

# Bassett Creek Watershed Management Commission

## Minutes of the Meeting of October 15, 2009

### 1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:40 a.m., Thursday, October 15, 2009, at Golden Valley City Hall by Chair Welch. Ms. Herbert conducted roll call.

#### Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf, Secretary	<i>Counsel</i>	Charlie LeFevere
<i>Golden Valley</i>	Commissioner Linda Loomis, Treasurer	<i>Engineer</i>	Karen Chandler
<i>Medicine Lake</i>	<i>Not represented</i>	<i>Recorder</i>	Amy Herbert
<i>Minneapolis</i>	Commissioner Michael Welch, Chair		
<i>Minnetonka</i>	Commissioner Kris Sundberg		
<i>New Hope</i>	Commissioner Daniel Stauner		
<i>Plymouth</i>	Commissioner Ginny Black		
<i>Robbinsdale</i>	Commissioner Wayne Sicora		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Also present: Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park  
Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth  
Jack Frost, Metropolitan Council  
Dave Hanson, Alternate Commissioner, City of Golden Valley  
Al Lundstrom, BCWMC Technical Advisory Committee, City of Golden Valley  
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal  
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale  
Stu Stockhaus, Alternate Commissioner, City of Crystal  
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka  
Liz Thornton, Alternate Commissioner, City of Plymouth

### 2. Approval of Agenda and Consent Agenda

Chair Welch added 6G – update on the Medicine Lake TMDL study. Ms. Herbert requested the addition to the Administrative agenda item 4C of invoice iv to the Lakeshore Weekly News in the amount of \$180.40 for the publication of the September public hearing notice. Mr. LeFevere asked to be removed from the Consent Agenda. Ms. Loomis moved to approve the agenda as amended. Ms. Black seconded the motion. The motion carried unanimously [City of Medicine Lake absent from the vote]. Ms. Black moved to approve the Consent Agenda as amended. Ms. Loomis seconded the motion [City of Medicine Lake absent from the vote].

### 3. Citizen Input on Non-Agenda Items

No Citizen input on non-agenda items.

### 4. Administration

- A. Presentation of the September 17, 2009, BCWMC meeting minutes. The September 17, 2009, minutes were approved as part of the Consent Agenda.
- B. Presentation of the Financial Statement. The October financial report was received and filed as part of the Consent Agenda.

The general and construction account balances reported in the October 2009 Financial Report are as follows:

Checking Account Balance	540,539.75
<i>TOTAL GENERAL FUND BALANCE</i>	<i>540,539.75</i>
Construction Account Cash Balance	2,618,005.33
Investment due 10/18/2010	533,957.50
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>3,151,962.83</i>
-Less: Reserved for CIP projects	3,261,662.25
<i>Construction cash/ investments available for projects</i>	<i>(109,699.42)</i>

C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through August 31, 2009 - invoice for the amount of \$3,285.55.
- ii. Barr Engineering Company – September Engineering Services - invoice for the amount of \$23,284.53.
- iii. Amy Herbert – August Recording Administrator Services - invoice for the amount of \$2,001.79.
- iv. Lakeshore Weekly News – Public Hearing Notice Publication - invoice for the amount of \$180.40.

Ms. Loomis moved to approve the payment of the invoices. Ms. Black seconded the motion. By call of roll, the motion carried unanimously [City of Medicine Lake absent from the vote].

## 5. New Business

- A. **Maintenance of Bassett Creek Watershed Channel Restoration Projects.** Chair Welch stated that the Commission discussed last month that the cost of ensuring the establishment of live plant elements of CIP projects and specifically channel restoration projects is part of project implementation costs. Jim Herbert of Barr Engineering put together a memo, included in the meeting packet, on the topic of project maintenance. Chair Welch explained that the memo outlined the various kinds of projects and their structures that require ongoing maintenance. He said the memo is for Commission discussion and that the Commission should provide direction to the Commission’s Technical Advisory Committee (TAC) for its discussion and recommended changes to Commission policy.

Chair Welch said the Commission’s overall policy is that the Commission pays for implementation of capital projects and the member city in which the project is located pays for ongoing maintenance.

Ms. Chandler said that maintenance of the flood control projects is fairly clearly spelled out regarding the demarcation between where the cities are doing routine maintenance and where the Commission needs to step in. She said that maintenance of water quality and stream restoration projects aren’t specifically addressed in the Commission’s *Watershed Management Plan* or in the Commission’s Cooperative Agreements with the cities and said the Commission may want to look

into that further. She added that Barr didn't make a detailed review of the Joint Powers Agreement for specific language about maintenance.

Chair Welch said it would be interesting to get the TAC's perspective on the idea of using the Commission's capital funds for maintenance if the Commission could displace some of the capital costs with outside funding. He said he would like the Commission to discuss the TAC's recommendation at the November or December BCWMC meeting. He said the Commission wants to be sure that the cities can build and maintain the projects before the Commission levies for the projects. He said that at the same time the Commission wants to reduce costs for the taxpayers if the Commission can get funding from outside the organization and there is a lot of funding available right now.

Chair Welch commented that outside of the funding from the U.S. Army Corps of Engineers for the flood control project, the Commission hasn't used a lot of outside funds so the present opportunities for outside funding will test the Commission's policies. He said the Commission will want to decide how to deal with the possibility of receiving outside funds. Chair Welch stated that one option would be to lower the levy in the next year or another option would be to maintain the levy amount, since Hennepin County has expressed its support for maintaining the levy at a steady amount from year to year, and then use the capital funds to extend the capabilities of the Commission. Chair Welch said that unless there were any objections, he is directing Ms. Chandler to add that issue to the next TAC discussion.

Mr. Stauner remarked that he would like to hear from the TAC on how it would envision the process of funding from the Commission work. He said his understanding is that the Commission levies for the construction of specific projects but if it were to levy for ongoing expenses it would need some sort of ongoing levy. Mr. Stauner said the Commission would need some sort of mechanism to project the ongoing expenses for the project and a mechanism would need to be in place for processing the requests for maintenance for projects. He said he isn't sure on whether the Commission's *Plan* would need to be amended to include discussion of the funding of maintenance.

Ms. Loomis asked if state law dictates that levying for maintenance costs would need to be part of the Commission's *Plan*. Mr. LeFevere said the authority under which the Commission levies is specific to capital projects in the CIP and the projects have to be in the *Plan* as well. Maintenance costs would have to come from the Commission's levy to the member-cities. Chair Welch noted that the TAC would need to consider that important piece of information.

Mr. Sicora stated that the Commission could consider extending the term of the contracts with the contractors regarding the maintenance of plantings so that the contractors are responsible for maintaining them for five years. Chair Welch said he would consider those costs as implementation costs. He said that maintenance has long been an issue when the Commission has considered permit applications and in its consideration of capital projects. Ms. Black commented that she would like the Commission to build some flexibility into the policy so it could consider funding a portion of maintenance costs in the case where they are unusually expensive (e.g., chemical treatment facilities).

Chair Welch stated that the TAC should consider in its discussion that there needs to be a written commitment built into the Cooperative Agreements that the Commission has with its member cities and that the Commission may need to look into a *Plan* amendment to solidify the policy even if the Minnesota Board of Water and Soil Resources doesn't require it. He said he thinks a maintenance declaration, where the maintenance and schedule is recorded on the deed, is an effective tool. Chair Welch commented that Barr may need to amend its memo before it goes to the TAC for its discussion at the November TAC meeting.

Mr. Stauner remarked that he thinks the TAC should also look at how ongoing maintenance as part of a proposed capital project should affect the Commission's evaluation of the project for inclusion in the CIP. He said ongoing maintenance costs for projects would need to be evaluated.

Mr. LeFevere remarked that the cities may not be too happy about having their own citizens paying for maintenance for projects in their own cities and then also being levied by the Commission to pay for maintenance for projects in their own cities. Chair Welch said the Commission needs to be able to say what outcome it needs but the cities determine how to accomplish the goal. Chair Welch said he would be glad to review Barr's revised memo before it goes out to the TAC.

- B. BCWMC's Review of City of Crystal's Local Surface Water Management Plan.** Chair Welch said that Ms. Chandler of Barr has completed the review of the City of Crystal's Local Water Management Plan and asked Ms. Chandler if she wanted to bring any particular items to the Commission's attention. Ms. Chandler noted that Barr and the City of Crystal hadn't yet had the opportunity to discuss Barr's draft comments but she is interested in hearing any comments from the City. She stated that overall the plan was good. She said the plan doesn't discuss all of the different kinds of projects that need to be reviewed by the Commission besides the water quality projects. Ms. Chandler also stated that the plan needs to clarify the Commission's role in the city's permitting process. She explained that in her memo detailing the review, the items in bold are the items that the Commission is either requiring or requesting the City to address.

Ms. Chandler said there is a correction on page 7, items 20 and 21. She said the bold text for those two items needs to be deleted and that those two items meet the requirements. Ms. Chandler noted that the City of Crystal included its streambank inventory in the Plan's appendix. She said the Plan also incorporates the City's MS4 SWPPP. Chair Welch added that the Metropolitan Council delivered its comments on the plan to the Commission already. Ms. Chandler stated that the Met Council reviewed the plan and stated that the plan is fine. Chair Welch moved for the Commission to forward Barr's memo, with the corrections discussed by Ms. Chandler, to the City of Crystal for its response. Ms. Loomis seconded the motion. The motion carried unanimously [City of Medicine Lake absent from the vote].

**C. Education and Public Outreach Committee**

- a. Teacher Focus Group.** Ms. Langsdorf said the Committee would like to hold a focus group of teachers of several grade levels to find out what type of watershed education resources they have, what type they need, what type of materials they would use, what barriers they encounter when they use the current watershed education resources, what types of barriers they see to applying to for BCWMC education grants, and how the Commission can better direct the grant program.

Ms. Langsdorf said there are a number of members serving on the Committee that have extensive experience working with the schools and who have volunteered to put together the focus group and to chair it. She said the Committee would like to invite up to ten teachers and to provide each participant with a stipend of \$100 for participating in the focus group with a maximum cost to the Commission of \$1,000. She said there are funds available in the budget since the cost of the "10 Things" brochure was six cents per brochure rather than the twenty-five cents per brochure cost that was anticipated.

Ms. Sundberg asked if the Committee thinks the stipend would be necessary for the Committee to get individuals to participate in the focus group. Ms. Langsdorf said she didn't know if it were necessary but that she sees their participation as service to the Commission in a consultant capacity. Ms. Sundberg said she is more familiar with

focus groups in the business sector and said that although she sees the stipend amount as reasonable she just sees it as payment to them for helping us ultimately help them. Chair Welch remarked that there should be a diversity of teachers who participate in the focus group and the participants should be teachers who have experience and an interest in watershed issues. He also commented that the group facilitations need to be designed to get the broadest possible impact. Ms. Black said the Committee would be interested in any recommendations for possible participants. Mr. Stauner commented that he thinks the focus group is worth the investment.

Ms. Sundberg moved to approve the funds up to \$1,000 for the Education Committee to facilitate the focus group. Mr. Stauner seconded the motion. The motion carried unanimously [City of Medicine Lake absent from the vote].

- D. **Ballpark Authority Easement Agreement.** Mr. LeFevere said the legal counsel for the Ballpark Authority (BPA) sent a proposed storm sewer easement. Mr. LeFevere said the easement has a lot of problems with it and it contains proposed changes that would be disadvantageous to the City of Minneapolis and the BCWMC. He said Mr. Kremer is contacting the BPA to try to get the BPA to reimburse the BCWMC for its costs associated with dealing with the easement issue. Mr. LeFevere said he hasn't yet heard from Mr. Kremer if the BPA has responded. Mr. LeFevere said it is important that the City of Minneapolis play a central role in handling the issue. Chair Welch said this is just an informational item for the Commission.

## 6. Old Business

- A. **Circle Park Pond Improvements: Plymouth.** Ms. Chandler reported that Circle Park Pond is tributary to Parkers Lake. She said the pond is a treatment project for treating water that would go into Parkers Lake. Ms. Chandler said the project was authorized by the Commission in 2005 and a Cooperative Agreement was put into place with a project cost of \$42,000. She explained that the Commission Engineer reviewed the plans and saw that a skimmer structure was necessary, which added \$14,000 to the project cost.

Ms. Chandler stated that an amendment to the agreement was drawn up and approved by the Commission in January 2006 but it was recently discovered that the amendment had not been executed. She said the Commission needs to sign the amendment. Chair Welch added that the Commission levied for the \$42,000 but not for the additional \$14,000 so those funds would need to come out of the closed project account. Mr. LeFevere added that when he reviewed the meeting minutes from January 2006 he read that Mr. Kremer explained that Commission funds were left over from other projects and could be used for the \$14,000 project cost increase. Mr. LeFevere stated that it was the first time the Commission was using funds from the closed account fund, which was established in October 2005.

- B. **Proposed BCWMC Projects for Clean Water Fund Grant.** Chair Welch explained that the application process opened today for the Minnesota Board of Water and Soil Resources (BWSR) Clean Water Fund grants. He said the Commission has identified the Plymouth Creek and the Bassett Creek Main Stem restoration projects as good candidates for funding. Ms. Chandler said that the Northwood Lake project (NL-2) would also be a good candidate. She said she has a few more comments after receiving information at a BWSR-run informational meeting she attended yesterday on the grant funds and the application process. Ms. Chandler said the application is online in the form of a spreadsheet and applications are due December 1.

She said that the memo from Barr in the meeting packet had discussed the potential for applying for grant funds for the Wirth Lake outlet structure. However, Ms. Chandler noted that the Wirth Lake TMDL is not yet completed and the structure modification is not yet part of the TMDL

implementation plan, and the structure modification is not identified on the Commission's CIP. In discussing the idea with BWSR staff at the meeting, she thinks that other projects applying for funding would get higher priority. For that reason, Ms. Chandler recommends holding off on applying for the grant funds for that project until it is in the TMDL implementation plan and/or the Commission's CIP.

Ms. Chandler said the funding comes through the legislature each year, which means that next year there could be differences in the application process or in the guidelines for which types of projects qualify. She said that the legislature required that the funds be used for long-term projects, which means projects that show benefits for ten years or longer. Ms. Chandler said the message she heard was that biological control projects, such as carp management and aquatic plant management, don't meet that long-term qualification because it can't be shown that the benefits of those types of projects last for ten years. She said another message from the meeting was that even though the grant recipients have two years to spend the funds, the more ready the projects are to be implemented, the more likely they are to receive funds.

Chair Welch said that given that information, since the Plymouth Creek and Bassett Creek Main Stem projects have been ordered, they are really ready to go and since the Northwood project hasn't been ordered yet, maybe it is less of a candidate.

Ms. Black asked if a funding match is required. Ms. Chandler said yes. Ms. Black commented that generally matches cannot come from other state or federal funds. Ms. Black asked if County money can be used for the match. Chair Welch said yes unless the County's money was federal or state funds. Chair Welch recommended holding off on applying for grant money for the Wirth Lake outlet project until next year when it would hopefully be part of a TMDL implementation plan. He requested that Barr speak with Joel Settles to find out when Hennepin County will make its decision on how it's going to use its funding. He also directed Barr to follow up with Golden Valley and Plymouth with regard to applications. Mr. Stauner asked about the status of a project in Plymouth regarding a wetland near Highway 169. Mr. Asche replied that it is in the City's CIP and is briefly mentioned in the City's Local Surface Water Management Plan. Chair Welch said it is also in the BCWMC's CIP. Ms. Chandler said it is in the BCWMC's CIP for construction in 2011 – 2012. Chair Welch asked Barr to follow up with the City of Plymouth on its proposed timing for that project and to complete the grant application for the Plymouth Creek and the Bassett Creek Main Stem restoration projects.

Ms. Langsdorf reported that Brad Wozney, BWSR, attended the last Joint Education and Public Outreach meeting. She said that the group asked him about funding from the grant program for education and public outreach. She said he responded that when included as part of a larger project application that funding is available for public outreach-type education. He said projects applying for funding would rank higher if there was a component of public outreach. Ms. Langsdorf stated that Mr. Wozney specifically stated that "a civic engagement piece is important in 2010 funding."

Ms. Chandler asked if the cities are going to be taking the lead in completing the grant application or if the Commission will be taking the lead. Chair Welch stated that she should discuss that with the cities but that he feels the Commission should take the lead if the cities wish and are comfortable with it. He said he thinks it would look better for a joint powers organization to apply than for a city alone. Chair Welch said he thinks it would be overkill for the cities to provide letters of support but Barr should ask BWSR if the Commission should get letters of support. Ms. Black said BWSR should be asked whether it makes any difference who applies as long as if it is the city applying then there is a letter of support from the Commission stating that the cities typically manage the projects for the Commission and therefore the cities are the ones applying for the grant and so on.

Chair Welch said that it makes sense to him that since the Commission is the funding entity then it should be the applicant. Ms. Black asked if the Commission would manage the funds. Mr. LeFevere said the cities could be sub-grantees. Ms. Black said that means the cities would manage the funds anyway. Chair Welch said he is inclined for the Commission to apply for Northwood also unless the Commission receives feedback from BWSR that the project wouldn't be a competitive applicant. Ms. Chandler said there may be a problem if the city's CIP shows the project as a 2012 or later project. Chair Welch said the city may be willing to push the project up if there is funding available. Ms. Black said the City still has the opportunity to change the timing in the City's CIP.

Ms. Chandler said that Mr. Wozney mentioned at yesterday's meeting that projects that are still in the feasibility stage should wait.

Chair Welch asked if Ms. Chandler needed more direction than has already been discussed. Ms. Chandler said no but if Barr gets into the process and finds it is different than expected, she would want the opportunity to discuss it with the Commission. Chair Welch said Ms. Chandler should contact him and then, if it is deemed necessary, a meeting of the Commission's Executive Committee could be called. He pointed out that there is one more Commission meeting before the application deadline.

Ms. Chandler said the Minnesota Conservation Corps (Conservation Corps) was at yesterday's forum. She said the Commission could utilize them as the Commission would a contractor regarding maintenance and inspections of plantings and it would be fairly low cost. She said the Conservation Corps also gets an annual \$500,000 grant directly from BWSR so if a Commission project qualifies for funding then the Commission may not need to pay all of the costs.

Chair Welch said the Commission should keep that idea on its radar and asked Barr to mention the idea in the discussion with the TAC at its November meeting. He said Barr could let the TAC know that the Commission could facilitate contracts with the Conservation Corps and bring in those funds.

Mr. LeFevere added that the Commission prioritized projects for inclusion in the CIP and more projects than the ones listed in the 10-year CIP have been identified in the Commission's *Plan* as CIP projects. Mr. LeFevere suggested that in regard to available grant funds the Commission could consider moving forward some CIP projects not originally listed on the 10-year CIP. He said the Commission could either use grant funds for CIP projects as a way of reducing the cost of those projects to the Commission and member-cities or the Commission could spend the amount of money originally budgeted and complete more water quality projects.

Chair Welch reminded the Commission that it added the major component of streambank restoration projects since the Commission developed its original CIP.

Chair Welch asked when the Commission would receive feedback on whether or not it would receive grant funding. Ms. Chandler said BWSR will make its decisions on January 27<sup>th</sup>.

- C. **Discuss Revisions to the BCWMC's Joint Powers Agreement.** Chair Welch noted that Mr. LeFevere's memo regarding potential housekeeping-type revisions to the BCWMC's Joint Powers Agreement (JPA) was included in the meeting packet. He said the issue in front of the Commission today is whether or not the Commission wants to pursue revising the JPA. Chair Welch added that no recommendations for changes were submitted by commissioners.

Mr. LeFevere reported that from a legal point of view, everything the Commission wants to do can be done under the current JPA. He said the Commission began discussing a revision process for

the JPA because the Commission identified it as a priority during a brainstorming session on future Commission tasks. Ms. Black added that it was an idea included in the brainstorming session because Springsted, Inc. identified it as a potential task in the organizational analysis. Ms. Black said there is only one item listed in Mr. LeFevere's memo that she sees would be helpful if it were revised at this time. She said that memo item number 7 that recommends changing the 45-day mailed notice of public hearings to member cities to align it with the shorter notice requirement of state law. Mr. LeFevere commented there are provisions in the JPA that repeat provisions of state law, which opens up the risk of the JPA needing to be amended if the state law is changed. Ms. Loomis pointed out that it could cause some confusion for people who may not know that state law supersedes the JPA in the case that the state law documented in the JPA is outdated. The Commission decided it would take no action on the JPA.

- D. **Collateralization of BCWMC Funds.** Chair Welch reported that there is a state law requiring that Commission's funds be secured. He explained that the Commission's funds are secure since they are in a non-interest bearing account and the FDIC has a provision that such funds are insured to an unlimited amount. Chair Welch said the provision expires on June 30, 2010, so the Commission will need to revisit the issue.
- E. **Wirth Lake TMDL Study.** Ms. Chandler reported that the draft TMDL report is half complete and will be submitted to the MPCA in November. She said the draft will go to the MPCA before it goes to the Commission. Chair Welch asked if the Commission will receive it by the November meeting. Ms. Chandler said she wasn't sure if it would be ready to send with the November meeting packet.
- F. **Sweeney Lake TMDL Study.** Ms. Chandler said Mr. Leaf asked Barr to report some information. She said Mr. Leaf expects to receive comments from the MPCA in mid-November regarding their review of the draft Sweeney Lake TMDL report. Ms. Chandler said Mr. Leaf explained that the Commission should review the comments, once available, for discussion at the BCWMC's December 17<sup>th</sup> meeting. She stated that Mr. Leaf also hoped to have a more detailed draft implementation plan distributed to the Commission for its review in time for discussion at the December 17<sup>th</sup> BCWMC meeting. Ms. Chandler said the Commission should hear back from the EPA's review of the TMDL sometime between February and April, 2010. Chair Welch asked Ms. Chandler to convey to Mr. Leaf that the Commission is eager to see the details of the draft implementation plan at least two weeks prior to the December Commission meeting.
- G. **Medicine Lake TMDL Study.** Chair Welch said he expects to get a draft TMDL report via e-mail today for stakeholder review and for discussion at the October 22<sup>nd</sup> Stakeholder Committee meeting. He said the public stakeholder meeting will be held on Thursday, October 29<sup>th</sup>. Chair Welch commented that he thinks the Commission should submit comments on the draft TMDL and he asked Barr to prepare draft comments for the Commission's review at the BCWMC's November meeting.

## 7. Communications

- A. **Chair:**
  - i. Chair Welch reported that he and Len Kremer of Barr are meeting with the City of Minneapolis at the end of the month. He said the City is undertaking an effort to streamline the city's response to complaints about stormwater flow and problems and he and Mr. Kremer will be meeting with the City to provide information about the Commission's agreement with the City about stormwater contributions to the tunnel and other activities.
  - ii. Chair Welch announced that there is an open house today for the Mississippi Watershed Management Organization at its new facility.

- iii. Chair Welch stated that Alternate Commissioner Ted Hoshal, Medicine Lake, had brought to the Commission's attention the possibility of hearing a presentation from college graduate Aye Bohn on her thesis "*BASSETT CREEK: PERCEPTIONS OF AN URBAN STREAM: Discovering why Bassett Creek developed as it did and resident perceptions today.*" Chair Welch directed Ms. Herbert to work with Ms. Bohn and the City of Golden Valley to arrange a 10-minute presentation by Ms. Bohn at the November 18<sup>th</sup> BCWMC meeting.

**B. Commissioners:**

- i. Mr. Stauner reported that the Northwood Lake town hall meeting had a good turnout of approximately 35 people. He said the group will be forming a lake association.
- ii. Mr. Stauner announced that as part of the Shingle Creek Watershed Management Commission he attended its watershed tour last week. He said the tour visited a site in Robbinsdale that is part of the paired intersection study where one part of the intersection is paved with pervious pavement and the other side is paved with regular pavement. He said that of interest to the BCWMC is that the second site of the study will be in Plymouth and in the Bassett Creek Watershed. Mr. Stauner suggested the BCWMC consider joining in on the study, which is being funded by grant money. Chair Welch asked that the Commission receive a presentation on the results of the study as they come forward.
- iii. Ms. Loomis reported that she attended last week's Mississippi River E. coli TMDL stakeholder meeting. She stated that Barb Peichel, MPCA, commented that the Bassett Creek Main Stem may not qualify to be included in the Mississippi River E. coli TMDL due to the MPCA's understanding that the BCWMC has already started its E. coli TMDL. Ms. Loomis said that someone with the BCWMC should call the MPCA to get the details straightened out.

**C. Committees:**

**Education Committee**

- i. Ms. Langsdorf announced that Mr. Kremer sent her a great cartoon about picking up dog waste and that she has gotten permission from the cartoonist to reprint it for use in the BCWMC's exhibit.
- ii. Ms. Langsdorf announced that the Meadowbrook Fall Festival will be held on October 24<sup>th</sup>. She said that three members of the Committee will be representing the BCWMC at the festival.
- iii. Ms. Langsdorf reported that the Committee needs more information on who is currently doing outreach on the BCWMC's projects before the Committee can make a recommendation on what other outreach needs to be done. She said she would like to know how the cities determine how large of an area receives the notice about the projects. Mr. Stauner said it could be something for the TAC to discuss and provide to the Commission. Chair Welch agreed that it would be helpful for the TAC to provide feedback to the Commission on whether the cities have specific policies that they follow and that they could forward to the Commission.
- iv. Ms. Langsdorf reported that the Committee has a meeting scheduled for tomorrow, October 16, at 9:00 a.m. in the Parker's Lake Room at Plymouth City Hall to discuss the teacher focus group.
- v. Ms. Langsdorf said the next Joint Education and Public Outreach Committee meeting will be on November 10<sup>th</sup> at 8:30 a.m. in the Medicine Lake Room at Plymouth City Hall.

- vi. Ms. Langsdorf said the Education and Public Outreach Committee will meet on November 13<sup>th</sup> in the Parker's Lake Room at Plymouth City Hall.
- vii. Ms. Langsdorf said that at the last Joint EPOC meeting, Brad Wozney, BWSR, was asking in what ways BWSR could assist. She reported that the Committee decided it would like to have a meeting to put together a framework for a larger public outreach effort and the Committee will be working on that at its November 10<sup>th</sup> meeting.
- viii. Ms. Langsdorf said the Committee will be looking into the resource "Stormwater U."
- ix. Ms. Langsdorf announced that the second article funded by the Commission was printed in the *Sun Post* for New Hope, Golden Valley, Crystal, and Robbinsdale on the front page and was also printed in the papers for St. Louis Park and Plymouth. She said the article was about adopting storm drains.

#### Administrative Services Committee

- i. Chair Welch said the Committee met and is proceeding, together with Springsted, Inc., with drafting a request for proposals for administrative services. Ms. Black said the Commission will see the draft at the November meeting.

#### D. Counsel:

- i. Mr. LeFevere said he has sent to Ms. Herbert the League of Minnesota Cities Insurance Trust memo on the Electronic Communications for Ms. Herbert to forward to the Commission.
- ii. Mr. LeFevere said he spoke to Joel Settles, Hennepin County, regarding the Commission's question on paying for the Main Stem project using funds levied for Plymouth Creek and paying for Plymouth Creek with funds from a later levy. Mr. Settles did not think that would be a problem.

#### E. Engineer:

- i. Ms. Chandler reported that the draft 2010 impaired waters list includes the chloride listing for Bassett Creek.
- ii. Ms. Chandler said the comment period for the Commission's Resource Management Plan has ended. She said the U.S. Army Corps of Engineers said that comments were received from the Department of Natural Resources and the Historical Society.
- iii. Ms. Chandler said she was contacted by Terrie Christian of AMLAC (Association of Medicine Lake Area Citizens) letting her know that members are looking at researching a redesign of the dam at the outlet of Medicine Lake. Ms. Chandler said Ms. Christian asked if Barr would provide some information. Ms. Chandler asked if the Commission approves of Barr providing a letter to AMLAC that talks about the old and new dams. Chair Welch directed Ms. Chandler to draft a letter for his review prior to it being sent to AMLAC.

## 9. Adjournment

Ms. Loomis moved to adjourn the meeting. Ms. Black seconded the motion. The motion carried unanimously. The meeting adjourned at 1:55 p.m.

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**Michael Welch, Chair**                      **Date**

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**Amy Herbert, Recorder**                      **Date**

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**Pauline Langsdorf, Secretary**                      **Date**