

**LOWER MINNESOTA RIVER WATERSHED DISTRICT  
MINUTES  
Wednesday, December 16, 2009**

**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 7:01 PM on Wednesday, December 16, 2009 in the Council Chambers at the City of Chaska, Minnesota.

**2. ROLL CALL**

Managers present: Len Kremer, Don McCready, Larry Samstad, Ed Schlampp  
Also present: Laura Jester, Dakota SWCD, Bill Holm, Stanley Consultants, Joel Tosa, Wenck Associates, Inc., Gene Dietz, City of Eden Prairie, District's attorney Bruce Malkerson, staff members Terry Schwalbe and Joan Ellis

**3. APPROVAL OF MEETING AGENDA**

Manager Kremer asked to move the 10.a. under Old Business to 7.a. under Presentations and move 7.a. Carver County Annual Monitoring Report to 7.b.

**President Samstad moved and Manager McCready seconded approval of the meeting agenda as amended. VOTE: Ayes 4; Nays 0. Motion passed.**

**4. CONSENT AGENDA**

**President Samstad moved and Manager Schlampp seconded to remove the Hoff invoice and check to the January 2010 meeting where President Samstad will give a presentation. VOTE: Ayes 4; Nays 0. Motion passed.**

**Manager Kremer moved and Manager McCready seconded to approve the Consent Agenda as amended. VOTE: Ayes 4; Nays 0. Motion passed.**

**5. OPEN FORUM**

There were no speakers.

**6. NOVEMBER 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 January 2010 meeting.

**7. PRESENTATIONS**

a. City of Eden Prairie stream bank stabilization Phase I study results, Joel Toso, Wenck Assoc., Bill Holm, Stanley Consultants

Consultants reviewed the draft report dated December 10, 2009 with the board. Report is made a permanent part of the minutes. Funding discussion ensued. The estimated repairs are between \$1 - 2 million. The USACOE will not repair as there is no funding mechanism. Congress and the bonding bill are possible solutions for assistance. **President Samstad moved and Manager Schlampp seconded to approve a not to exceed amount of \$1,200 to conduct an analysis of the black ooze found at the stream bank. VOTE: Ayes 3; Nays 1. Motion passed.**

b. 2009 Carver County Annual Monitoring Report, Jen Irving for Greg Aamodt  
Ms. Irving reviewed the annual reports for W. Chaska Creek Station CH 1.0 Site, E. Chaska Creek Station EC1 site, E. Chaska Creek Station EC2 site, Brickyard, Courthouse, Fireman's Lakes. Reports are made a permanent part of the minutes.

## **8. PRESENTATIONS FOR BOARD ACTION**

### **a. 2010 Dakota County Monitoring Proposal**

The board discussed the proposal. President Samstad told the board the PCA can no longer fund the Willow Creek gauging station monitoring and lab work as there has been no funding increase in 12 years. The PCA owns the station and would like to see the District purchase the station at a cost of \$16,000. A letter would be needed from the District saying where they would like to monitor and request a transfer of ownership to the District. A discussion of where the station should go will be held at the January 2010 meeting. The Dakota County proposal was withheld pending a decision on the Willow Creek station.

### **b. 2010 Scott County Monitoring Proposal**

**Manager Kremer moved and Manager Schlampp seconded to approve the 2010 Scott County Monitoring Proposal as presented. VOTE: Ayes 4; Nays 0. Motion passed.**

## **9. NEW BUSINESS**

### **a. Willow Creek gauging station discussion, President Kremer**

This discussion was held under 8.a.

### **b. Report on the 2009 MAWD Conference, President Samstad, Manager McCready** Manager McCready gave his report to the board.

## **10. OLD BUSINESS**

### **a. Eden Prairie Bank Stabilization**

This item was discussed under 7.a. Presentations.

### **b. City of Eden Prairie stream bank stabilization Phase I grant review**

Mr Schwalbe indicated that there is a maximum of \$400,000 in grant money with \$100,000 from the District in the 2010 Comprehensive Competitive Grant Application.

### **c. Lobbyist Jeff Davidman's "Why Minnesota River Needs a River Basin" cover letter to legislators**

Staff will get final blessing from Lanning and Dahl on the cover letter and then send out Thursday to all representatives in our District.

### **d. Kraemer Mining PUD**

Mr. Schwalbe discussed Bonestroo's review of the PUD. The board directed staff to send out to Kraemer Mining.

### **e. Riverview Road, Eden Prairie ravine restoration**

Mr. Schwalbe reviewed Bonestroo's review of this issue with the board. A cover letter with the report will be sent to the City of Eden Prairie and the PCA.

## **11. ADMINISTRATOR REPORT**

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

Mr. Schwalbe indicated a meeting will be set within the next 3 weeks. Hess defined areas that need protection for a grant application.

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

This item discussed under 10.c.

c. Nine Foot Navigation Channel

(1) Report on meeting with USACOE

Mr. Schwalbe reported he met with the USACOE at the Cargill site to review the way the site looked and to determine ways that the disturbed soils will not happen again during dredging. They are going to do slope re-design. Mr. Schwalbe directed the board to look his memo dated December 10, 2009 in the board packet. This memo will become a permanent part of the minutes.

Mr. Schwalbe, Bruce Malkerson and Jeff Davidman met to discuss various items necessary to get ready for next year. A management plan needs to be finalized to present to the legislature. **Manager Kremer moved and Manager Schlampp seconded to authorize staff to review estimated mitigation amounts and capital cost development and authorized \$1,000 to find an expert to get the site ready. VOTE: Ayes 4; Nays 0. Motion passed.** Jeff Davidman to lobby the bill through.

**12. DISTRICT'S ATTORNEY REPORT**

Mr. Malkerson had nothing to report.

**13. UPCOMING MEETINGS/TOURS/EVENTS**

**a. Department of Administration**

Mr. Schwalbe indicated the cost to attend this meeting is \$75.00

**14. ADJOURN**

**Manager Schlampp moved and Manager McCready seconded to adjourn the meeting at 9:15 PM. VOTE: Ayes 4; Nays 0. Motion passed.**