

**LOWER MINNESOTA RIVER WATERSHED DISTRICT
MINUTES
WEDNESDAY, SEPTEMBER 17, 2008, 7:00 PM**

1. CALL TO ORDER

President Kremer called the regular meeting of the Board of Managers of the Lower Minnesota River Watershed District to order at 7:00 PM on Wednesday, September 17, 2008 in the Council Chambers at the City of Chaska, Chaska, Minnesota.

2. ROLL CALL

Managers Present: Len Kremer, Ed Schlampp, Larry Samstad, Kent Francis
Also Present: Clint Gergen, Harvest States, Brad Wozney and Jim Haertel, BWSR, Fred Richards, former District counsel retired, Leslie Stovring, Walter Eschenaur, SRF Consulting, District's Attorney, Bruce Malkerson, staff members Terry Schwalbe and Joan Ellis

3. APPROVAL OF MEETING AGENDA

President Kremer requested that 4. Election of Officers be placed under 11.e. Old Business and add 10.c. Clean Water Legacy Funds and add 11.f. Consultant Reviews. Mr. Schwalbe said he received a call from Jack Frost, Metropolitan Council, requesting that we remove 9.a. Finalized City of Carver Stormwater Management Plan from the agenda until they have had an opportunity to review the plan. Mr. Schwalbe said he would like to add the September 10, 2008 meeting minutes to Item 7. President Kremer said he didn't receive a copy of those minutes so it should be postponed to the October 2008 meeting. Manager Samstad requested Fred Richards, former District counsel to give a presentation and it was determined to have Mr. Richards speak under Item 6. Open Forum. **It was moved and seconded to approve the meeting agenda as amended. VOTE: Ayes 4; Nays 0.**

4. ELECTION OF OFFICERS

President Kremer moved this item to 11.e. Old Business.

5. CONSENT AGENDA

President Kremer requested the June 26, 2008 Minutes and be removed from the Consent Agenda. **It was then moved and seconded to approve the August 20, 2008 Minutes Treasurer's Report and payment of bills. VOTE: Ayes 4; Nays 0.**

6. OPEN FORUM

Manager Samstad introduced Fred Richards, former counsel for the District after Ray Haik and he was counsel when we first levied for the navigation channel in 1965 and it was a general assessment rather than a special assessment. Manager Samstad would like Mr. Richards to tell the board that he was counsel at that time and that the District did the levy legitimately. Mr. Malkerson said he has known Mr. Richards all his life and they have not discussed any of these issues that have come up relating to dredge sites and assessments, levies, etc.

Mr. Richards said that even though they did a general levy they still had to find out which properties benefited from the Nine-foot Channel from Mile 0 to Mile 14.9, but instead of each individual parcel being assessed through a determination of the benefits and a cost ratio they did

a general assessment over benefited properties they all being equal. It was a very controversial project. It was litigated and fought over. The determination of which properties received a benefit the issue then was not towards how much benefit each property received but what was the total project cost and was then allocated out based on the total properties and the acreage determined. Then it was registered at the Register of Deeds and Torrens Office a description of each of those properties.

It was ultimately approved and the end results was that there was a substantial amount of cost savings because of a mathematical calculation and they didn't have to have a process whereby appraisers went out and looked at each parcel and tried to determine the benefit that would pertain to each individual parcel but it was a blanket-wide general assessment for the benefited. Mr. Richards believes it's been a good project over the last 50 years and has increased the use of the Minnesota River.

President Kremer asked Mr. Richards if what he was saying was you did a determination of benefits and you determined all the properties were receiving equal value. Mr. Richards responded by saying they didn't take all the properties within the District. There was a determination of properties within the District that would benefit from the navigation channel.

President Kremer inquired about an estimate of how many parcels were identified to be levied. Mr. Richards responded by saying he believes there were over 800 parcels that were subject to an assessment riparian to the Minnesota River on both sides of the river.

President Kremer stated that over the 45 years things have changed significantly and the U.S. Fish and Wildlife Service has bought up every square foot of land near the river so the number of benefited properties adjacent to the river that could potentially use the navigation channel has decreased a lot. Then are some properties that did benefit from the navigation channel that no longer use the channel causing complications.

Manager Samstad said they had a general assessment based on even though we had a limited number of parcels to benefit, actually it came out that going ahead and assessing against the total group of parcels was less expensive than to go and specifically try to put a value on each and every parcel that lie exactly on the channel.

Mr. Malkerson reiterated that in 1965-66 the very first assessment was to the properties along the river and they assessed them and they did not take that cost and levy it against all properties in the District. That money was used to acquire dredge disposal material sites and maintain and dispose of those materials. Over the years the fund was depleted and then the managers needed to place additional monies into that fund to operate and acquire future sites in 1981 and didn't feel they needed to hire appraisers to fight a special assessment against what the District felt were benefited properties so they voted to general levy the entire District for the Nine-Foot Channel Fund.

Mr. Richards said that clearly if the proposition can be sustained that there is a benefit to the District as a whole, it's far cheaper to levy a charge if you will, or a cost to the District as a whole for whatever costs might be necessary to maintain the navigation channel, but then the

question becomes is there a benefit for all properties for the maintenance, repair, if you will or just general upkeep of the channel. To the extent that you come to that conclusion I think it's a fairly easy step to say it's better off to levy on a District wide basis relative to costs incurred to arrive at that point. But he thinks the managers, obviously it will be their task to reach that conclusion that all properties within the District are benefited then costs are saved by a District wide levy. But that's going to be a tough question he thinks to come to that conclusion particularly if you are talking about the need to acquire additional spoil sites or doing activities within particular properties along the channel.

Mr. Richards then said the Managers would have a tough time coming to the conclusion that all properties are benefited by the maintenance of the channel.

Manager Samstad said that the District had a public hearing in the second funding proposal in 1981 and as a result of that public hearing the managers then decided to spread the levy against all properties in the District.

7. APPROVAL OF MINUTES

The August 20, 2008 Minutes, Treasurer's Report and Payment of bills were approved under the Consent Agenda.

Manager Francis arrived at 7:04 PM.

8. PRESENTATIONS

a. District's 5th Generation Water Resource Plan Discussion, Brad Wozney, BWSR
Mr. Wozney said he acquired LMRWD in his area in January 2008 so does not have a long history with our District. Mr. Wozney introduced his boss Mr. Jim Haertel. Part of his duty will be to Sheppard our plan through the update process.

Inherently there will be some higher expectations as this is your 5th Generation Plan. Mr. Wozney indicated the District should think big on this plan. The Board is charged with establishing a vision, setting direction with the plan. Under the vision the Board should consideration for the natural resources; consider internal operations and how to coordinate with your stakeholders. The Board should also consider the number of neighboring watersheds that have gone through the plan process and Mr. Wozney encourages the District to engage a dialogue with them. Nine Mile Creek, Minnehaha Creek. Also a number of them are currently engaged in updating their plans - Scott WMO, Carver WMO. Riley Purgatory.

Mr. Wozney then explained parts of the plan process using a handout:

1. Self Assessment
 - a. Looking at your current plan, what barriers have we encountered that stopped us from reaching the goals.
 - b. Have we followed our mission?
 - c. Did sub-agreements work?
 - d. Did the numerous studies the District funded result in management plans or any other outcomes or are they just studies sitting on a shelf.
2. What do we have?

- a. What resources of interest does the District have by inventorying and prioritizing which ones the District wants to focus on.
3. What do we want?
 - a. This is where public input comes in. BWSR expects a good faith effort to receive public input by numerous methods. The District can utilize our website, on-line surveys providing prizes to answer questions. Go to planning commissions, public works department, recreation based organizations to communicate and engage their staff and commissioners to gather input from them on how to manage resources within the District. The District should gather input through a TAC and CAC and the District is required to do that as it is a rule. The rule states that the CAC will assist the board on all matters.

Timing of this plan expires in September 2009. The comment section of the plan is a six-month window so the District will be on tight time frame to get your plan done in time. Mr. Wozney said he believes the District will slide under the Performance Review & Assessment Program (PRAP). It identifies watersheds and watershed organizations that have plans on date. Those reports are given to the legislature in December. So the District should have their plan done by the end of next year.

President Kremer inquired if we can expect an extension and BWSR would grant it. Mr. Wozney responded by saying BWSR does not have the authority to give an extension. He said the District would follow the old plan until the new one supersedes it.

President Kremer asked Mr. Wozney what are the consequences of not getting done by September 2009. Mr. Wozney said there are no consequences. If the plan is not done by December 2009, that will be identified in the PRAP report.

Mr. Malkerson inquired what the legislature will do with the PRAP report. Mr. Wozney said the legislature has required BWSR to give annual reports to them on both out-of-date watershed plans and those counties and watershed organizations that don't have plans. He continued by saying he doesn't know what the legislature does with the PRAP report.

Mr. Haertel said that BWSR is required to post the PRAP report on their website. They have a map that shows those watershed districts, in red, that have out-of-date plans.

4. Performance Standards handout for metro watershed districts:
 - a. Keep the handout with you through the planning process and incorporate items as you see fit. The PRAP uses those items contained in the sheet as a gauge for the performance of various watershed organizations. Some of the items contained are staff and board training, capital improvement reviews every two to three years, comparison of dirt moving projects versus administrative costs or overhead costs as a parameter for the next ten years.

President Kremer inquired if there were any specifics for this plan because the August 6, 1999 BWSR Interoffice Memo stated that BWSR had a little higher expectation of the 1999 plan than was offered by the District. He said Mr. Wozney had told the board to "think big" and asked if

there were any expectations BWSR had for the District. Mr. Wozney said he would like to answer that question when he covers the plan process.

Mr. Schwalbe asked which document he is using in his presentation. Mr. Wozney said it is the Timeline for Review. It was not included in our packet. Mr. Wozney said he will email it to us. This really has to do with the formal plan review and takes around six months.

Mr. Wozney then talked about plan content. Mr. Wozney said that the updates in the new plan can be fairly thin. The District has existing data that doesn't change.

Updates:

1. The District has done a number of studies and the results will be part of the plan.
2. There should be updates on the trends on the water resources.
3. Incorporate any resource management plans that have been developed and should be part of the District's goals in the plan.
4. Assess the District's current water quality monitoring. Is the monitoring adequate or does the District need to add more stations.
5. Assess whether you need to expand revenue mechanisms to assist in reaching District goals. That could be another workshop to address but Mr. Wozney did include a Revenue Streams document in the board packet.
6. Develop a robust capital improvement program. There have been a number of completed studies within the District. It is time to do some water quality and quantity monitoring/modeling and identify some projects to complete. BWSR thinks that as a mature watershed district it is time to be building many more projects and BWSR has some ideas on how to structure those projects.
 - a. Cost share programs for grade stabilization projects on bluffs by putting in \$100,000 as an example into the program so as projects come in during the year there are funds available right then.

President Kremer told Mr. Wozney that we already have a program with over \$100,000 in it and it already underway and noted that Leslie Stovring from the City of Eden Prairie was present in the audience to discuss some projects tonight. Annual infusions of funding will be continued until we have enough funding to deal with all the projects that the cities have identified.

Mr. Wozney asked if we are partnering with SWCDs. President Kremer said yes, we currently partner with everyone except Hennepin County.

a (continued) Contribute to the Greenways Program and partner with the Friends of the Minnesota Valley to achieve habitat corridors etc.

Mr. Schwalbe said we have partnered with the DNR to help them acquire the Seminary Fen/Assumption Creek area. Mr. Wozney said consideration of offering funding should possibly be an option.

- b. Tabulate municipal regulations and perform a gap analysis. You are looking for holes in stormwater regulations to determine areas of concern. BWSR can provide the District with other gap analysis that other organizations have done. Under the rules the District will be required to dictate stormwater standards through water plans and ordinances both.

- c. Consider alternative methods to providing education to various audiences. That may mean funding city efforts or other stakeholder efforts already ongoing or have efforts underway.

Mrs. Ellis noted that the District already is acting as a funding partner in Metro Bloom rain gardens within the District. President Kremer also mentioned that the District is working hard to educate the Minnesota River Board in how much upstream agricultural land use damage has been done in the lower Minnesota River. Mr. Wozney said we should have presence with the MRB and actually partner with the USGS to study at watershed yield – are we receiving more water after a rain event than 10 years ago might be a consideration.

- d. Mr. Wozney said the District is at the bottom of the hill. For example in the case of Bluff Creek BWSR encourages the District to be vocal with the Riley Creek plan as they get updated and make District offerings in how to fix the various problems. He said he knows Mr. Schwalbe has been attending Bluff Creek meetings.

- e. Mr. Wozney said to consider the results of the Dakota/Scott County study. There may be some items that shake out of that plan. BWSR has recommended to Prior Lake/Spring Lake WD to look closely at that as well, in particular, the lower end of Prior Lake/Spring Lake watershed area and where that adjoins with Lower MN River WD in the Shakopee area. They may be approaching the District with some governance options, boundary changes.

Manager Samstad inquired if BWSR is talking about leaving the District. Mr. Wozney said a portion of the Lower MN River WD would be incorporated into the Prior Lake/Spring Lake WD. Manager Samstad inquired if that could be reversed. Mr. Wozney said yes, that could be the reverse way.

The last item Mr. Wozney handed out examples of Measurable Results Emerge from Clear Goals sheet. BWSR is interested in clear measurable goals, not just promoting results.

Manager Samstad is concerned about spending money in current economic times. Mr. Wozney said look at structural, non-structural and programs (cost share etc.). Concentrate on the implementation plan. It may simply mean shuffling of where the money is going now. Manager Samstad said that in the past the board has worked hard not to spend taxpayer money. He said the public wants to get an economic benefit and that should always be the goal.

Manager Francis agrees with Manager Samstad in that if you are going to do projects then you will have to raise taxes to accomplish that goal. He is concerned about big projects and re-shuffling resources resulting in no economic benefit.

Manager Francis inquired about giving our current plan to BWSR to have them tell the District how far off the District is. After listening tonight it appears that we are getting things done that

BWSR wants us to do already and in his opinion he doesn't think we are that far off. In talking about matching resources, help us then.

Mr. Wozney replied that the current plan does not have all the study results.

Manager Francis said that's exactly what he is saying, can you redline it by telling the District this is where you stand today, to get it to these standards these are BWSR's recommendations.

Mr. Wozney replied that he is not sure.

Mr. Haertel said BWSR absolutely refuses to do it and repeated BWSR absolutely refuses to do it, that's the answer. He continued by saying the board, as managers of this watershed district to decide what your next generation plan is going to involve and that is what Mr. Wozney was talking to the board tonight, the whole process. You take comments from your CAC, TAC, agencies, cities, citizens and compile comments down to what needs to be done, prioritize those against whatever budget you are going to have and decide as managers what the District is going to put in the next plan. Mr. Haertel then said he was here to tell the board tonight that the District's current plan is not going to cut it as the District's next plan.

9. PRESENTATIONS FOR BOARD ACTION

a. Finalized City of Carver Stormwater Management Plan, BRAA

Mr. Schwalbe said he received a call from Jack Frost, Metropolitan Council, requesting we postpone review of this plan as they haven't had a chance to review it yet. The board agreed to postpone this item until the October 2008 meeting.

b. City of Eden Prairie Study Areas 1 & 2, Leslie Stovring

Ms. Stovring gave an update of where the city is in the four project areas. The feasibility report has just been completed for Study Areas 1 & 2. Study Area 4 is out for bid and going to council next month for approval. The feasibility study for Study Area 3, the old Riverview Rd. washout area, is almost done and coming to the board in the next month or two. Ms. Stovring's Public Works Supervisor indicated this area is a safety area and because putting in a road is too costly and too difficult he is willing to look at putting in a trail.

Walter Eshenaur, SRF Consulting, explained Study Areas 1 & 2 as being at Riverview Road, east of where Riverview Road intersects with old #212. There are two areas where the road is washing out. Two drop structures will be placed to capture the water and dissipate the energy. Handouts for Study Areas 1 & 2 included 90% Engineer's Cost Estimate, construction plan, removal plan, grading plan, erosion control plan, and storm sewer profiles.

President Kremer inquired when they expect to go out for bid and are the costs similar to the previous numbers the board had. Ms. Stovring and Mr. Eshenaur said they have to work with the game refuge for windows of opportunity to enter so don't have a bid release date yet and the costs are very similar, maybe slightly higher – less than \$10,000, to the last numbers. Ms. Stovring said the city is asking the District to agree to a certain percentage of funding.

It is the board's understanding there is no requirement for a maintenance agreement to be signed by the city and/or the property owner.

It was moved and seconded to give conditional approval to Study Areas 1 & 2 with participation by the District of 50% of a not to exceed funding amount of \$59,440.00. There would be an agreement with the city indicating there would be no payment until the project is completed. VOTE: Ayes 2; Nays 1; Abstain 1.

c. **Scott County WMO Water Resource Plan, BRAA** This item was tabled.

d. HLB Tautges 2008 Audit Proposal

It was moved and seconded to approve the 2008 Audit cost of \$6,775.00.

VOTE: Ayes 4; Nays 0.

10. NEW BUSINESS

a. Dakota and Scott Counties WMO/Watershed District Initial Assessment Review, BRAA

Mr. Schwalbe said he would get a copy to every board member by email or mail.

Manager Samstad said we should be involved in this process. President Kremer and Mr. Schwalbe were interviewed by the auditor that put this report together. Comments were given to the board members at least three months ago. Manager Samstad requested comments in writing.

b. MAWD 2008 Resolution Process

MAWD is requesting drafts resolutions for the December 4-6, 2008 annual meeting.

Last year the District introduced a resolution asking for MAWD support for the passage of legislation that would establish a Minnesota River Water Basin Board. That resolution was passed by MAWD. The District does not have to re-introduce a resolution on this subject. MAWD said they will continue to follow this legislation.

President Kremer requested the board to consider introducing a resolution that would support the modification of the Wetland Conservation Act so that the ecological benefits of a water quality improvement project, fen or stream restoration project can be used to mitigate wetland impacts of those projects or can be recognized as wetland mitigation credits for future projects. He requested Mr. Malkerson develop the resolution. The submission deadline is October 10, 2008.

It was moved and seconded to approve submitting a resolution that would support the modification of the Wetland Conservation Act so that the ecological benefits of a water quality improvement project, fen or stream restoration project can be used to mitigate wetland impacts of those projects or can be recognized as wetland mitigation credits for future projects. VOTE: Ayes 3; Nays 0 (Manager Schlamp had left the room briefly).

President Kremer directed staff to continue to follow the Minnesota River Basin resolution.

c. Clean Water Legacy MPCA Grant

President Kremer indicated there may be some money to do some restoration in the Seminary Fen. Mr. Schwalbe indicated that the MCC has set up a meeting to look at a modified resolution for controlled burns for invasive species. **It was moved and seconded for staff to research the MPCA grant to determine if funds can be used for Seminary Fen restoration.**

VOTE: Ayes 4; Nays 0.

11. OLD BUSINESS

a. Transportation Pooled Fund Study (980) Updating U.S. Precipitation Frequency Estimates for the Midwest Region.

Manager Samstad requested the formal proposal be sent to him and this item be tabled to the next meeting. **It was moved and seconded to table 11. OLD BUSINESS a. Transportation**

Pooled Fund Study (980) Updating U.S. Precipitation Frequency Estimates for the Midwest Region. VOTE: Ayes 4; Nays 0.

b. 2009 Budget Discussion

Mr. Schwalbe said that a preliminary budget has been approved. He said that before the December deadline he requested the budget look at areas where the budget could be reduced. He asked that the board give him some direction with the budget.

It was moved and seconded to approve the 2009 preliminary budget as the final budget. VOTE: Ayes 4; Nays 0.

c. District's Water Resource Plan Engineering interviews conducted August 6, 2008

President Kremer reminded the board that they interviewed three firms: Wenck, HDR and Bonestroo to update our 5th Generation Water Resource Plan and we need to make a decision on which firm we want to contract with to help us with our plan.

It was moved and seconded to hire Bonestroo. Discussion: President Kremer said he is going to speak against this motion. Bonestroo never has done a watershed plan like this and both of the other firms have done plans like this. Bonestroo is the highest cost of all the consultants. The project manager from Bonestroo had the highest rate and the highest number of hours of any other project manager. Their proposal said the plan would not be completed until 2011 and as the District said tonight Mr. Wozney said our plan is due to be completed sometime in the fall of 2009. Manager Francis asked Mr. Wozney what happens if our plan is not done on time-is that an absolute for fall 2009. Mr. Wozney said that is when the District plan is due. If not done on time, the District would operate under the 1999 plan until the new plan is complete. Mr. Wozney continued and said the District exposes itself to the legislature. VOTE: Ayes 1; Nays 3.

President Kremer made a motion to hire HDR to help the District complete its Fifth Generation Water Resource Plan. Discussion: President Kremer said the project manager was easy to work with, studied our issues, especially good proposal because they had spent time trying to figure out what the issues were for the Minnesota River. Their cost was third highest of the five firms. He believes we can work with them to get that cost reduced. There should be a scoping process and stakeholder process input and then we could negotiate the final scoping plan at that point and could be done by someone else.

Manager Schlampp and Manager Samstad requested the decision be postponed until the October meeting so the managers could review the engineering firm proposals again and when Manager Kraemer could be a part of the decision.

Motion withdrawn by President Kremer. Manager Francis made a motion to table the decision as to whom to hire to assist the District with the 5th Generation Water Resource Plan to the October 2008 board meeting. VOTE: Ayes 4; Nays 0

d. Transcript recorder update

Mrs. Ellis indicated this was an item the board wanted her to research whether or not it would be feasible and economical to hire a transcribing firm called TimeSaver. The board discussed this subject and President Kremer said the minutes are not word-for-word verbatim transcripts after discussing with Kevin Bigalke of Nine Mile Creek which was what Managers Samstad and Schlamp had requested. The board directed staff to talk with the City of Chaska about using their recording equipment.

It was moved and seconded to have Mr. Schwalbe talk to the City of Chaska to find out what it would cost to tape the board meetings. VOTE: Ayes 4; Nays 0

e. Election of Officers

President Kremer moved the election of officers to the end of the meeting.

12. ADMINISTRATOR REPORT

a. Seminary Fen

Mr. Schwalbe indicated there will be a tour and dedication of the Seminary Fen October 1, 2008. Mr. Schwalbe he is talking to Bonestroo about the MCC grant application with. President Kremer would like staff to look at applying for a grant with technical issues to be questioned of professionals.

Sierra Club bicyclists went to Seminary Fen and Mr. Schwalbe and Mr. Ress spoke to the bicyclists about the fen and the need for restoration. Some of them showed interest in helping with restoration.

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

Mr. Schwalbe said he and Jeff Davidman met with Ray Bohn to discuss the basin commission and the basin approach. Mr. Bohn said that there is a movement by the PCA to do the TMDLs on a watershed basis and he thought the District would be best served by holding on to their coat tails and let the agency lead the way. Mr. Schwalbe and Mr. Davidman did not agree or disagree with that and there were some good points made. Mr. Schwalbe went to a hearing where Shannon Lotthammer from the PCA did a presentation to the legislative finance committee for the PCA and Mr. Schwalbe is not sure that following the PCA's efforts will help the District out as there are so many interests involved.

Mr. Schwalbe was at the MRB meeting since his meeting with Ray Bohn and there is a proposed revision to MN Statute 103(f).0378 passed out tonight which would authorize some funding to the MRB to carry out their mission. Mr. Schwalbe and Mr. Davidman would like to meet with Shannon Fisher of the MRB to discuss making some minor changes to the revision and let them take the lead. It is already organized. Mr. Schwalbe's major concern is the representation on that board and they are discussing having other people other than county commissioners be on the Executive Committee. If watershed districts could be on that committee it would serve to set the tone for a basin commission. New Ulm's commissioner sits on one of the committees of the MN Association of Counties and gave a report to the MRB. The MN Association of Counties understands the need for a watershed based basin but they cannot support Lanning's bill because it was too loose with the funding and board structure. Apparently the Red River area is not happy with their basin commission because they are paying their dues but not getting any projects in their area. The commissioner from New Ulm stood up and said it is time to look at this from a

watershed basis and solve the issues with the Minnesota River. The commissioner actually got support from the President, Judy Hanson, from Nicollet County who sent an email to the MN Association of Counties suggesting that it should go one step further and have the SWCDs become watershed based for these counties. President Kremer doesn't want us to abandon the basin commission concept yet because the MRB would have to make some radical changes including funding before we abandon the basin commission concept. **It was moved and seconded to authorize Mr. Schwalbe and Mr. Davidman to meet with Mr. Shannon Fisher at the MRB to discuss the Basin Commission and what potential funding may be available from the resolution revision. VOTE: Ayes 4; Nays 0.**

c. Fowler Property update from the City of Eden Prairie

There are no updates other than the emails in the packet.

d. Dredge sites

Mr. Schwalbe was at the River Resources Board last month. He also talked to the testing agency's project manager and assured him that the results show only minor concern for barium and that it is naturally occurring. Mr. Schwalbe talked about the test samples from information from Judy Mader.

13. DISTRICT ATTORNEY REPORT

There is nothing to report.

14. UPCOMING MEETINGS/TOURS/EVENTS

a. MPCA's 3rd Annual Lake Pepin TMDL Technical Conference 9/23, 9/24

It was moved and seconded to authorize Mr. Schwalbe to attend this conference.

VOTE: Ayes 4; Nays 0.

b. MN Water Resources Conference 10/27, 10/28, 10/29

It was moved and seconded to authorize Mr. Schwalbe and Mr. Samstad to attend this conference. Ayes 4; Nays 0.

The board returned to: ELECTION OF OFFICERS

Manager Schlamp nominated Larry Samstad as President, Ron Kraemer as Vice-President, Kent Francis as Treasurer, Ed Schlamp as Vice-Treasurer and Len Kremer as Secretary.

After discussion it was moved and seconded to postpone the elections until such time as all five managers are present. VOTE: Ayes 2; Nays 1; Abstention 1.

The board returned to:

JUNE 26 2008 MINUTES

President Kremer said there was a monetary error in the June 26, 2008 workshop minutes with the City of Bloomington's Parker's Picnic project. The monetary amount is \$45,295, not \$4,529.

It was moved and seconded to approve the June 26, 2008 workshop minutes as amended.

VOTE: Ayes 4; Nays 0.

15. ADJOURN It was moved and seconded to adjourn the meeting at 9:50 PM. VOTE:

Ayes 4; Nays 0.