



# Sunrise River WMO

2241 – 221<sup>st</sup> Ave  
Cedar, MN 55011

## APPROVED MINUTES

Sunrise River Water Management Organization Meeting  
Thursday June 6, 2024  
Meeting was held in person at the East Bethel City Hall

1. Call to Order

Mr. Mundle called the meeting to order at 6:30 pm.

2. Roll Call

Present    Absent

- Janet Hegland, Treasurer (Columbus)
- Tim Melchior, Secretary (Columbus)
- Brian Mundle, Chair (E Bethel)
- Leon Mager (E Bethel)
- Troy Wolens (Ham Lake)
- Brian Kirkham (Ham Lake)

Present    Absent

- Jonn Olson (Linwood)
- Kevin Kelly (Linwood)
- Ben Harker (Linwood Alternate)
- Jamie Schurbon (Admin)
- Other: Kate Luthner, ACD
- Other: Jack Davis, Columbus

3. Approval of Agenda.

Mr. Schurbon requested to add two items under agenda item 6: Phase 2 shoreline grant update and WBIF grant update.

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

4. Approval of Minutes for April 4, 2024

**Ms. Hegland moved to approve the minutes and Mr. Kelly seconded this motion. The motion carried with all in favor.**

5. Financial Reports

A. Treasurer’s report

Mr. Schurbon stated there was a starting and ending balance of \$40,556.06 for May of 2024. He stated that the community payment from Columbus has been received and noted that all community first half payments have been received, with Linwood’s second half being the only payment missing, although it is not yet due.

**Ms. Hegland moved to accept the treasurer’s report as presented and Mr. Kelly seconded this motion. The motion carried with all in favor.**

B. Grants financial report

Mr. Schurbon explained that there was a new line item under cost share grant funds for a Fawn Lake Lakeshore buffer project. It’s a 40 foot long restoration that has been approved by ACD, and is marked as encumbered but not yet spent. In total \$514.90 will be reimbursed

after project receipts have been submitted. Mr. Schurbon noted that Sunrise Chain of Lakes Phase I is currently unchanged but they will receive the first invoice soon which will be about 80% of the project costs. The line item for Linwood Lake tributary monitoring was removed from the category for future work because it is currently in progress.

6. Unfinished Business

A. Data Practices Policy

Mr. Schurbon explained that the SRWMO attorney recommended the Watershed Coordinator, not board managers, be the responsible party for data practices act requests due to access to necessary data. This should address the board's concerns from the last meeting regarding responsible party and timeliness of response. He recommended the board adopt the data practices act with these updates. He noted these kinds of requests are very rare but the SRWMO is required to adopt a policy.

Ms. Hegland questioned as to whether Mr. Schurbon should be both the responsible party and the designee for compliance. She asked an alternative ACD staff member be listed in case Mr. Schurbon is not available to respond, and that perhaps a board manager such as the chair be listed as the designee for compliance to make sure the request was met. Mr. Schurbon explained that if he was to be gone for an extended time someone at ACD would fill the role as Watershed Coordinator. After additional discussion is the group wished the ACD Office Administrator be listed as the designee and SRWMO Chair be the compliance official. The SRWMO administrator, Mr. Schurbon, would be the responsible authority.

Ms. Hegland asked for clarification on the turnaround time for data request responses. She asked if the method of request would dictate the response time, such as mail being opened at the next board meeting. Mr. Schurbon explained the data requests would go to him at ACD, which is continuously monitored.

Ms. Hegland expressed concern there was a lack of consistency of response times listed in the policy document: 15 vs 10 business days and "within a reasonable amount of time." Mr. Schurbon explained there were different time period requirements based on the type of data (public or subject) and there was a difference between responding to a request and filling the request. The SRWMO attorney reviewed and was comfortable with this policy language, and noted that it was also in a copy of the state's policy template that other organizations use. Mr. Schurbon said the board could send it back to the attorney for review on response time. There was agreement to have the attorney look at the response times again.

**Ms. Hegland moved to accept the data practices policy with the recommended changes to responsible parties designation, and verification from attorney that the timelines for responding to requests are consistent and in-line with the law. Mr. Kelly seconded. The motion carried with all in favor.**

B. Community Events

Mr. Schurbon thanked the managers for signing up for the community events displays. One update was a change to the ACD staff member listed for Linwood Family Fun Day and

Columbus Fall Fest; that person has moved to a different position. Jamie will work to secure a replacement staff person.

The board discussed giveaway or promotional items. Mr. Schurbon said they could use the same materials for all events. Previously requested items were native plant seed packets, candy, and crayons, and coloring books. Ms. Hegland volunteered to acquire the candy if she would be reimbursed. Mr. Schurbon stated the group previously agreed to \$200 total expense from outreach funds contracted to ACD, so ACD will reimburse. Mr. Kirkham will clarify if Ham Lake's Freedom Fest community event would wish to have a SRWMO booth.

7. New Business

A. FY25 WBIF grant

The Lower St. Croix metro convene committee allocated \$75,000 from the FY25 metro Watershed Based Implementation Funding (WBIF) to the SRWMO for urban stormwater and shoreland stabilization projects, with funding for administration costs and technical/engineering staffing. Mr. Schurbon explained that the stormwater biofiltration practice is ready for this year, with the shoreline projects anticipated in 2025-26.

Mr. Schurbon noted that the board directed ACD to be the fiscal agent for this grant. He presented a draft contract outlining the ACD and SRWMO roles. The board reviewed the proposed roles. Ms. Hegland asked why the ACD would not be the party to enter the contracts with the construction contractor or landowners? Ms. Luthner explained that that would mean the SRWMO would not be selecting the contractor, and the SRWMO is responsible for the grant funds. She suggested there is benefit to the SRWMO oversight, even if ACD is providing recommendations. The board discussed the relational structure of the SRWMO being the responsible party for the grant and the ACD being the organization who has the technical ability to implement the grant. The proposed contract allows the day to day activities to be implemented by the ACD but the SRWMO would retain the ability to have oversight of the whole process.

**Ms. Hegland moved to authorize the Chair to sign the FY25 WBIF Lower St. Croix metro grant agreement with BWSR for \$75,000. Mr. Kelly seconded. The motion carried with all in favor.**

**Ms. Hegland moved to approve the FY25 WBIF Grant Fiscal Agent and Projects Management Services contract with ACD. Mr. Kirkham seconded. The motion carried with all in favor.**

B. Project agreement – 19255 East Front Blvd biofiltration

Mr. Schurbon explained this was a previously designed and approved project that did not have funding until now. The project requires a 10 year landowner agreement to ensure the longevity of the practice. Ms. Hegland clarified that the WBIF grant is what is being proposed to pay for this project and asked for more information about the ranking information about the project. Mr. Schurbon explained the cost estimate and how the funding could be rolled over to lakeshore restoration activities if the actual cost is below the estimate. He

clarified in this case the landowner is not being asked to provide cash contributions as the practice is in the right of way and is treating runoff from upstream other properties.

**Mr. Kelly moved to authorize the Chair to sign the landowner agreement for the 19255 East Front Blvd biofiltration project and encumber \$30,000 FY25 WBIF funds toward construction. ACD is authorized to move funds amongst grant activities as needed in the event of costs under/over budget. Ms. Hegland seconded. The motion carried with all in favor.**

C. Attorney Change

The WMO's attorney in recent years has been Troy Gilchrist at Kennedy and Graven. Troy and another partner are amicably splitting from Kennedy and Graven to form a new law firm called Town Law Center. The WMO board discussed either staying with Mr. Gilchrist at his new firm, or stick with Kennedy and Graven. Mr. Schurbon recommends to continue with Mr. Gilchrist due to his expertise in watershed law. Mr. Gilchrist's hourly rate is not changing during this transition.

**Mr. Kirkham moved to select Mr. Troy Gilchrist of Town Law Center as the WMO's attorney effective immediately. Mr. Kelly seconded. The motion carried with all in favor.**

9. Mail

None was received.

10. Other

Mr. Mager asked if the ACD provides water monitoring data to the DNR? Mr. Schurbon explained the ACD shares water level data directly with the DNR. Water quality data is entered into the MPCA's database, which the DNR uses for its website.

11. Invoice(s) approval

A. Recording Secretary \$200.00

B. East Bethel Booster Day – event insurance \$200.00

Mr. Schurbon explained that in order to participate in the event the SRWMO is required to pay \$20 or to amend the SRWMO insurance policy to include the event.

**Mr. Mager moved to pay the recording secretary at \$20 and East Bethel Booster Day at \$20. Mr. Olson seconded. The motion carried with all in favor.**

12. Adjourn

**Ms. Hegland moved to adjourn the meeting and Mr. Kelly seconded this. The motion carried and Mr. Mundle adjourned the meeting at 7:49PM.**

Upcoming Meeting Dates: Sept 5, Nov 7, Jan 2 (2025), and Feb 6 (2025)

Submitted by: Cameron Blake