

# elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE  
3235 Fernbrook Lane  
Plymouth, MN 55447  
PH: 763.553.1144 • FAX: 763.553.9326  
Email: judie@jass.biz  
www.elmcreekwatershed.org

TECHNICAL OFFICE  
Hennepin County  
Dept. of Environment and Energy  
701 Fourth Ave S Suite 700  
Minneapolis, MN 55415-1600  
PH: 612.348-7338 • FAX: 612.348.8532  
Email: James.Kujawa@hennepin.us

## Technical Advisory Committee *(beginning on page 1)* and Regular Meeting *(beginning on page 2)* Minutes – December 11, 2019

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:03 a.m., Wednesday, December 11, 2019, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by James Kujawa.

In attendance: Kevin Mattson, Corcoran; Sarah Nalven, Wenck Associates, Dayton; Derek Asche, Maple Grove; Kaci Fisher, Hakanson Anderson, Medina; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; James Kujawa, Kris Guentzel, and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Jeff Weiss, Barr Engineering; Brian Vlach, Three Rivers Park District (TRPD); and Judie Anderson, JASS.

Not represented: Champlin.

Also present: Ken Guenthner, Corcoran; Doug Baines, Dayton; Liz Weir, Medina; Nico Cantarero, Wenck Associates; and Steve Christopher, Board of Water and Soil Resources (BWSR).

A. Motion by Scharenbroich, second by Fischer to approve the **agenda\*** *Motion carried unanimously.*

B. Motion by Asche, second by Scharenbroich to approve the **minutes\*** of the October 9, 2019 Technical Advisory Committee meeting with the following correction:

II. Motion by Asche Simmons, second by ~~Tuominen~~ Barta to recommend to the Commission that Barr Engineering be named as the Commission's Technical Consultants... .

*Motion carried unanimously.*

### II. **Joint Powers Agreement.\***

Included in the meeting packet was a redlined version of the 2004 JPA. It has been reviewed and redlined by the Commission's attorney, Joel Jamnik. Most of the edits were to bring the document into conformance with the most current State Statute language and to bring the historical references up-to-date. The members considered placing a cap on annual increases in member assessments. After discussion, the members requested a spreadsheet showing past annual member assessments, including associated market values. It was also preliminarily agreed that the revised JPA should have an expiration date. This information will be provided at the January TAC meeting along with a redlined version of the current Rules.

### III. **Project Review Fees.**

A. Included in the meeting packet were the following: (1) the project review application form dated September 1, 2019;\* (2) the project review fee schedule and worksheet dated September 1, 2019;\* (3) the Commission's 2020 approved operating budget;\* (4) Weiss' November 6, 2019 email entitled, *Fees vs. Spent*.\*

---

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

(5) spreadsheet showing all 2019 project review activity to date;\* and (6) Weiss’ December 4, 2019 email describing in more detail a summary of projects Barr has reviewed.

**B. Discussion.**

1. The members discussed a pattern where expenses exceeded revenue, such as for linear projects.
2. Is there a category of projects that may trigger using a fee plus escrow structure?
3. What is the process used by the cities before application is made to the Commission?
4. Compare budget accounts to actual.
5. Create an account for time spent on development projects that is not [cannot be] assessed to specific projects. Responses to requests for pre-application information.

Staff will compile available information for the January meeting.

**IV. Future TAC Meeting Topics.**

- A. Draft policy for future wetland restoration projects.
  - B. Land acquisition request in Champlin. Should the Commission have a policy for such requests?
- V. The next meeting of the TAC will be 10:00 a.m., Wednesday, January 8, 2020, prior to the regular meeting. The meeting of the Technical Advisory Committee was adjourned at 11:20 a.m.

---

I. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:34 a.m., Wednesday, December 11, 2019, in the Mayor’s Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Chairman Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; James Kujawa, Kris Guentzel, and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Sarah Nalven and Nico Cantarero, Wenck Associates, Dayton; Derek Asche and Mark Lahtinen, Maple Grove; Kaci Fisher, Hakanson-Anderson, Medina; Catherine Cesnik and Ben Scharenbroich, Plymouth; and Andrew Simmons, Rogers.

- A. Motion by Walraven, second by Weir to approve the **agenda**.\* *Motion carried unanimously.*
- B. Motion by Moore, second by Guenther to approve the **minutes**\* of the November 13, 2019, regular meeting. *Motion carried unanimously.*
- C. Motion by Butcher, second by Weir to approve the December **Treasurer’s Report and Claims**\* totaling \$222,004.20. *Motion carried unanimously.*

**II. Open Forum.**

**III. Action Items.**

**IV. Old Business.**

**V. New Business.**

Members of the **Technical Advisory Committee** recapped their meeting held prior to this meeting. They will continue discussion of revisions to the Commission’s Joint Powers Agreement (JPA), Rules and Project Review fee schedule at their January 8, 2020 meeting. [A call into Steve Christopher ascertained that BWSR does not need to approve the JPA prior to approval by the member cities.]

**VI. Communications.**

Kujawa recapped two project reviews that were included in the meeting packet but which did not require action by the Commission. More information is also included in the Staff Report.\*

**A. 2017-050W Ernie Mayers Wetland/floodplain violation, Corcoran.\*** The Technical Evaluation Panel (TEP) and the LGU (the City of Corcoran) denied the application.

**B. 2019-030 Rolling Hills Acres, Corcoran.\*** Staff approved this project with two contingencies.

**VII. Education and Public Outreach.** The West Metro Water Alliance (**WMWA**) met yesterday. (Their next meeting is scheduled for 8:30 a.m., Tuesday, January 14, 2020, at Plymouth City Hall. Please check for the location of the meeting room due to building remodeling.)

**A. Watershed PREP and Education and Outreach Events.** Educators have completed 2019 school visits. The educators are available to table at city and school events; contact Amy Juntunen at [amy@jass.biz](mailto:amy@jass.biz). The educators, working with local cable provider CCX Media, filmed one of their classroom presentations and are preparing a short promotional video for Watershed PREP for use both in marketing to schools in the four watersheds as well as informing other watersheds about the program.

**B. Website/Social Media.** The new WMWA Coordinator (Catherine Cesnik) will be reviewing the WMWA website to refresh and update content. Any input is appreciated. [westmetrowateralliance.org/](http://westmetrowateralliance.org/). In addition, the coordinator will take over social media posting duties when the contract with Lawnchair Gardener expires at the end of 2019.

**C. Other.** Cesnik is compiling a list of city contacts and will be reaching out to each over the next few months to better understand how WMWA can be a resource. The WMWA steering committee particularly discussed the new education and outreach requirements in the draft MN NPDES General Permit. Scharenbroich noted that reconstruction projects and chloride reduction are two foci of the permit.

**D.** The steering committee also discussed options for submitting an application to Hennepin County and its **AIS grants program** for coordinated signage at boat launches. DNR standard AIS signs are generic and signage that includes photos of AIS species of particular concern would be helpful. The group will contact Hennepin County staff to further explore options.

**VIII. Grant Opportunities and Project Updates.**

**A.** Earlier this year the Board of Water and Soil Resources (BWSR) was awarded \$900,000 from the Environment and Natural Resources Trust Fund (ENRTF) to fund the **“Lawns to Legumes” program.\*** Lawns to Legumes is part of the state of Minnesota’s pollinator initiative, and is aimed particularly at enhancing rusty-patched bumble bee and other at-risk pollinator habitat. This program has three legs: (1) grants to individuals to assist them with planting new or enhanced plantings; (2) Demonstration Neighborhood Grants to groups to undertake larger projects; and (3) public education and outreach, including creation and dissemination of educational materials. More information can be found at <https://bwsr.state.mn.us/lawns-legumes-your-yard-can-bee-change>.

**B.** In her December 11, 2019 memo,\* Barta provided an update on the projects funded as part of the **North Fork Rush Creek SWA grant program**. The weather impeded progress by the subcontractors undertaking the work. An Open House is planned this winter to highlight available implementation funds and other program information.

*[Tuominen arrived 11:57 a.m.]*

**IX. Other Business.**

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

**B. Adjournment.** There being no further business, the meeting was adjourned at 12:02 p.m.

Respectfully submitted,



Judie A. Anderson, Recording Secretary

JAA:tim

Z:\Elm Creek\Meetings\Meetings 2019\12 Regular and TAC meeting minutes.docx

**elm creek Watershed Management Commission**

TAC and Regular Meeting Minutes – December 11, 2019

Page 5

Item No.					Project No.	Project Name
					W Denotes wetland project	
ag				AR	2013-046	Woods of Medina, Medina.
ah.				AR	2014-015	Rogers Drive Extension, Rogers.
a.					2015-004	Kinghorn Outlet A, 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.
b.					2016-040	Kinghorn 4 <sup>th</sup> Addition, Rogers.
c.					2016-047	Hy-Vee North, Maple Grove.
al.				AR	2017-014	Laurel Creek, Rogers.
am.				AR	2017-017	Mary Queen of Peace Catholic Church, Rogers.
an.				AR	2017-029	Brayburn Trails, Dayton.
d.					2017-039	Rush Creek Apartments, Maple Grove.
e.		E			2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
ao.				AR	2018-018	Summers Edge Phase II, Plymouth.
f.					2018-020	North 101 Storage, Rogers.
ap.				AR	2018-026	Windrose, Maple Grove.
aq.				AR	2018-028	Tricare Third Addition, Maple Grove.
ar.			R	AR	2018-038	Vincent Woods of Roger.
as.				AR	2018-044	OSI Phase II, Medina.
g.					2018-046	Graco, Rogers
at.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
h.					2019-001	Fernbrook View apartments, Maple Grove.
au.					2019-002	Parkside Villas, Champlin.
i.			R		2019-016	Rogers Retail Development, Rogers.
av.					2019-021	Brenly Meadows, Rogers.
aw.					2019-022	Comlink Midwest, Corcoran.
ax.					2019-023	99th Avenue Apartments, Maple Grove.
j.					2019-024	Boston Scientific, Maple Grove.
k.					2019-026	Interstate Power Systems, Rogers.
ay.					2019-027	Havenwood at Maple Grove.
l.					2019-028	Howell Meadows, Maple Grove.
m.					2019-029	South Prominence, Maple Grove.
n.		E			2019-030	Rolling Hills Acres, Corcoran.
o.					2019-031	Hassan Sand and Gravel Expansion, Rogers.
p.					2019-032	OSI Expansion, Medina.

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