's Report
Mr. Downing reported the following:

April ending balance	\$59,826.82
Deposits totaling	+ .00
Payments made	- \$.00
May beginning balance:	\$59,826.82

Based on different amounts shown on a ledger and the bank statement, Mr. Harrington moved and Mr. Mager seconded to table approve of the Treasurer's Report until the amount is verified and a clarification is made. Motion Carried.

Mr. Downing will check into this discrepancy and report back to the Board.

B. Current grants financial report from Anoka Conservation District
There were no changes since the last report.

6. Unfinished Business

A. 2020 budget
Linwood, Columbus and East Bethel have all ratified the 2020 budget. Ham Lake has not ratified it.

B. Has been moved to New Business item A.

C. Attorney services
The SRWMO board recently asked Mr. Schurbon to research whether the SRWMO should secure regular attorney services or get risk management training from the SRWMO's insurer, MCIT. Below is an update.

At the last meeting Mr. Schurbon presented feedback from staff of three member communities regarding whether the SRWMO should have regular legal services. In

ensuing discussion, it was decided that the SRWMO might wish to have a relationship with an attorney, but only utilize those services if an issue arises. Mr. Schurbon reached out to two attorneys. The attorney for the Coon Creek Watershed District, Michelle Ulrich, is too busy to serve the SRWMO. Troy Gilchrist, who is the attorney for >5 watershed organization, could serve the SRWMO. He charges \$180/hr. in 10-minute increments. Troy said, *“We just bill for the time worked and related hard expenses (like postage), there are no retainers and we do not require you to sign a contract. I just provide services when requested. I have represented over 250 small communities around the state and so am very accustomed to providing services on an infrequent/just when requested basis.”*

Mr. Schurbon also reached out to the SRWMO’s insurer, MCIT. They offer risk management printed guidance and in-person trainings; these links were provided to Board members. MCIT will not come to a SRWMO meeting to provide training for only the SRWMO; you would need to attend their trainings elsewhere. They did note that a legal risk management review by an attorney is “essential” in their view.

Mr. Schurbon sees three (3) options available:

1. Go to training for risk management
2. Discuss the printed risk management guidance (provided via links) at meetings
3. Utilize an attorney when needed

There was no further discussion.

7. New Business

A. City of Ham Lake concerns about WMO budgets and Joint Powers Agreement (JPA)

Ms. Flaherty stated Ham Lake did not ratify the SRWMO 2020 budget. Ham Lake’s concerns are:

- A 38% increase to the SRWMO budget. It was noted that large portions of this are for a once-every-five-year required audit and a once-every-ten-year review and approval of local water plans.
- A 400%+ increase to the URRWMO budget
- Member communities pay equal shares of operating (admin) costs, but for all other expenses contributions are based on market values and land area in the WMO.
- Being a part of three different watershed organizations

Ham Lake directed its consulting engineer to schedule a meeting with the affected parties to discuss Ham Lake’s concerns. Mr. Mager noted that Ham Lake is part of the SRWMO because of property on Coon Lake’s southern shore of the West Basin location. It was noted that BWSR approval is needed for any watershed boundary changes.

Mr. Schurbon has read the SRWMO JPA and believes that because Ham Lake has stated it does not accept the 2020 budget, the budget cannot be finalized by the SRWMO. It was discussed that quick resolution to Ham Lake’s concerns is desired

because many valued programs will have no budget in 2020 until Ham Lake ratifies the budget.

Mr. Downing believes the SRWMO and URRWMO budget increases are two different issues; the SRWMO can only speak for itself. He suggested that Ham Lake may need to look at the two organizations individually.

Ms. Hegland read a comment from Columbus' city engineer, Dennis Postler, referencing Ham Lake in the Plan:

"In Section 9.3 – Financial Impact on Page 85, a breakdown of contributions from each of the four member communities is shown in Table 19. It is noted that the SRWMO joint powers agreements specifies how financing is divided amongst member communities. I am curious as to why the operating expenses are split equally amongst the four communities and not split by the same formula as the other expenses." It was discussed that the member communities may wish to explore amending the joint powers agreement to address this concern, given that both Ham Lake and Columbus appear in favor.

If Ham Lake becomes a part of the Coon Creek Watershed District (CCWD) only, operating costs would be billed directly to residents by the Coon Creek Watershed District as a line item on property taxes. WMO contributions are part of taxpayers' bills to the city. Therefore, if the city were entirely in the CCWD, the city's budget may go down, but the burden on taxpayers may not.

Mr. Schurbon stated that Ham Lake Engineer Tom Collins had informed him that he is meeting with BWSR first. After that meeting, Mr. Schurbon anticipates city staff will meet with SRWMO board members, URRWMO board members, Coon Creek board members and BWSR.

Mr. Downing asked if the SRWMO could recommend a change to the JPA. Yes it could, however, all member cities would have to approve the recommended change. Mr. Schurbon reminded the board that any costs related to changing the JPA will be split between the four member communities. Previously the SRWMO has taken the position that the SRWMO was created by the member communities through the JPA, and any changes to the JPA should therefore be led by the member communities.

Mr. Mager said he would like to see what Ham Lake does moving forward. Ms. Flaherty believes it prudent to stay informed of Ham Lake's decisions. Ms. Hegland asked when the latest decision date is for budgeting purposes. The first budget invoice billing is due January 1, 2020, so November/early December would be the latest.

Chair Babineau stated that he would encourage all parties involved to follow the hydrologic boundaries when making decisions and setting organizational boundaries.

Mr. Mager moved and Mr. Harrington seconded to table further discussion until Ham Lake has met with BWSR. Motion carried.

If another SRWMO meeting is needed (prior to the scheduled July 18 meeting) to discuss Ham Lake's position/decision on the 2020 budget and JPA, Chair Babineau will notify Board members.

8. Watershed Management Plan (Plan) Work Session

A. Review complete draft Plan - Consider approving formal 60-day agency review
A full draft 4th Generation Watershed Management Plan was sent to board members for review prior to tonight's meeting. All changes are things the board asked to be changed or are minor edits.

Comments:

Mr. Schurbon was asked to explain line items #34, #35 and #36 on the SRWMO Schedule and Costs table.

- #34 Cost share grant program – open to the public. This is money is for individual use, i.e. rain gardens, that benefit the public. Many project locations and types would be eligible.
- #35 Cost share grant program – through lake associations. This is money is a separate cost share program to be operated in collaboration with lake associations and aimed at lakeshore practices..

Mr. Downing asked what percentage cost share is offered? Mr. Schurbon responded that cost-share percentage is based on the merit of the project, per SRWMO policy.

Ms. Hegland noted having substantial funds for lakeshore projects is a concern for Columbus given that community has little lakeshore.

ACD will continue studies that prioritize projects to lake associations. Chair Babineau requested that the SRWMO board be the ultimate decision making authority for any funds, while involving the lake groups. Mr. Schurbon will add wording in the Plan to reflect this request.

- #36 Carp removals – Who monitors the 25% match available? ACD does. This information is provided in Mr. Schurbon's current grants financial report from ACD.
- #39 Demo projects on public land
 - Mr. Schurbon was asked to explain the two rows of numbers provided. The top row of numbers is the SRWMO dollar amount provided and the bottom row of numbers is anticipated grant funding money.
 - Change the word Demo to *demonstration*.
- #48 Linwood Lake subwatershed retrofitting study – This is a new line item. It is based upon scientific study in the Sunrise River WRAPS report that found that stormwater runoff treatment is an important strategy for improving Linwood Lake. Mr. Schurbon stated he recommends adding this new study to identify and prioritize stormwater runoff treatment opportunities. He noted that in order to financially accommodate this new item without raising budgets, he included offsetting reductions to the cost share program through lake associations.

Ms. Logren read the comments from Columbus’ city engineer on the Plan.

1. In the last sentence of Page 4 of the Executive Summary, is the date referenced supposed to be 2030? Mr. Schurbon will follow up and correct as needed.
2. There are several references throughout the document noting the differences between County Ditches, Private Ditches, and stormwater conveyance systems owned or operated by the member communities (City), and who is responsible to inspect/maintain/repair them. It would be good to have a figure included showing which ditches are County ditches vs. which ditches are private. Mr. Schurbon will add a map.
3. In Section 9.3 – Financial Impact on Page 85, a breakdown of contributions from each of the four member communities is shown in Table 19. It is noted that the SRWMO joint powers agreements specifies how financing is divided amongst member communities. I am curious as to why the operating expenses are split equally amongst the four communities and not split by the same formula as the other expenses.
 - Section 4.13 Lakes - At the last meeting it was discussed that Fawn Lake is a natural environment lake, but not a recreational lake. It is listed with other larger lakes that have many homes and public access. Ms. Hegland asked that a foot note be added explaining why Fawn Lake is listed with recreational lakes. Mr. Schurbon will do so.

Mr. Schurbon will make the above edits and review the Plan for usage consistency.

Mr. Downing moved and Ms. Flaherty seconded to approve the draft Plan with tonight’s edits and to direct Mr. Schurbon to send it out the draft Plan for the official 60-day agency review period. Motion carried.

- 9. Mail None
- 10. Other The carp harvests at Martin and Typo Lakes will be sometime in June. Mr. Schurbon will send out notices to the board members when the time is known so they can attend if they wish.
- 11. Invoice Approval A. ACD invoice 1 of 3 for water monitoring and management - \$8,938.33
Ms. Hegland moved and Mr. Harrington seconded to approve ACD invoice 1 of 3 for water monitoring and management in the amount of \$8,938.33.

 B. Recording secretary May 2019 invoice - \$175
Mr. Harrington moved and Ms. Flaherty seconded to approve the recording secretary May invoice for \$175.00. Motion carried.
- 12. Adjourn **Mr. Downing moved and Ms. Hegland seconded to adjourn at 7:55 pm. Motion carried.**