



Bassett Creek Watershed Management Commission

Agenda

11:30 a.m., Thursday, June 16, 2005

Golden Valley City Hall

7800 Golden Valley Road

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA AND CONSENT AGENDA**

Items marked with an asterisk (*) will be acted on by one motion. There will be no discussion of these items unless a BCWMC commissioner so requests in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.
3. **ADMINISTRATION**
 - A. **Presentation of May 19, 2005 minutes and June 2, 2005 Special Meeting minutes ***
 - B. **Presentation of Financial Statements ***
 - C. **Presentation of Invoices for Payment Approval**
 - i. **MMKR ***
 - ii. **Metropolitan Council – CAMP ***
 - iii. **Kennedy & Graven ***
 - iv. **Barr Engineering Company ***
 - v. **Pat Schutrop, Administrative Services ***
 - D. **Recording Secretary and Contract**
4. **COMMUNICATIONS**
 - A. **Chairman ***
 - B. **Citizen Input on Non-Agenda Items**
 - C. **Counsel ***
 - D. **Commissioners**
 - E. **Engineer**
5. **NEW BUSINESS**
 - A. **Luther 394 Auto Mall**
 - B. **Wessin Transport**
6. **OLD BUSINESS**
 - A. **Budget Committee**
 - B. **Administrative Options Subcommittee**
 - C. **Status: 2005 Tunnel Repairs**
 - D. **Status: Westwood Lake: Flag Avenue Pond**
 - E. **Protocol for Addressing New CIP Projects - Lakeview Park Pond**
 - F. **Watershed Tour**
 - G. **CIP Reserve Fund**
 - H. **TAC Review Policy Recommendation**
7. **JULY MEETING**
 - A. **Public Hearing – Twin Lake (TW-1) CIP**
 - B. **TAC Review Policy Recommendations**
8. **ADJOURNMENT**

Bassett Creek Watershed Management Commission

Minutes of the Meeting of May 19, 2005

1. Call to Order

The Bassett Creek Watershed Management Commission was called to order at 11:30 a.m., Thursday, May 19, 2005, at the City of Golden Valley City Hall by Chair O'Toole.

Roll Call

<i>Crystal</i>	Alternate Commissioner David Anderson	<i>Counsel</i>	Charlie LeFevere
<i>Golden Valley</i>	Commissioner Linda Loomis, Treasurer	<i>Engineer</i>	Len Kremer
<i>Medicine Lake</i>	Commissioner John O'Toole, Chair	<i>Recorder</i>	Pat Schutrop
<i>Minneapolis</i>	Commissioner Michael Welch, Vice Chair		
<i>Minnetonka</i>	Commissioner Bill Yaeger, Secretary		
<i>New Hope</i>	Commissioner Mary Gwin-Lenth		
<i>Plymouth</i>	Commissioner Ginny Black		
<i>Robbinsdale</i>	Commissioner Karla Peterson		
<i>St. Louis Park</i>	Commissioner Richard Johnson		

Also present: Elizabeth Thornton, Alternate Commissioner, city of Plymouth
David Hanson, Alternate Commissioner, city of Golden Valley
Laura Adler, BCWMC Technical Advisory Committee, city of St. Louis Park
Jeannine Clancy, BCWMC Technical Advisory Committee, city of Golden Valley
Jeff Oliver, BCWMC Technical Advisory Committee, city of Golden Valley
Ron Quanbeck, BCWMC Technical Advisory Committee, city of Plymouth
Tom Mathisen, BCWMC Technical Advisory Committee, city of Crystal
Kelly MacIntyre, BCWMC Technical Advisory Committee, city of Minneapolis
Bill Deblon, BCWMC Technical Advisory Committee, city of Robbinsdale
Nancy Azzam, Golden Valley League of Women Voters
Bryan Ripp, Applied Ecological Services, Inc.

2. CONSENT AGENDA

No items were removed from the consent agenda. Mr. Yaeger moved and Ms. Black seconded the motion to approve the consent agenda. Upon call of the roll, the vote was carried.

3. ADMINISTRATION

- A. Presentation of April 21, 2005 Minutes. The minutes were approved as presented under the Consent Agenda.
- B. Financial Statements. The Treasurer's Report shows the following current general and construction account balances for the Treasurer's Report as of May 11, 2005:

<u>Checking Account Balance</u>	<u>\$410,836.63</u>
<i>TOTAL GENERAL FUND BALANCE</i>	<i>\$410,836.63</i>

Investment Balance	\$863,013.16
Commercial Paper (due 4/21/05)	0.00
Commercial Paper (due 5/18/05)	497,383.89
Commercial Paper (due 5/19/05)	746,390.63
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>\$2,106,787.68</i>

The Treasurer's report was accepted as presented and ordered to be filed subject to audit.

NOTE: A preliminary draft of the Annual Financial Report for the year-ending January 31, 2005, was distributed by Mayor Loomis.

- C. **Presentation of Invoices for Payment Approval.** The following invoices were approved for payment under the consent agenda:
- i. Kennedy & Graven
 - ii. Barr Engineering Company
 - iii. Pat Schutrop, Administrative Services

4. Communications

Chairman:

- A. **Chairman.** Approved under Consent Agenda.
- B. **Citizen Input on Non-Agenda Items.** No communications.
- C. **Counsel.** No communications.
- D. **Commissioners.** No communications.
- E. **Engineer.** No communications.

5. New Business

- A. **South Shore Park.** This is a proposed 18-condominium development located south of Medicine Lake in the city of Plymouth. Grading will occur on 1.15 acres of the 10.3 acre parcel. Most of the 10.3 acres of land is wetland. Stormwater runoff from most of the site including the building and parking areas will be directed to a water quality pond. Runoff from the remaining site including turfed areas along the east side of the site and each driveway access will be directed to a rain garden located at the north edge of the site. Because the rain garden is an alternative water quality treatment, the project is presented to the Commission for consideration. The Commission's water quality policy does provide for alternate methods of treatment if it removes an equal or greater level of pollutants. The Commission engineer recommends approval contingent on conditions listed in the engineer's memorandum to the Commission.

Ms. Black asked about the maintenance of the infiltration basin (how often are they inspected, life expectancy, etc.). Mr. Kremer said maintenance depends on the amount of silt or fine materials tributary to the area. For example a good way to develop an infiltration basin is to have some form of treatment upstream of the infiltration basin that would remove sediment and organic materials before it reaches the infiltration basin. Heritage Park is a good example of infiltration basins which had construction sites tributary and where erosion was coming from those sites. After about 1½ years, the infiltration basins had accumulated a large amount of material from the constructions sites and the surface had to be modified to remove the fine materials. Typically, infiltration basins are predicted to

last about 5 years without any surface treatment. Rain garden maintenance is more frequent than other forms of treatment.

Mr. O'Toole asked if soil correction was needed for this development because the development on the east side of South Shore Drive required a significant amount. Mr. Kremer was not aware of any soil correction or impact associated with soil correction requirements. Mr. Quanbeck added that that has not been determined.

Chair O'Toole asked if the high density of the development in a small area is a concern when a rain garden is considered for water quality purposes. Mr. Kremer said when a water quality treatment pond is designed, the pond is designed for the amount of impervious surface and he does not see the high density of the development as a problem.

Mr. Kremer said the Commission has occasionally inspected infiltration basins; however, the cities are responsible for the maintenance of the basins. Ms. Peterson asked if the cities recoup costs for inspection of the basins since the life expectancy is only about 5 years. Mr. Quanbeck said that the use of rain gardens is a fairly new technology and Plymouth has not charged a fee; however, the city may consider charging property owners a fee in the future.

Mr. Welch said the *Minneapolis Observer* website has an article about Minneapolis residents' reaction to the recent change to using a stormwater management fee. The response has been negative because the change is based on the amount of impervious surface, which has not been the case in the past. Mr. Welch recommended the Commission invite someone to give a presentation about the best management practice status of rain gardens and their cost effectiveness, as opposed to constructing water quality treatment ponds, etc.

Mr. Kremer added that as information becomes available on the effectiveness of rain gardens and on how they are received by the public, developers might be more willing to consider this type of water quality treatment. One of the reasons for opposition has been that people don't want to build grass swales and don't like the idea of water running from the street back into their lawns. It will take some public education to bring change.

Ms. Black said rain gardens are a viable option versus acquiring homes to allow space for water quality ponds.

Mr. Yaeger moved and Ms. Black seconded the motion to approve the project contingent on the conditions stated in the engineer's memorandum to the Commission. Carried unanimously.

Chair O'Toole would like to see a presentation on rain gardens and green roofs at a future meeting. Mr. Welch and Ms. Black will coordinate ideas and finding a resource suitable to give the presentation to the Commission.

- B. Watershed Tour. The Commission has typically had a watershed tour every one to two years. The last tour took place in 2003. Chair O'Toole suggested some ideas for the tour could include recently completed structures, proposed project sites, etc. Ms. Gwin-Lenth is in favor of conducting a tour and would like city council members to be invited to familiarize them with the Commission. Ms. Black suggested the tour take place later in the day or on a Saturday to accommodate schedules to encourage attendance.

In the past, the tour took place during the regularly scheduled meeting time with a short business meeting preceding the tour. Ms. Nancy Azzam, Golden Valley League of Women Voters, noted that the business meeting detracted from the tour.

Ms. Black would like to see the recently constructed projects as well as the projects in process of construction. Mr. Welch favors separating the business meeting from the tour and would also like to see the recent capital improvement projects and the sites of future (1 to 2 years) CIP projects.

Should the tour be broadly publicized to the public? Mayor Loomis said because it is a gathering of the Commission; makes it open to the public to attend. Ms. Jeannine Clancy, Golden Valley Director of Public Works, has encouraged the Golden Valley planning and environmental commissioners to attend tours in the past.

Mr. Quanbeck suggested a rain garden project constructed on Schmitt Lake as a possible example for the Commission to view on the tour.

If the tour takes place in July or August, enough time would be allowed for city council members and others within the cities to receive notice of the tour. Ms. Black added that the notice could be put in the cities' newsletters. Mr. Yaeger suggested the tour take place in July or August at 5:30 p.m.

Chair O'Toole suggested the 2nd Wednesday or 2nd Thursday in August at 5:30 p.m. and asked the commissioners to talk to their city councils for feedback regarding the day. The Commission will make a decision on the tour date at the June meeting.

A bus will be reserved and overflow attendance will car pool. No box dinners will be provided. Light refreshments (cookies, bottled water, and pop) will be included.

Mayor Loomis clarified that the Highway 55/Boone Avenue pond and mitigation area listed on the completed projects list in the engineer's memorandum was not a cooperative project with BCWMC, but strictly a project constructed by Golden Valley.

6. Old Business

- A. **Draft Annual Report.** The current draft 2004 Annual Report includes comments and suggestions from the last meeting. No additional comments were received.

Mr. Welch noted that the budget committee is considering a permit review fee and asked if that should be included in the report section called projected 2005 work plan. The Commission decided to not include it in the 2004 report so that it can meet the 120-day submittal deadline to the Minnesota Board of Water & Soil Resources.

Ms. Black moved and Ms. Peterson seconded the motion to approve the 2004 Annual Report. Carried unanimously.

In addition to sending the report to BWSR, commissioners/alternates, member cities, and area libraries receive copies. The report is also posted on the website. After surveying the Commission, Ms. Gwin-Lenth was the only commissioner requesting a paper copy.

- B. **Budget Committee.** Chair O'Toole summarized the budget process and noted that the Commission came within about 0.3% of the 2004 budget. In planning for 2006, Chair O'Toole recommended a 5% increase in budget for 2006. A draft was then prepared for the budget committee to consider. The budget committee met on May 3, 2005. The budget committee decided to ask the Commission to consider two options; one included budget for an executive director and the other option included no budget for a director. Instead of increasing the assessments to the member cities, the budget committee decided to add a fee for permit review (\$30,000) and lowered some of the budget items in the draft budget.

Proposed 2006 Operating Budget

Option 1 – No Budget for Director Proposed Assessment	\$384,700 \$355,875
Option 2 – With Budget Adjustments for Director Proposed Assessment	\$414,700 \$385,875

The following corrections are noted on the draft budget in the “For Information (Administrative Account)” portion:

Option 1 – The \$30,000 permit review fee is added and it should be subtracted.

Options 1 and 2 (first line) - The audited fiscal year 2004 fund balance at January 31, 2005 is now available and should be changed to \$106,855 (instead of \$80,000). With the final figure inserted, the math will change increasing the estimated fund balance as of January 31, 2006, from \$131,331.04 to \$158,186.04.

Chair O’Toole noted that the reserve amount is \$100,000 and that he considers it modest in comparison to the total operating budget and would ideally like the reserve amount to be half of the total operating budget.

The draft budget includes a table of the remaining Flood Control Project funds and how the funds are allocated. Interest from the funds established to support the flood control project structures and floodproofing stays in those funds and does not go into the general fund.

Chair O’Toole said the main topic for consideration is the executive director position and budgeting for that in 2006. Not making a decision now will limit the funding for the position in 2006 and it may possibly have to be funded from the cash reserve.

Ms. Peterson said the Administrative Options Subcommittee discussed one of the duties of the executive director would be to track the capital improvement projects and that time could be charged against the capital projects budget item.

The executive director budget amount is \$78,000 in the Option 2 draft operating budget. To arrive at the budget amount, the following decrease in line items is recommended:

Plan Reviews	\$40,000
Meetings	\$ 2,000
Water Quality Monitoring	\$ 2,000
Legal	\$ 500
CAMP	\$ 500
Administrative Services	\$ 3,000
Income from Permit Review Fees	<u>\$30,000</u>
	\$78,000

Ms. Black said the Permit Review Fee budget amount of \$30,000 is an estimate because it is difficult to determine the specific amount associated with each item. Ms. Black believes the cities need to be comfortable with the \$30,000 budget amount.

Mr. Welch added that the Commission is at a point where it will operate with some uncertainty because it is a change in operation from past practice. If the Commission decides to plan for an executive director, the Commission will have to commit to making it work and that process may take two to three years to experience efficiencies and increase capability in order to make future budget projections.

Chair O'Toole said if the Commission budgets for an executive director and then decides not to move ahead, there will be a surplus in the 2006 budget and the Commission could re-adjust the budget in 2007 or move ahead with the executive director in 2007. Secondly, Chair O'Toole estimates the cost for the executive director may be more than planned for and if that is the case, those funds would have to come from adjusting another line item(s).

Ms. Thornton said besides decreasing the items identified, other items might also be reduced to subsidize the director position. Mr. Welch added that if the Commission is entertaining the idea of an executive director, it should be in the 2006 budget putting responsibility on the Commission to closely manage the position.

Chair O'Toole added that the costs associated with the transition to a new recorder with the proposed budget amount would affect the amount of services provided to the Commission with less budget in 2006 than in 2005. In addition, the Commission is an organization made up of citizen volunteers and there is only so much that can be expected from volunteers. Chair O'Toole recommends the Commission think about succession planning and develop some sort of institutional memory.

Mr. Yaeger asked about the administrative services' transition costs with \$38,000 spent in 2004 and the proposed 2006 budget has an amount of \$30,000 (without a director) and \$27,000 (with a director). Yet in 2005, the projected spending for administrative services is about \$51,000. How will that affect the budget in 2006? Ms. Black said the list of duties provided by Pat was scaled back to include those duties absolutely necessary in the short term until the next year's budget becomes effective. If the Commission does not hire an executive director, the duties eliminated will most likely be added back into the recorder's job description.

Chair O'Toole added that as chair, he has used the administrative services of Pat more to help make his position more efficient.

In the past, the Commission planned a small contingency fund and Mr. Yaeger asked why a contingency budget item is not included in the 2006 budget. Chair O'Toole's view is to increase the cash reserve and a contingency is then not necessary. If funds are drawn from the cash reserve, that amount would be planned for in the next year's budget. Mr. Welch added that the Commission and staff have been encouraged to be specific and deliberate in planning the budget and not have a contingency amount to fall back on.

Mr. Johnson added that if the cash reserve of \$100,000 is to be considered as the "contingency" fund, it might not be scrutinized with the same limitations as a contingency budget of \$5,000 might be viewed.

In viewing the fiscal budget, Chair O'Toole also considers the time budget. What will an executive director expect to bill the Commission? Chair O'Toole suggested the Commission realistically think about a director charging about \$100 to \$120 an hour. With that in mind, it would allow 800 hours to be charged to the Commission. Will the types of duties expected by the Commission to be carried out by a director be consistent with the projected 800 hours? There has also been discussion about one of the member cities providing staff to alleviate the costs.

From discussions with other executive directors, Ms. Black said \$60,000 to \$90,000 (plus benefits) is realistic for a full-time director. The Administrative Options Subcommittee discussed benefits and if offered to a director, the Commission would need to work out specifics over a period of time (i.e., the director provides the benefits, possibly provide benefits through a member city, etc.). The subcommittee agreed that it would not recommend offering a benefits package in the near term. Option 2 provides \$78,000 for the director position and after deducting for benefits, the real salary would be about \$55,000 to \$60,000, and amounting to one-half to three-quarters time. Upfront expenses (e.g., office equipment) used for business are 100% tax deductible.

Mr. Yaeger would like to see the Commission indicate to the member cities the Commission is leaning toward Option 2 and ask for input prior to the Commission acting on the proposed budget at the June 16th meeting.

Ms. Black moved and Ms. Gwin-Lenth seconded recommending Option 2 to the member cities with a request to the cities to give input prior to the Commission's June 16th meeting.

It was decided that a motion is not necessary to solicit the member cities feedback on the Option 2 proposed 2006 budget. Mr. Welch asked that during budget discussions with the commissioners and their member cities, that the commissioners consider increasing the Demonstration Projects line item (currently \$1,000) due to the effort put into to developing criteria to use the Demonstration Projects line item.

Mayor Loomis added that a procedure would need to be developed on how to charge review fees for plan reviews. It may be beneficial to see how other WMOs and watershed districts administrate the fee. Some procedures have been received and the recorder will summarize for the Commission's June 16th meeting.

The plan review fee budget amount of \$30,000 was an arbitrary amount based on the economy. Mr. Kremer said in trying to estimate the fee amount, the amount of reviews conducted where private developers were charged over the last couple of years was used. The size of the project was also part of the consideration.

Mr. Kremer estimated that a certain percentage of the Engineering reviews could be done by an executive director and therefore the Engineering Plan Review budget item of \$105,000 was reduced by \$40,000 and moved to the executive director budget. If the \$30,000 is collected for plan reviews, the \$65,000 Engineering Plan Review budget would be reduced by \$30,000 leaving \$35,000, which is used for other Engineering associated issues (i.e., providing information for developers, furnishing information to cities, etc.). Based on history, Mr. Kremer does not believe the \$30,000 is too high to plan for.

- C. Administrative Options Subcommittee. Four responses have been received for the request for proposals for the recorder position; two are viable. The response received from JASS stated they are unable to consider additional WMO responsibilities at this time, but would be interested in the future. The two viable options are Janet Kramer and Amy Herbert, both independent contractors. Interviews will be conducted on Tuesday, May 24th, at 8:30 a.m., at Golden Valley City Hall. Chair O'Toole would like to attend the interviews if possible. Barr Engineering Company was unable to identify a temporary replacement at this time due to time commitments.

Ms. Black did identify a company called Timesaver Offsite Secretarial Services on the Minnesota Board of Water and Soil Resources' website that provides administrative work to the Lower Rum River WMO. This would be an additional contact should the two possible candidates not meet the qualifications of the subcommittee.

There was discussion by the Commission concerning delegating authority to the subcommittee to make the decision or make a recommendation to the Commission at the June 16th meeting.

Mr. LeFevere advised the Commission to have a written agreement with the person outlining duties and responsibilities and that the agreement be authorized by the Commission and not the subcommittee. If necessary, the agreement can be ratified at anytime. It is possible the candidate will provide the agreement. Mr. LeFevere said another possibility is to conduct a special Commission meeting to make the final decision. Ms. Gwin-Lenth is in favor of a special meeting to keep moving ahead.

The Administrative Options Subcommittee will meet on Tuesday, May 24, 2005, from 8:00 a.m. to 12:00 Noon, at the Golden Valley City Hall to conduct interviews for the recorder position. Ms. Black will notify the entire subcommittee of the outcome of the interviews.

The Special Meeting will be conducted on June 2, 2005, at 11:30 a.m., at the Golden Valley City Hall, to discuss the outcome of the interview process with the subcommittee. Note that if a quorum attends the subcommittee meeting, the notice will state that no Board action will be taken.

Mr. Yaeger asked if applicants could be received beyond the May 16th deadline. Mr. LeFevere said that is not an issue.

The Executive Director list of duties will be discussed at a future meeting.

- D. **Draft Criteria for Use of Demonstration and Public Communications Budget Items.** Mr. Welch developed draft criteria for the Commission to consider in evaluating applications for funds from the Demonstration and Public Communications budget items. He views the criteria as options for the Commission to review and not conclusions for the Commission to adopt.

The Commission discussed the following list of pertinent questions and considerations presented by Mr. Welch. Should the Commission issue grants or contributions without requirements? How will it be communicated to the watershed or will the criteria only be used when someone actually requests the money from the Commission? What outcome is expected? Should the Commission prohibit contact with staff for guidance?

The proposed purpose statement is to engage citizens by making them feel they have a part and can make an impact on improving the watershed by supporting projects citizens take on that improve water quality.

The criteria proposed is weighted by a point system beginning with the highest amount of points given to a project that clearly benefits water quality in the watershed. Ms. Peterson recommends the Commission have a point threshold which must be met for a project to be funded by the Commission.

Eligible entities could include schools, nonprofits, businesses, citizen associations, and cities. Example projects listed are projects that other WMOs are funding.

The proposed requirements include activities that are funded must take place within the watershed, an agreement must be in place, and the recipient must provide a brief report to BCWMC upon completion of work or completion of funding period. Shingle Creek WMO uses a generic standard application and agreement for the applicant to fill out.

Chair O'Toole appreciated the work done by Mr. Welch in an effort to direct the Commission's thoughts as to how the Demonstration and Public Communications budget items can be used. Currently, the Commission has received only a few requests and the Commission's response has been reactionary. Chair O'Toole does not recommend advertising the availability of grants due to budget constraints. Until the administrative services and executive director issues are resolved, Chair O'Toole sees the draft criteria as a screening tool for the next couple of years and agrees that contact with the Commission staff regarding guidance should be prohibited.

Mr. Yaeger would not like to see this effort shelved and started again in a couple of years, but find a way to adopt parts of the criteria (particularly the purpose, criteria, and eligible entities) and set a point threshold. The point system simplifies the process in making a decision by the Commission when considering a proposed project.

Ms. Black agrees that it is a great start and would like the Commission to consider Shingle Creek WMO's process where member cities' communication coordinators are invited to meet with the

WMO and coordinate the education program with what the member cities are doing. Part of the coordinating process could be presenting the proposed projects to the member city(ies) and receiving a letter of support from the city(ies) for the project.

Mr. Welch added if this is just the Commission's demonstration project, the city representative on the Commission can go back to their member cities for comment. Ms. Peterson asked what other WMOs and watershed districts spend on education and demonstration projects and is the Commission unusual in the amount it has budgeted? Mr. Welch said it varied widely and the Commission is on the low end. Mr. LeFevere added that some other Joint Powers Organizations do not provide any budget for education or demonstration projects.

Ms. Black said, for example, retrofitting a rain garden into a neighborhood is frequently the type of project reviewed by the city. Mr. Yaeger believes the request for Demonstration and Public Education budget funds should remain simple.

Mayor Loomis added the requests received by the Commission have been to sponsor an educational effort, etc., and believes the Commission needs to identify the entity and the types of projects the Commission is willing to facilitate. There are varying kinds of rain gardens from the city-designed rain gardens to help with storm water drainage to the property owner wanting to route gutter runoff, which does not need city permission.

What types of projects does the Commission want to support? Priorities can also be established. For example, education is more important than construction, schools may have a higher priority, or nonprofits are given higher priority than for-profit organizations. Once the decision is made as to what types of projects the Commission will support, an ad hoc committee could be formed to evaluate the requests and make recommendation to the Commission. Chair O'Toole envisions the requests being evaluated by a commissioner volunteering to do that task.

Ms. Gwin-Lenth moved and Mr. Yaeger seconded the motion to establish a Demonstration Project funding criteria that would include the Purpose, Criteria, Eligible Entities, and Requirements statements as presented in the draft criteria, with the addition that as requests are received, the question be asked if the project is redundant as a Demonstration Project in the watershed . Carried with two no votes (Golden Valley and Plymouth).

Chair O'Toole added that the Criteria is a working document. Ms. Black asked that opportunity be given to those voting no on a motion to give explanation behind the vote in the future.

- E. CIP Reserve Account. Deferred to June meeting.
- F. Twin Lake Minor Plan Amendment. The minor plan amendment to the BCWMC *Watershed Management Plan* has been approved by the regulatory agencies for the Twin Lake (TW-1) capital improvement project. The project is part of the 2007 CIP and the next step is to set a Public Hearing date. Because the project will be constructed in 2007, with tax requests to the County in September 2005 for reimbursement in 2006, it is recommended that the public hearing take place in July or August 2005. The notice requirement is 45 days to the member cities. The feasibility report has been received.

The consensus of the Commission is to conduct the Public Hearing at the Commission's July 21, 2005 meeting.
- G. Lakeview Park Pond. Deferred to June meeting. Chair O'Toole recommends the project be moved up in the agenda so that there is enough time allowed for discussion. Mr. Welch said since no changes have been presented since the previous discussion, he would like to see it coupled with the annual CIP review process. Mayor Loomis concurs with re-evaluating the CIP annually. The recorder interjected the CIP is annually reviewed in January.

Mr. Kremer said where it fits in the CIP is not the issue. It is a project that was never included in the CIP and it would be an expensive project for the Commission to undertake compared to the removal benefit (e.g., beautification issues, utility relocation, the amount of funding requested, etc.). It does benefit the downstream projects already built by the Commission.

If the Commission decides to move ahead with the Lakeview Park Pond, the project would require a major plan amendment because it is not on the approved CIP.

Ms. Black would like to see this project on the next agenda for discussion. Mr. Welch suggests establishing a protocol for addressing new CIP projects. As stated during the previous discussion about this project, if the Commission decides to move ahead with this project, other cities may come back to the Commission with additions to the CIP as well.

Mr. LeFevere said that the CIP is not cast in stone and a city may increase city participation in order to move a project up. When that enters into the equation, then some things like cost-ratio change or cost for removing a pound of phosphorus might have a project out in year 2012 because it is not very effective, but if a city is going to participate 50% in the project because they want to get it done sooner, then the equation changes. When the protocol and procedure is determined, it should be defined in a way that includes those types of different scenarios.

Mr. Welch added that cities are moving ahead with water quality projects routinely and as the Commission proceeds, annual check-ins with the cities would be beneficial in comparing what the Commission is doing with what the cities are doing.

7. June Meeting

The following agenda items are currently scheduled for the Commission's June 16th meeting:

- A. Budget Committee Report
- B. Summary of Permit Review Fees
- C. Administrative Options Subcommittee – Executive Director duties; Administrative Services Contract
- D. League of MN Cities Insurance Trust Invoice
- E. CIP Reserve Fund

8. Adjournment

It was moved by Mr. Welch and seconded by Ms. Peterson to adjourn the meeting. Chair O'Toole adjourned the meeting at 2:05 p.m.

John O'Toole, Chair

Pat Schutrop, Recorder

William Yaeger, Secretary

Date: _____