

elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144
email: judie@jass.biz
www.elmcreekwatershed.org

TECHNICAL OFFICE
Barr Engineering
4300 Market Point Drive, Suite 200
Minneapolis, MN 55435
PH: 612.834.1060
email: jherbert@barr.com

Regular Meeting and Public Hearing Minutes September 9, 2020

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, September 9, 2020, by Chair Doug Baines.

Present were: Gerry Butcher, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; Kirsten Barta and Kris Guentzel, Hennepin County Dept. of Environment and Energy (HCEE); Jim Herbert and Joe Waln, Barr Engineering; James Kujawa, Surface Water Solutions; Amy Timm, Three Rivers Park District (TRPD); and Amy Juntunen and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Kent Torve, Wenck Associates, Corcoran; Nico Cantarero, Wenck Assocs., Dayton; Derek Ashe, Maple Grove; Ben Scharenbroich and Amy Riegel, Plymouth; and Andrew Simmons, Rogers.

Public present: Lisa Wyffels, Corcoran.

A. Motion by Guenther, second by Trainor to approve the **agenda*** as amended. *Motion carried unanimously.*

B. Motion by Guenther, second by Trainor to approve the consent agenda.

1. **Minutes*** of the August 12, 2020 regular meeting.

2. **September Treasurer's Report and Claims*** totaling \$36,383.92.

Motion carried unanimously.

[Weir and Jullie arrived 11:35 a.m.]

II. Communications.

A. Technical Services Budget.*

In his presentation, Herbert described the estimated hours and associated costs through August for the five tasks included in Barr's 2020 budget. Barr is projecting year 2020 costs will be well under the Commission's \$185,000 budget and Barr's \$160,000 proposed budget, although some of the individual line items will likely be over and some will be under the published budget.

B. FEMA Floodplain Mapping Project.*

Waln presented an update on the floodplain mapping project. He noted that the hydrologic modeling took a much greater effort than the estimated budget. During model calibration, Barr noticed that peak flows from the model are significantly lower than FEMA Flood Insurance Study flows. Adopting lower

RULE D - STORMWATER MANAGEMENT
RULE E - EROSION AND SEDIMENT CONTROL
RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
RULE H - BRIDGE AND CULVERT CROSSINGS
RULE I - BUFFERS

*indicates enclosure

CHAMPLIN - CORCORAN - DAYTON - MAPLE GROVE - MEDINA - PLYMOUTH - ROGERS

flows would allow development to occur closer to water bodies and with lower floor elevations. Ultimately, they concluded that the lower flows are justified.

DNR’s review of the hydrologic model resulted in major changes to the model. At the request of the DNR, six of the 75 existing subwatersheds were further subdivided into smaller watersheds for a total of 81. DNR also requested an additional 20 storage areas be added to the 29 storage areas already identified. These areas were reworked and the model recalibrated. The cost of the additional hydrologic model work has been \$25,000 more than was budgeted.

Hydraulic modeling is approximately fifty-percent complete and is on track to stay within budget if the scope of work remains unchanged.

With no further delays the project will finish in May 2021, an optimistic estimate given the DNR’s limited capacity to review and approve technical submittals within the timeframe assumed in the contract. The contract end-date is March 31, 2021.

Baines queried about the modeling of the Crow River area, which is not within the scope of the contract. [In checking with DNR and FEMA, Waln was advised that the Crow River area hydrology and hydraulics were updated as part of the Hennepin County FEMA map updates adopted in 2016. Wright County is scheduled to adopt those updates to their maps early next year.]

Tuominen noted that Champlin will complete the final phase of the Elm Creek Stream Restoration from the Hayden Lake Outfall to Elm Creek Crossing Road in 2021 and emphasized the importance of having the study completed by that time.

It was a consensus of the members to request additional funds from the DNR to complete the project. Staff will determine to whom that request should be made. It was suggested that Baines, as chair of the Commission, and Asche, as chair of the Technical Advisory Committee, should assist in the request presentation. [Jeff Weiss was identified as the contact person at DNR.]

[The regular meeting was suspended at 12:34 p.m.]

III. Public Hearing.

On May 13, 2020, the Commission, upon recommendation of its Technical Advisory Committee (TAC), approved a motion to move forward with a Minor Plan Amendment (MPA) to its Third Generation Watershed Management Plan to revise the Capital Improvement Program (CIP). The MPA would revise Table 4.5 of the Commission’s Third Generation Plan CIP in order to add three projects, remove one project, add more specificity to two projects, and shift the timing of one project currently listed on the CIP. These new projects and project updates were submitted by the member cities. Following a public meeting conducted by the Commission on June 10, 2020, the Commission adopted Resolution 2020-02 Adopting a Minor Plan Amendment.

Liz Weir, representative from Medina and Commission Vice Chair, was present at a meeting of a Committee of the Hennepin County Board on August 4, 2020, to answer questions regarding the amendment. The County Board approved the Minor Plan Amendment and adopted a 2020 maximum levy of \$185,588 for the Elm Creek Commission on August 11, 2020.

At their August 24, 2020 meeting, the Technical Advisory Committee approved a motion to recommend to the Commission funding of 25% of the cost of only the enhancement to the Street Sweeper, not the entire piece of equipment as is currently stated in the CIP. Motion by Butcher, second by Trainor to approve the recommendation of the TAC as stated above. *Motion carried unanimously.*

RULE D - STORMWATER MANAGEMENT

RULE E - EROSION AND SEDIMENT CONTROL

RULE F – FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION

RULE H – BRIDGE AND CULVERT CROSSINGS

RULE I – BUFFERS

*indicates enclosure

elm creek Watershed Management Commission

Regular Meeting and Public Hearing Minutes – September 9, 2020

Page 3

With that revision, the proposed projects for which the levy will be certified are:

Project 2020-01	Livestock Exclusions, Buffers, Stabilizations, Corcoran and Rogers	\$53,025
Project 2020-02	Agricultural BMPs Cost-Share, Corcoran and Rogers	\$53,025
Project 2020-03	Enhanced Street Sweeper, Plymouth	<u>\$31,512</u>
		\$137,562

Staff’s September 9, 2020 memo* describes the projects and shows the subsequent revisions to the CIP. Legal notice of today’s Public Hearing was published in the August 20 and 27, 2020 editions of the *Osseo-Maple Grove Press*. The purpose of the hearing is to present the proposed projects and proposed financing and to take comment from the member cities and the public.

[The public hearing was opened at 12:42 p.m.]

No written or verbal comments have been received from the cities, reviewing agencies, or the public. No additional discussion occurred among the members.

[The public hearing was closed at 12:43 p.m.]

With no further discussion, motion by Weir, second by Guenther to adopt Resolution 2020-02* Ordering 2020 Improvement Projects, Designating Members Responsible for Construction and Making Findings and Designating Commission Cost-Share Funding. *Motion carried unanimously.*

Motion by Weir, second by Guenther to approve the Cooperative Agreement with the City of Plymouth for Project 2020-03 and authorizing the Chair and the Administrator to execute the agreements for Projects 2020-01 and 2020-02 as the projects are identified. *Motion carried unanimously.*

[The regular meeting resumed at 12:46 p.m.]

IV. Open Forum.

V. Action Items.

A. Project Review 2020-026 Kariniemi Addition, Corcoran.* This is a 12.7-acre parcel located on Lot 3, Block 1 of the Rolling Hills Acres subdivision (ECWMC Project 2019-030) about a mile north of Highway 55 on the east side of Rolling Hills Road. The applicant proposes to create three lots with a shared driveway for access along the northerly portion of the property. Project work will disturb 2.6 acres and create 0.83 acres of new impervious areas. Staff’s findings dated August 27, 2020, are included in the meeting packet. Motion by Weir, second by Trainor to approve this project contingent upon an operations and maintenance agreement being created and approved by the City and Commission, recorded on the property title, and a copy of the recorded document being provided to the Commission. *Motion carried unanimously.*

B. Policy on Project Review Fees.* The Technical Advisory Committee (TAC) has completed its review of the fees generated with the development project reviews as well as the expenses incurred for reviewing those projects. The TAC proposes to move from the current fee structure to a more flexible escrow structure where the applicants will be required to fund the cost of the review in full. An additional percentage of the cost of the review will be collected to offset administrative (10%) and technical service (15%) costs. Pre-project assistance would be limited to a maximum of two hours before a formal application is required. Motion by Weir, second by Guenther to approve the proposed policy, effective January 1, 2021. *Motion carried unanimously.*

RULE D - STORMWATER MANAGEMENT
 RULE E - EROSION AND SEDIMENT CONTROL
 RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
 RULE H - BRIDGE AND CULVERT CROSSINGS
 RULE I - BUFFERS

*indicates enclosure

VI. Old Business.

VII. New Business.

VIII. Communications.

A. September Staff Report.*

B. August Project Updates – no report.

C. Earlier today the Commission received an email from an anonymous Medina resident regarding a church that is proposed to be built in the City of Corcoran at Highway 101 and 47. The writer lives in the Wild Meadows development and is concerned about the additional traffic, associated noise and salt pollution, and safety concerns this project will create. Weir and Guenthner, as representatives from Medina and Corcoran, spoke to the resident's concerns. Area development is under the purview of Metropolitan Council and the City. The Commission will not respond but will forward this correspondence on to the cities affected.

IX. Education and Public Outreach.

WMWA. The **West Metro Water Alliance's** September 8, 2020 meeting was cancelled. Their next meeting will be held via Zoom on Tuesday, October 13, 2020, at 8:30 a.m. The Zoom number is provided here so that Commissioners and TAC members can participate. It is <https://us02web.zoom.us/j/922390839> or call in at any of these numbers using meeting ID: 922 390 839: (1) +1 301 715 8592 US (Germantown); (2) +1 312 626 6799 US (Chicago); (3) +1 929 205 6099 US (New York); or (4) +1 253 215 8782 US (Tacoma)

Creation of the roots displays continues.

X. Grant Opportunities and Project Updates.

XI. Other Business.

A. The **projects** listed on the following page are discussed in the September Staff Report.

B. Adjournment. There being no further business, motion by Weir, second by Trainor to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:14 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

Z:\Elm Creek\Meetings\Meetings 2020\September 9, 2020 Regular meeting and public hearing minutes.docx

elm creek Watershed Management Commission

Regular Meeting and Public Hearing Minutes – September 9, 2020

Page 5

Item No.	A	E	I R PFI	AR	Project No.	Project Name
			RP D			
					W Denotes wetland project	
ah.				AR	2014-015	Rogers Drive Extension, Rogers.
ai.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
aj.				AR	2016-002	The Markets at Rush Creek, Maple Grove.
ak.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
al.				AR	2016-047	Hy-Vee North, Maple Grove.
am.				AR	2017-014	Laurel Creek, Rogers.
an.				AR	2017-029	Brayburn Trails, Dayton.
ao.				AR	2017-039	Rush Creek Apartments, Maple Grove.
a.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
b.					2018-020	North 101 Storage, Rogers.
ap.				AR	2018-026	Windrose, Maple Grove.
aq.				AR	2018-028	Tricare Third Addition, Maple Grove.
c.					2018-046	Graco, Rogers
ar.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
as.				AR	2019-001	Fernbrook View Apartments, Maple Grove.
at.				AR	2019-002	Parkside Villas, Champlin.
au.				AR	2019-021	Brenly Meadows, Rogers.
d.					2019-024	Boston Scientific, Maple Grove.
av.				AR	2019-027	Havenwood at Maple Grove.
aw.				AR	2019-032	OSI Expansion, Medina.
e.					2020-001	Outlot L, Markets at Rush Creek, Maple Grove.
f.					2020-002	Project 100, Maple Grove.
g.					2020-008	Ione Gardens, Dayton.
ax.				AR	2020-009	Stetler Barn, Medina.
h.					2020-013	Territorial Greens Residential (West), Maple Grove.
i.					2020-014	Territorial Greens Residential (East), Maple Grove.
j.					2020-015	Dayton Interchange Business Center, Dayton.
k.					2020-016	Lennar Terr Road Development (Skye Meadow), Rogers.
l.					2020-017	Meadow View Townhomes, Medina.
m.					2020-021	Industrial Boulevard Extension Project, Rogers.
n.					2020-022	Elm Road Area Street & Utility Project, Maple Grove.
o.					2020-023	Ziegler Dayton Site Upgrades, Dayton.
p.					2020-024	Walti Culvert Exchange, Corcoran.
q.		E			2020-025	Paulsen Farms, Corcoran.
r.		E			2020-026	Rogers HS Addition and Renovation, Rogers.
s.	A	E			2020-027	Kariniemi Addition, Corcoran.
t.		E			2020-028	Perl Gardens, Plymouth.
u.					2020-029	Sundance Greens 5th Addition, Dayton.

A= Action item E = Enclosure provided I = Informational update will be provided at meeting R PFI - removed pending further information
R = Will be removed RP= Information will be provided in revised meeting packet..... D = Project is denied AR awaiting recordation

RULE D - STORMWATER MANAGEMENT
RULE E - EROSION AND SEDIMENT CONTROL
RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
RULE H - BRIDGE AND CULVERT CROSSINGS
RULE I - BUFFERS

*indicates enclosure

CHAMPLIN - CORCORAN - DAYTON - MAPLE GROVE - MEDINA - PLYMOUTH - ROGERS