

**LOWER MINNESOTA RIVER WATERSHED DISTRICT
MINUTES
Wednesday, January 21, 2010**

1. CALL TO ORDER

President Samstad called the regular meeting of the Board of Managers of the Lower Minnesota River Watershed District to order at 7:03 PM on Wednesday, December 16, 2009 in the Carver County Commission Chambers, Chaska, Minnesota.

2. ROLL CALL

Managers present: Kent Francis, Don McCready, Larry Samstad, Ed Schlampp

Also present: Travis Bistadeou, District's attorney Bruce Malkerson, staff members Terry Schwalbe and Joan Ellis

3. APPROVAL OF MEETING AGENDA

Manager Schlampp moved and Manager McCready seconded to approve the meeting agenda. VOTE: Ayes 4; Nays 0.

4. CONSENT AGENDA

President Samstad moved and Manager Schlampp seconded to approve the Consent Agenda. VOTE: Ayes 3; Nays 0. Abstain 1. (Francis)

5. OPEN FORUM

There were no speakers.

6. DECEMBER 2009 REGULAR MEETING MINUTES, TREASURER'S REPORT AND PAYMENT OF BILLS

All approved under the Consent Agenda with the exception of George Hoff's check which will be held to the February 2010 meeting.

7. PRESENTATIONS

8. PRESENTATIONS FOR BOARD ACTION

a. Water Resource plan board workshop changes for approval

Manager McCready moved and Manager Schlampp seconded approval of the Water Resource Plan board workshop changes. VOTE: Ayes 3; Nays 0; Abstain 1 (Francis)

9. EDUCATION

a. 2010 Metro Blooms Rainwater Garden Workshops Agreement

After discussion it was moved by President Samstad and seconded by Manager Francis to approve an agreement with Metro Blooms in an amount not to exceed \$11,800.00.

VOTE: Ayes 4; Nays 0.

10. NEW BUSINESS

- a. Authorize staff to advertise with the State Register then send out RFPs for engineering and legal services

Manager Schlamp moved and Manager Francis seconded authorization to advertise two consecutive weeks with the State Register then send out RFPs for engineering and legal services. VOTE: Ayes 4; Nays 0.

10. OLD BUSINESS

- a. George Hoff invoice presentation, President Samstad

President Samstad requested one more month to prepare for the meeting. The board agreed.

- b. Willow Creek gauging station location to be monitored and decision on purchasing the station from the MPCA.

Mr. Schwalbe said he did not have time to research this in depth but will present at the February meeting.

- c. Minnesota River Four-Foot Channel research

In the 1800's it was mandated by Congress that the channel be maintained and there were several appropriations made in the 1800s (mostly for snag removal). If future work is to be done on the Four-Foot Channel Congress would need to appropriate funds.

12. ADMINISTRATOR REPORT

- a. Seminary Fen/Assumption Creek update on negotiations, etc.

Mr. Schwalbe indicated a meeting will be set up within the next month on the Moe property acquisition with Peggy Booth at the DNR and a mapout of the protection areas will be completed.

- b. Update on legislative resolution implementing a MN River Valley Basin Commission

Mr. Schwalbe said Mr. Davidman met with Senator Lanning and they are moving forward.

- c. Navigation Channel

Mr. Schwalbe said Representative Beard introduced the bill on the acquisition of the Air Force site and to implement a dredge management plan. There will be a minimum of 3-4 Senate hearings for the bonding bill. Mr. Davidman will lobby the bill through the legislature.

- d. Black Dog Generating Plant CUP

Mr. Schwalbe said the plant wants to start a plan to place an island down Black Dog Lake, replace the bridge at the power plan. Time was of the essence so sent to District's engineers and they made comments and with deadline last Wednesday, comments were sent to Black Dog Generating Plant. President Samstad inquired if the whole plan for work has been done. Mr. Schwalbe said he will ask Jim Bodenstein to come to a future board meeting and do a presentation.

- e. City of Eden Prairie bank stabilization

Mr. Schwalbe said Mr. Joel Toso, Wenck Associates, got the results of the water samples taken and they were clean. The black ooze results are not yet completed but he will forward to the board by email.

Mr. Schwalbe met with Representative Loon last Thursday in regards to the bonding bill for the bank stabilization. Representative Loon did not feel comfortable going to the legislature with “preliminary” results and thought it would be better to go back to the legislature next year when have a final report.

f. Update on Water Resource Plan

Mr. Schwalbe said there is no update other than the workshop changes.

13. DISTRICT’S ATTORNEY REPORT

Mr. Malkerson reviewed the State of Minnesota Office of the Attorney General’s opinion of advancing monies to the Nine Foot Channel fund from the General Fund and then repaying the General Fund from the Nine Foot Channel. Attorney General’s opinion is that the District does not have the authority to pay back the advanced monies.

13. UPCOMING MEETINGS/TOURS/EVENTS

a. City of Eden Prairie council workshop with the LMRWD

Mr. Schwalbe told the board the meeting is March 9, 2010 and said if three managers attend staff must notice as a public meeting. If questioned by the council it is appropriate to say you don’t know at this point in the District’s research.

b. MAWD Legislative breakfast

Mr. Schwalbe said this will be in March 2010.

14. ADJOURN

Manager Schlampp moved and Manager McCready seconded to adjourn the meeting at 8:10 PM. VOTE: Ayes 4; Nays 0. Motion passed.