

BOARD MEETING AGENDA

Board Room
Coon Creek Watershed District Offices
Monday, May 8, 2023
5:30 p.m.

Board of Managers:

Matthew Herbst, President; James Hafner, Vice President; Patrick Parker, Secretary; Mary Campbell, Treasurer; Dwight McCullough, Member at Large

Note: Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

- 1. Call to Order**
- 2. Approval of the Agenda** (*Additions/Corrections/Deletions*)
- 3. Announcements**
- 4. Open Mic/Public Comment**

*Members of the public at this time may address the Board, for **up to three minutes**, on a matter not on the Agenda. Individuals wishing to be heard must sign in with their name and address at the door. Additional comments may be accepted in writing. Board action or discussion should **not** be expected during the presentation of public comment/open mic. Board members may direct staff to research the matter further or take the matter under advisement for consideration at a future Board meeting.*

CONSENT ITEMS

The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of a Board member, staff member or a member of the audience.

- 5. Approval of Minutes of April 24, 2023**
- 6. Receive Administrator's Report**
- 7. Advisory Committees Report**
- 8. Approve Bills for Payment**

POLICY ITEMS - None

PERMIT ITEMS

- 9. Take 5 Oil Permit Review**

DISCUSSION ITEMS

- 10. Permit Items to Consent**
- 11. Boundary With Sunrise River WMO**

INFORMATIONAL ITEMS - None

ADJOURN

**COON CREEK WATERSHED DISTRICT
BOARD OF MANAGERS' MEETING**

The Board of Managers of the Coon Creek Watershed District held their regular meeting on, Monday, April 24, 2023, at the Coon Creek Watershed District Office.

1. Call to Order: The meeting was called to order at 5:30 PM
Board Members Present: Mary Campbell (5:34 p.m.), James Hafner, Matthew Herbst and Dwight McCullough.
Board Members Absent: Patrick Parker
Staff Present: Dawn Doering, Corinne Elfelt, Jon Janke, Michelle Ulrich
Staff Present via Zoom: Abbey Lee, Abby Shea
Others: Gary Nereson (CAC)

2. Approval of the Agenda: Board Member Herbst made a motion to add Permit Review Item 9 Northdale Blvd Water Main Replacement & Mill and Overlay to the Consent Agenda. Seconded by Board Member Hafner. Motion carried with three yeas (Board Members James Hafner, Matthew Herbst, and Dwight McCullough) and no nays.

Board Member McCullough moved to Approve the Amended Agenda. Seconded by Board Member Herbst. Motion carried with three yeas (Board Members James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

3. Announcements: None

4. Open Mic/Public Comment: No one present for Public Comment.

CONSENT ITEMS

5. Approval of Minutes of April 10, 2023

6. Approval of Bills: Claims totaling \$196,583.31 on the following disbursement list will be issued and released upon Board approval.

April 24, 2023	
To	Amount
Anoka County MN	179,893.41
League of MN Cities	9,089.00
Poop 911 of MN	731.40
Respec	1,170.00
United States Geological Survey	4,135.50
Well Groomed Lawns	1,564.00
	196,583.31

The following Permit Items were moved to the Consent Agenda by motion:

9. 23-10 Northdale Boulevard Watermain Replacement and Anoka County Mill and Overlay Permit Review: The purpose of this project the replacement of one-half mile of watermain, mill and overlay pavement, and replace sidewalk, driveways

and curbs as needed. This project is located on Northdale Blvd from Quince Street to Ilex Street in Coon Rapids, Minnesota.

Staff recommendation was to Approve with two conditions and zero stipulations as follows:

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Submittal of a performance escrow in the amount of \$4,040.

Soils and Erosion Control (Rule 4)

2. Provide a note on the erosion and sediment control plan that disturbed soils and stockpiles will be temporarily or permanently stabilized within 24 hours after construction activity in that area has temporarily or permanently ceased.

Stipulations: None

Board Member Hafner moved to Approve the Consent Agenda Items seconded by Board Member McCullough. Motion carried with five yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst, Dwight McCullough and Patrick Parker) and no nays.

POLICY ITEMS

7.Approve 2022 Annual Report: In Administrator Tim Kelly's absence, Director of Operations, Jon Janke presented the staff report and complete 2022 Annual Report.

The Board had no questions or comments regarding the 2022 Annual Report.

Board Member McCullough moved to Approve the Final 2022 Annual Report for Submittal to Board of Soil and Water Resources seconded by Board Member Herbst. Motion carried with three yeas (Board Members James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

8.Water Education Grant 23-03 Salt Symposium Sponsorship: Public and Government Relations Coordinator, Dawn Doering, presented the staff report requesting the Board review Water Education grant application 23-03 and award grant of \$500 for Bronze Sponsorship of annual Salt Symposium rather than the requested \$1000 as this would only leave a balance of \$850 in the water education grant fund for the remainder of the year.

Board Member Hafner asked if there is any way to monitor the response from the Salt Symposium to see if Public Works staff are adopting the recommended practices.

Doering stated she was unaware if there was any follow-up on the adoption of revised practices by attendees of the Salt Symposium. Ms. Doering stated this is something she could follow up on.

Board Member Hafner moved to Approve Water Education Grant 23-03 in the amount of \$500.00 for the Salt Symposium Sponsorship seconded by Board Member Herbst. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

PERMIT ITEMS- Item 9 moved to Consent Agenda

10. Fleet Star Trucking and Trailer Permit Review: The purpose of this project is the construction of a truck and trailer lot, office space, loading dock, repair garage, and associated stormwater treatment features. This project is located Southwest of the intersection of Buchanan Street NE and 166th Avenue NE in Ham Lake, Minnesota, and is located within the previously permitted Creekside Farms Development (CCWD Permit 21-033).

Staff recommendation was to Approve with six Conditions and three Stipulations as follows:

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Submittal of a performance escrow in the amount \$5680.00.

Stormwater Management (Rule 3)

2. To understand downstream impacts, and to reflect accurate high water levels, include all contributing drainage areas to the existing north pond and south infiltration basin (including drainage areas from previous 21-033 project) in the HydroCAD models.
3. SHSAM results indicate SAFL Baffles are proposed within the sump catch basins, however, this is not reflected on the plan set. Include a detail for SAFL Baffle and annotations on the utility plan to indicate which structures the SAFL Baffles are to be installed in.

Soils and Erosion Control (Rule 4)

4. Provide proof of NPDES permit application.
5. Provide a note on the erosion and sediment control plan that soil stockpiles will be temporarily or permanently stabilized within 24 hours of inactivity.

Buffers (Rule 8)

6. Provide 16.5 ft buffer along private ditch with monumentation at a maximum every 200 ft.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, the applicant agrees to these stipulations:

1. Submittal of as-builts for the stormwater management practices and associated structures listed in Tables 2 and 3, including volume, critical elevations, and proof of installation for hydrodynamic separators.
2. Completion of a post construction infiltration test on the Infiltration Basin by filling the basin to a minimum depth of 6 inches with water and monitoring the time necessary to drain, or multiple double ring infiltration tests to ASTM standards. The Coon Creek Watershed District shall be notified prior to the test to witness the results.
3. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule, and quantities prior to construction.

Board Member Hafner asked about the first table in the report, the 10-year, second row has a proposed 433 cfs, but it should be 4.33 cfs.

Board Member Hafner moved to Approve with the correction of the 433 cfs to of 4.33 cfs and the recommended 6 Conditions and 2 Stipulations seconded by Board Member Herbst. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

11. Hidden Forest 4th Addition Permit Review: The purpose of this project is the construction of a 22-lot single family home development with associated stormwater features, streets and utilities located at Stutz Street NE and 149th Avenue NE in Ham Lake, Minnesota.

Staff recommendation was to Approve with seven Conditions and three Stipulations as follows:

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Submittal of a performance escrow in the amount of \$18,900.00.

Stormwater Management (Rule 3)

2. Include the proposed 100-year rate in Table 4 for discharge to Carlos Avery.

3. Pond 4 outlet pipe size is inconsistent between storm sewer profile and proposed HydroCAD model. Update for consistency.

Soils and Erosion Control (Rule 4)

4. Provide proof of NPDES permit application.
5. Provide a note on the erosion and sediment control plan that disturbed soils and stockpiles will be temporarily or permanently stabilized within 24 hours after construction activity in that area has temporarily or permanently ceased.

Rule 5.0 – Wetlands

6. Submittal of Wetland Bank Credit Withdrawal Verification.
7. Submittal of final Takings Permit from the MnDNR.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, the applicant agrees to these stipulations:

1. Submittal of as-builts for the stormwater management practices and associated structures listed in Table 2, including volume, critical elevations, and proof of installation for hydrodynamic separators.
2. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule and quantities prior to construction.
3. Submittal of as-built (invert, pipe material, pipe size) for culvert installation within County Ditch 44-5.

Board Member Hafner asked for clarification on why the volume control table 2 accounts for 4.4 acres instead of the proposed 5.538 acres of impervious surface on the site.

Staff member Abbey Lee stated that she will double check on the impervious acreage and make sure it meets Rule 3.

Board Member Hafner moved to Approve with the seven recommended Conditions, an 8th Condition to confirm the impervious acreage is sufficient to meet Stormwater Management Rule 3, and three Stipulations seconded by Board Member Campbell. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

12. South Side Entertainment District Permit Review: The purpose of this project is the construction of a new restaurant, retail building, parking lot and associated stormwater treatment features located at the southwest corner of the intersection of Radisson Road NE and 105th Avenue NE in Blaine, Minnesota.

Staff recommendation was to Approve with three Conditions and two Stipulations as follows:

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Submittal of a performance escrow in the amount of \$3,985.00

Soils and Erosion Control (Rule 4)

2. Provide a note on the erosion and sediment control plan that disturbed soils and stockpiles will be temporarily or permanently stabilized within 7 days after construction activity in that area has temporarily or permanently ceased.
3. Provide proof of NPDES permit application.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, the applicant agrees to these stipulations:

1. Submittal of as-builts for the stormwater management practices and associated structures listed in Tables 2 & 3, including volume, critical elevations, and proof of installation for hydrodynamic separators.
2. Completion of a post construction infiltration test on the underground infiltration system by filling the basin to a minimum depth of 6 inches with water and monitoring the time necessary to drain, or multiple double ring infiltration tests to ASTM standards. The Coon Creek Watershed District shall be notified prior to the test to witness the results.

Board Member Hafner requested an explanation for why the freeboard is not met.

Staff Member Lee stated that original application did not include a basement but there were many subsequent discussions about this issue. Lee stated that the most recent revision did include a basement and the applicant was notified that they did not meet the freeboard separation requirements. Lee stated staff had met with the City of Blaine and agreed that the applicant's engineer needs to provide Darcy's Law calculations and if they didn't meet the separation requirement, they would shift the underground infiltration basin slightly to the west. As a result, Lee stated that the underground infiltration system was moved far enough away from the building that the high water would not have an effect based on the Darcy's Law calculations. The calculations were reviewed by Stantec and City of Blaine and all were satisfied and both would accept the modifications to the application.

Board Member Hafner moved to Approve with three Conditions and two Stipulations seconded by Board Member McCullough. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

13. Westrum Single Family Home Permit Review: The purpose of this project is the construction of a single-family home located at 132nd Avenue Ne, 0.3 miles west of Terrace Road and 132nd Avenue NE intersection in Blaine, Minnesota.

Staff recommendation was to Approve with two Conditions and no Stipulations as follows:

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Submittal of an application fee in the amount of \$760.00.
2. Submittal of a performance escrow in the amount of \$2,250.00.

Stipulations: None

Board Member Hafner expressed concern that the fill in the flood plain would have an impact on adjoining property.

Director of Operations, Janke, stated that there are two lots that are very difficult to develop and have been inquired about many times through the years.

Watershed Development Specialist, Lee, stated this property owner will have very little yard due to the wetland on the property.

Board Member Hafner expressed his concern that future homeowners may not understand the limitations of this site. Lee also stated the property includes DNR public waters and as a result will have more eyes on it to monitor compliance.

Board Member Hafner moved to Approve with two Conditions and seconded by Board Member Campbell. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

DISCUSSION ITEMS

14. Comprehensive Plan: Identifying Alternative Courses of Action

Director of Operations Janke reviewed the staff report with the Board. Janke explained that the Technical Advisory Committee and the Citizen Advisory Committee had also reviewed the initial information that had been presented regarding the TMDLs. Janke noted that Kelly had drafted this report in an effort to try to figure out the right path and to help identify the alternatives based on a wide variety of assumptions.

Board Member Hafner expressed concerns that other MS4's may not be willing to participate even though they also have the same responsibilities regarding the TMDLs.

Board Member Herbst asked where the \$100,000,000 figure came from.

Janke explained that the District has had related projects and used those figures to anticipate future costs.

Board Member Herbst ask who would do the actual implementation of the projects.

Hafner explained that the District cannot take on all of the responsibility but that cities would have to do their part, as in the past when the District has, for example, provided the engineering and the city does the actual implementation or the on-going maintenance of a project.

INFORMATIONAL ITEMS

15. CCWD on North Metro Television about local flooding: Janke informed the Board of the recent NMTV video featuring Dawn Doering and the District's efforts during area flooding.

ADJOURN

Board Member Herbst moved to adjourn at 6:12 p.m. seconded by Board Member Campbell. Motion carried with four yeas (Board Members Mary Campbell, James Hafner, Matthew Herbst and Dwight McCullough) and no nays.

President

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 6
ITEM: Administrator's Situation Report

AGENDA: Consent

REQUESTED ACTION:

Receive report

ADMINISTRATOR'S EVALUATION

Upcoming Board Considerations

- Board Tour
- Admin Services Request for Proposals (RFP)
- Capital Improvements Priority Discussion
- Annual Storm Water Pollution Prevention Plan (SWPPP) Assessment

District Capacity and Capability

The District possesses the required resources and is trained to undertake most of its legislative mission for which it is organized or designed.

The District can accomplish most required tasks to standard under most conditions.

Risk Assessment

Strategic Risk:

- Nothing new to report

Operational Risks:

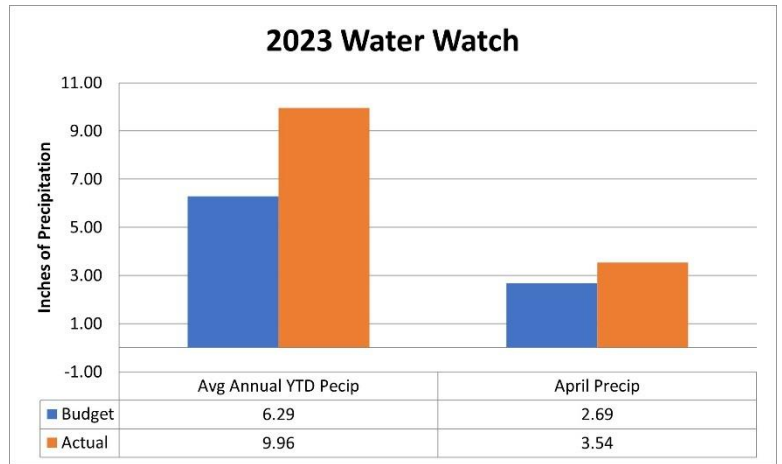
- **Flooding:** Coon Creek and the Mississippi River crested on April 21 and are drawing down but may take several weeks to return to normal. Barring a significant precipitation event, additional flooding is not expected at this time.
- **Anoka County Transition:** The District has been verbally informed that District employee benefits will likely continue through 2024. County health care consultant and the actuary continue to review the District benefits package for discussion of options for replicating coverage and obtain costs similar to those currently incurred.

Interviews with two accounting firms will take place on May 10. References for the two firms have been collected for review by the interview team.

MANAGEMENT SITUATION

The District averaged 3.54 inches of precipitation (water equivalency) in the month of April. That leaves the District 0.85 inches or 31% above average for the month and 3.7 inches or 58% above for the year. According to the April 25th US Drought Monitor, Anoka County has been free of drought for seven weeks.

The springtime flood risk in the District is returning to normal following the significant snowmelt and above average precipitation in April. The Mississippi River (crested on April 21) and many local creeks, ponds, and wetlands are drawing down but may take several weeks to return to normal. During this time large spring rains can cause localized flash flooding. Coon Creek is currently flowing at 150 CFS after peaking at 328 CFS on April 21st. Barring a significant precipitation event, additional flooding is not expected at this time.

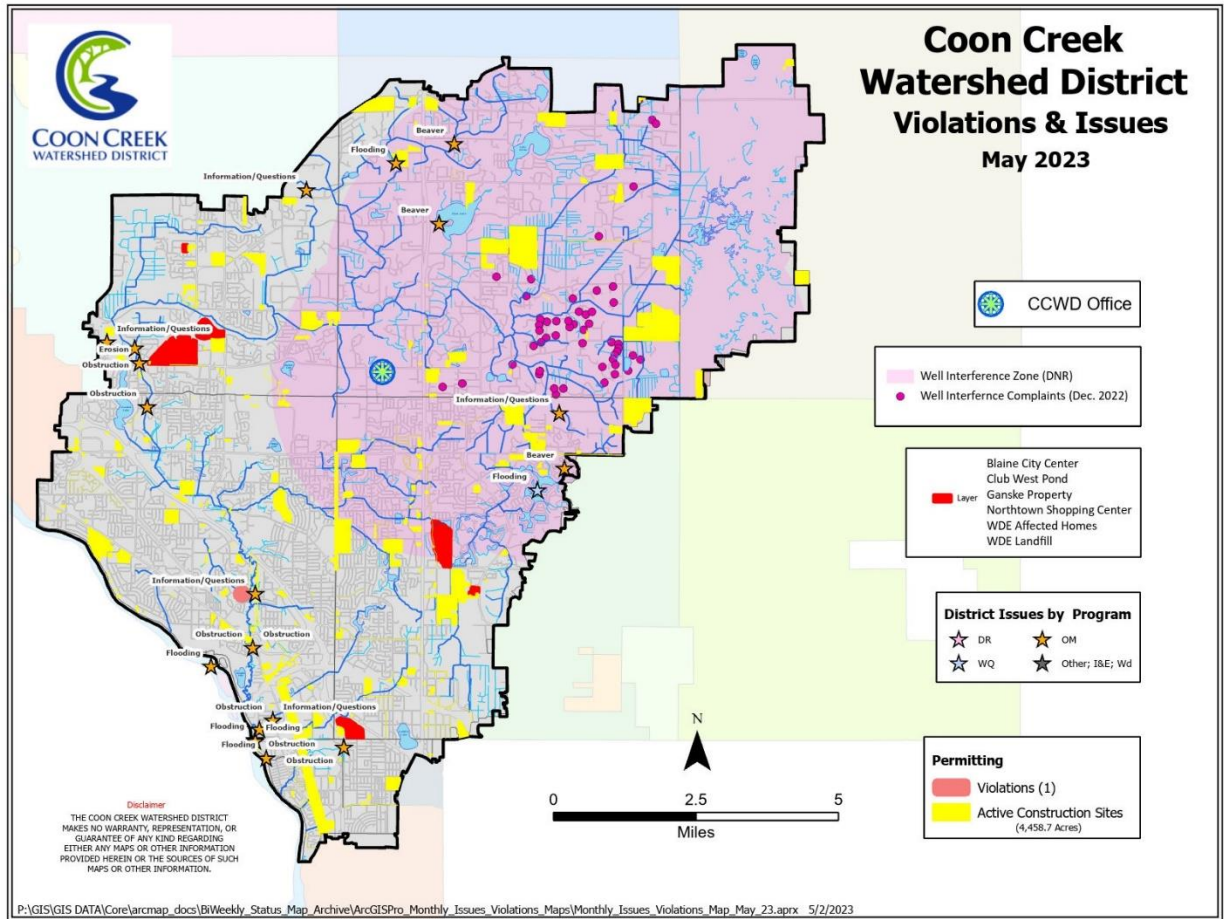


Staff have been working with local farmers and property owners to monitor and remove flood debris and obstructions from ditches in drainage sensitive areas to return lands to normal operations as soon as possible.

Staff will be out once flood waters recede, and before vegetation green up, to evaluate flood damages. No flood damage has been reported to date. Some flood damage evaluations may not occur until fall if vegetation growth conceals the area before flood waters recede.

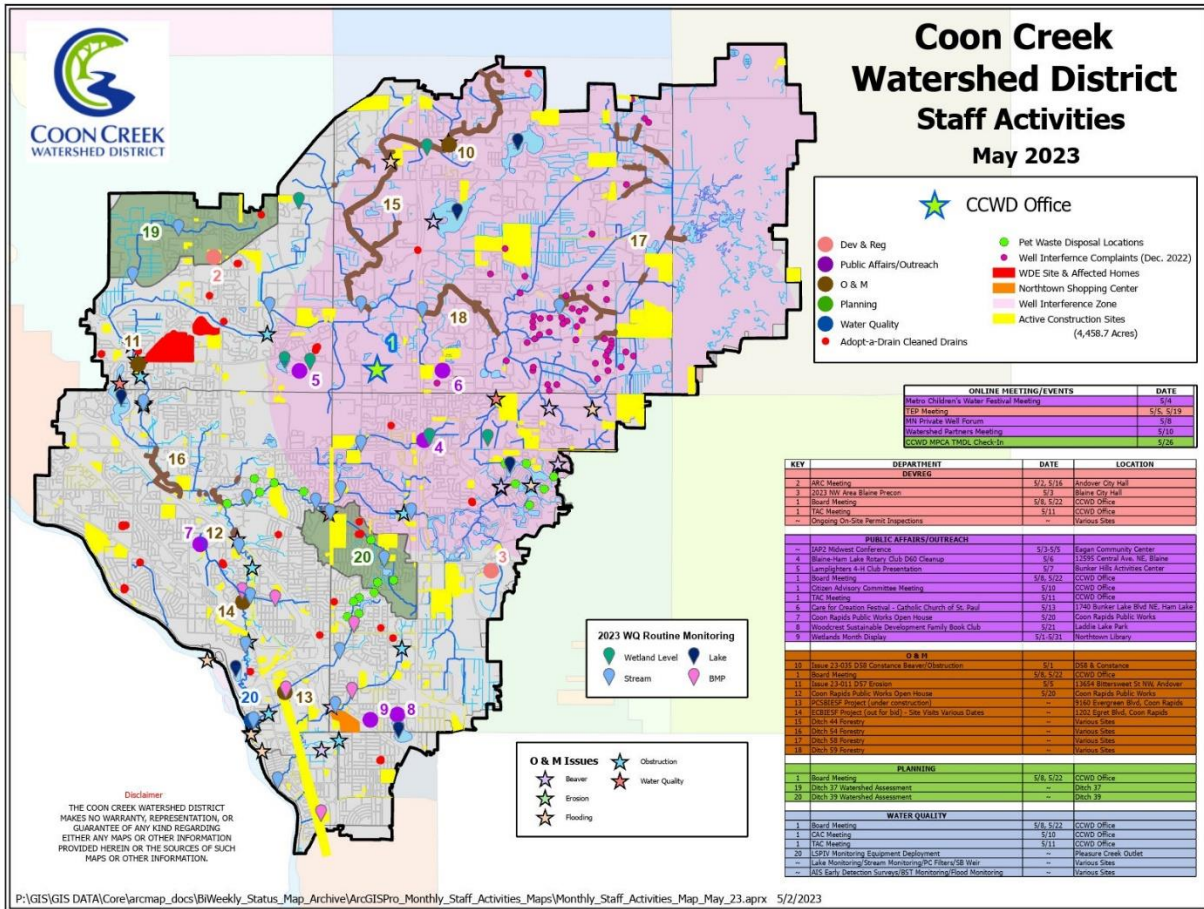
The National Weather Service is currently predicting ~0.6” of precipitation over the next 7 days (May 2-9) with temperatures staying above freezing ranging from 35-74 degrees.

Problems, Issues and Concerns



EXECUTION May Priorities

O&M	Planning	PGA	WQ	Development
2022 Routine Forestry	Comprehensive Plan Goals and Objectives	Article- Andover, Blane, Coon Rapids, Ham Lake	Monitoring equipment installation	Spring erosion control inspections
Coon Rapids Dam Regional Park	2024 Forecast and budgeting	Blaine Ditch 60 Cleanup	Special Study: Coon Creek Dissolved Oxygen	Inspection Program Development
Pleasure Creek South and Epiphany Creek BIESF	Ditch 37 and 39 Subwatershed Planning	Brochure -update Easements	Pleasure Cr Discharge Monitoring: Contracting	MS4Front Bugs
Annual Structure and BMP Inspections	Succession Planning	Events- Andover, Blane, Coon Rapids, Ham Lake	2022 Almanac Review	Crosstown Rolling Acres Infiltration Basins



MANAGEMENT DISPOSITION

Financial Position:

April started with an operational fund balance of approximately \$892,798.67. 4.5% of those funds are restricted, leaving a working fund balance of \$852,048.67. Change in net cash position was -\$293,971.90. Balance of the escrow trust fund is \$2,095,814.32. Three months into the fiscal year, the budget variance is -\$10 (0%) less than planned.

Equipment: The status and condition of the existing/available equipment may cause isolated decreases in flexibility in methods for mission accomplishment but will not increase the vulnerability of the public or resource

Staffing:

- **Staff Availability:** over the month of May the District we will be at 92%
 - One employee on medical leave – Due to return 5/22
 - 1 employee on FTO

Personnel:

- Benchmarks
 - Dawn Doering – 17 years at CCWD on May 1
 - Erik Bye – 1 year at CCWD May 9
 - Jenny Gooden – 2 years at CCWD May 10
 - Abbey Lee – 3 years at CCWD on May 18

- Vacancies
 - **Planner:**
 - Position Description being developed
 - Posting position has been delayed until May

- Succession
 - Evaluation of essential function and tasks being conducted

- **Health:** .
 - One employee recovering from surgery

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 7
ITEM: Advisory Committees Report

AGENDA: Policy Discussion Information

ACTION REQUESTED Receive Report

BACKGROUND

The Citizen Advisory Committee (CAC) met virtually on April 12th. The Technical Advisory Committee (TAC) meeting met virtually on April 13th. Meetings are recorded. Recordings available upon request.

- The next CAC meeting scheduled: May 10th at 4:45pm in person (note: time change).
- The next TAC meeting scheduled: May 11th at 8:30am by Zoom.

ISSUES/CONCERNS

Citizen Advisory Committee (CAC)

All members were present except for Mr. Kurdziel.

Agenda items presented and discussed:

1. 2022 Annual Report and Annual Assessment: Abby Shea presented a brief PowerPoint summarizing parts 1 and 2 of the report as given to CCWD Board, highlighting the four high priority issues and two issues affecting CCWD capacity and capability. Group discussions and questions regarded the extent of wetland loss and how/if the 80/20 rule will be achieved considering the significant costs. There was also discussion on how political and social factors can influence decision making and the work of CCWD.
2. Members are interested in attending the Annual Board Tour and requested the details once available.

Technical Advisory Committee (TAC)

Cities, County Highways, BWSR, and District staff were present with the exceptions of ACD, cities of Columbus and Spring Lake Park.

1. Updates:
 - Local flooding situation and forecast was given by CCWD staff
 - The HUC 8 Study (FEMA related)- none.
 - Comprehensive Plan: Tim Kelly is working on Alternatives and Objectives section.
 - PFAS legislation is in Omnibus Bill
2. Preliminary 10 Year CIP- After Tim Kelly gave an overview and there was discussion of cost estimates needed to meet 2045 TMDLS as given to CCWD Board, CCWD staff presented a PowerPoint showing estimated cost scenarios for meeting TMDLS

- Focus was on budgeting for next 2-3 years with 10-year plan in mind.
 - Partners noted that the cost estimates will be a challenge for councils even though water resources are considered valuable.
 - Tim K noted that the listed 2024 costs were not expected to be met in 2024.
3. Preliminary Alternatives for Funding TMDL Achievement
- The costs as presented do not include grant funding opportunities
 - Tim K also noted that the TMDL process will likely evolve as the due date comes closer
4. After the regular TAC meeting, the Ditch 37 and Ditch 39 Subwatershed Workgroups had kickoff meetings.
- D37 - Andover requested cost estimates for modelling. A follow up meeting on this topic was scheduled for next day.
 - Ditch 39 - Orientation (Blaine & Coon Rapids); Tim Kelly gave brief overview of area and associated cost estimates.

RECOMMENDATION

Receive Report

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 8
ITEM: Bills to Be Paid

FISCAL IMPACT: Budgeted
POLICY IMPACT: Policy

REQUEST
Approve bills

BACKGROUND

Claims totaling \$39,384.82 on the following disbursement(s) list will be issued and released upon Board approval.

May 8, 2023	
To	Amount
Centerpoint Energy	287.31
Connexus Energy	226.93
Emmons & Olivier Resources Inc	3,041.75
Loffler	172.68
Metro I Net	4,498.00
Michelle Ulrich PA	4,079.25
Respec	8,875.00
SHI International	1,709.50
US Bank	16,456.22
Xcel Energy	38.18
	39,384.82

Item 8: Bills to be Paid Page 2 of 2

delete before upload	Paid	Div	CheckID	RefDt	Ref	Desc	DistAmt	GIKey	GIObj	JlGr	JlKey	JlObj	Units	UnitPrice	RecvAddr Cd	DutyCd	Payment	Fiscal Year
VENDOR	vendor #			invoice date	invoice #	description	DistAmt						unit rate	unit price	serv address			
CENTERPOINT ENERGY	156202	CCWD	CC	04/18/2023	10982621-0423	ACCT 10982621-4 CCWD	287.31	8699560112	62225				1	287.31	RO	GEN	CHK	2023
CONNEXUS ENERGY	131028	CCWD	CC	04/25/2023	253758-0423	ACCT 828846-253758 CCWD	226.93	8699560112	62226				1	226.93	RO	GEN	CHK	2023
EMMONS & OLIVIER RESOURCES INC	249839	CCWD	CC	04/18/2023	01883-0001-6	PROJ01883-0001 SWEEPING STUDY	3,041.75	8699560512	61549				1	3,041.75	RO	GEN	CHK	2023
LOFFLER COMPANIES INC	134135	CCWD	CC	05/01/2023	4343236	ACCT CC16 CCWD APR 2023	172.68	8699560112	62124				1	172.68	RO	GEN	CHK	2023
METRO-INET	250487	CCWD	CC	05/01/2023	1213	MTHLY IT SERVICES MAY 23	4,498.00	8699560112	63066				1	4,498.00	RO	GEN	CHK	2023
MICHELLE J ULRICH PA	134647	CCWD	CC	05/01/2023	APR 2023	LEGAL-APR 2023	4,079.25	8699560112	63453				1	4,079.25	RO	GEN	CHK	2023
RESPEC INC	212892	CCWD	CC	04/22/2023	INV-0423-065	PROJ 02734-GIS SERVICES	8,875.00	8699560112	63010				1	8,875.00	RO	GEN	CHK	2023
SHI INTERNATIONAL	150467	CCWD	CC	04/07/2023	B16703584	SO 557548530 HP ELITEBOOK 840 G9	1,550.00	8699560112	61101				1	1,550.00	RO	GEN	CHK	2023
SHI INTERNATIONAL	150467	CCWD	CC	03/31/2023	B16684674	SO 557548530 HP USB-C DOCK G5	159.50	8699560112	61101				1	159.50	RO	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	49.55	8699560112	61477				1	49.55	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	45.77	8699560112	61477				1	45.77	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	2,297.00	8699560512	63595				1	2,297.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	2,297.00	8699560512	63595				1	2,297.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	1,280.00	8699560312	61549				1	1,280.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	101.06	8699560112	61149				1	101.06	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	109.07	8699560112	61105				1	109.07	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	1,194.57	8699560112	62229				1	1,194.57	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	(144.00)	8699560112	61249				1	(144.00)	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	374.93	8699560112	61101				1	374.93	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	108.00	8699560112	61149				1	108.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	26.11	8699560112	61149				1	26.11	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	80.29	8699560112	61559				1	80.29	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	31.27	8699560112	61149				1	31.27	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	495.01	8699560112	62273				1	495.01	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	95.97	8699560112	61149				1	95.97	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	105.89	8699560112	62228				1	105.89	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	689.00	8699560112	61101				1	689.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	10.69	8699560112	61149				1	10.69	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	55.52	8699560112	61250				1	55.52	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	261.27	8699560112	62124				1	261.27	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	120.00	8699560112	61575				1	120.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	64.98	8699560112	61149				1	64.98	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	134.95	8699560112	61149				1	134.95	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	37.99	8699560112	61149				1	37.99	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	62.55	8699560112	61149				1	62.55	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	120.00	8699560412	61355				1	120.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	55.98	8699560112	61149				1	55.98	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	218.45	8699560512	63595				1	218.45	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	29.60	8699560112	61148				1	29.60	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	109.24	8699560112	61101				1	109.24	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	26.23	8699560112	61149				1	26.23	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	214.23	8699560112	61101				1	214.23	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	2.46	8699560112	61101				1	2.46	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	5,180.00	8699560312	61549				1	5,180.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	33.12	8699560112	61149				1	33.12	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	40.00	8699560512	61355				1	40.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	49.27	8699560112	61559				1	49.27	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	5.19	8699560112	61559				1	5.19	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	340.00	8699560612	61355				1	340.00	RK	GEN	CHK	2023
US BANK	128761	CCWD	CC	04/25/2023	25-APR-2023	ACCT 4246 0445 5571 4595 CCWD	48.01	8699560112	61149				1	48.01	RK	GEN	CHK	2023
XCEL ENERGY	138277	CCWD	CC	04/17/2023	824584629	51-0013973606-9 4/23	38.18	8699560112	62226				1	38.18	RO	GEN	CHK	2023
							39,384.82							39,384.82				

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 9
ITEM: Take 5 Oil

AGENDA: Permit

BACKGROUND/DISCUSSION

The purpose of this agenda item is for the Board to review, discuss, and consider approving Permit Application Number P-23-037 Take 5 Oil.

RECOMMENDATION

To approve Permit Application Number P-23-037 with 5 conditions and 2 stipulations, as stated in the Application Review Report dated 05/05/2023.

ATTACHED

Application Review Report for Permit Application Number P-23-037

Permit Application Review Report
Date: 05/05/2023

Applicant/Landowner:

MK Property Holdings, LLC
1374 Willow Creek Lane
Shoreview, MN 55126
saleswiz@gmail.com
720-261-7520

Contact:

Loucks
Trevor Gruys
7200 Hemlock Ln. N Ste 300
Maple Grove, MN 55369
tgruys@loucksinc.com
763-496-6706

Project Name: Take 5 Oil

Project PAN: P-23-037

Project Purpose: Construction of a Take 5 Oil Change facility adjacent to Shine Carwash. Improvements will include surface parking, exterior trash enclosure, sidewalks, and stormwater management.

Project Location: Quarter: SW, SW Section: 10 Township: 31 Range:24, Lot 2 Block 1, 11851 Hanson Blvd NW, Coon Rapids

Site Size: size of parcel - 0.88 acres; size of new impervious- 0.22 acres, size of fully reconstructed impervious - 0.10 acres, area of disturbance – 0.39 acres

Applicable District Rule(s): Rule 2.7, Rule 3, Rule 4, Rule 6

Recommendation: Approve with 5 Conditions and 2 Stipulations

Conditions to be Met Before Permit Issuance:

Procedural Requirements (Rule 2.7)

1. Provide \$10 administrative fee missing from application fee deposit.
2. Submittal of a performance escrow in the amount of \$2,195.00

Stormwater Management (Rule 3)

3. Provide proof of recording of a fully executed Operations and Maintenance Agreement for the perpetual inspection and maintenance of all proposed stormwater management practices after review and approval by the District.
4. Provide an updated plan set addressing the following discrepancies:
 - a. Raise low floor elevation by 0.1 ft to meet District 2-foot separation requirement from 100-year high water level.
 - b. Update the HWL listed on the utility plan for the existing underground detention system to be consistent with the HydroCAD model.
 - c. The District floodplain elevation is mislabeled on the grading plan and floodplain figure. Update the District floodplain elevation shown on the grading plan and floodplain figure to be 857.6.
 - d. Update detail 7 on sheet C8.2 to be labelled "Underground Retention" for clarity.

Soils and Erosion Control (Rule 4)

5. Provide an Erosion and Sediment control plan that includes the following:
 - a. A note on the erosion and sediment control plan that disturbed soils and

stockpiles will be temporarily or permanently stabilized within 24 hours after construction activity in that area has temporarily or permanently ceased.

- b. A double row of silt fence is required in areas within 50 feet of the delineated wetland.
- c. A note that erosion and sediment control devices will be maintained throughout the project.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, the applicant agrees to these stipulations:

- 1. Submittal of as-builts for the underground retention system and the stormwater management practices and associated structures listed in Table 2, including volume, critical elevations and proof of installation for hydrodynamic separators.
- 2. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule and quantities prior to construction.

Exhibits:

Exhibit Type	Exhibit Author	Signature Date	Received Date
Construction Plans	Loucks	05/02/2023	05/02/2023
Stormwater Management Report	Loucks	05/02/2023	05/02/2023
Permit Application	MK Property Holdings LLC	04/09/2023	04/14/2023

Findings

Description: Construction of a Take 5 Oil Change facility adjacent to the Shine Carwash. Improvements will include surface parking, exterior trash enclosure, sidewalks, and stormwater management. The project parcel is 0.88 acres. The project site has 0.28 acres of existing impervious and will create 0.22 acres of new impervious. The combined impervious for Shine Car Wash and Take 5 Oil is 1.09 acres. The proposed project is utilizing the existing underground detention system on the Shine Car Wash site for stormwater management, as was approved in the previous application for Shine Car Wash (PAN 20-149). The Shine Car Wash project and overall plan for both parcels was approved under the 2009 District Rules. This application was reviewed for consistency with the approved overall plan. The existing impervious on this site is considered to be adequately treated. The new and reconstructed impervious was required to meet the current stormwater standards. The site drains east to Coon Creek.

Fees and Escrows (Rule 2.7): The applicant has submitted a \$3,600.00 application fee and deposit which corresponds with the project type of <2 acres (\$3,300.00), and addition to base fee (\$300.00). The submitted application fee is missing the required \$10 administrative fee. The applicant will be required to submit a performance escrow in the amount of \$2,195.00. This corresponds to a base escrow of \$2,000, plus an additional \$500 per acre of disturbance (0.39 acres of disturbance proposed).

Stormwater Management (Rule 3.0):

Rule 3.0 applies to the proposed project because it includes land disturbing activity that creates 5,000 sf or more of new or fully reconstructed impervious surface for non-residential development within one mile of and draining to an impaired water.

The Hydrologic Soil Group (HSG) of soils on site are HSG B. Curve Numbers have been shifted down one classification to account for the impacts of grading on soil structure.

Rate Control: Peak stormwater flow rate at each point of site discharge does not increase from the pre-development condition for the 24-hour precipitation event with a return frequency of 2-, 10-, 100- years as shown in Table 1. The project is proposing an onsite underground retention system to provide rate control prior to runoff being routed to the underground detention system described in Table 2.

Point of Discharge	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Offsite East	3.16	3.16	8.53	8.24	16.14	16.04

Table 1.

Volume Control: The volume reduction requirement is equal to 1.1 inches over the area of all new and reconstructed impervious surface. The amount of proposed impervious required to be treated is 13,683 ft². The project is utilizing an existing underground detention system that was constructed as a part of a previously permitted project (PAN 20-149) and was designed to accommodate this site. The existing undisturbed onsite impervious is already being treated by the underground system per the 2009 District Rules which were in place at the time of approval.

The applicant is proposing the Stormwater Management Practices (SMPs) described below:

Drainage Area	Impervious required to be treated (ft ²)	Proposed SMP	TP Removal Factor	Required treatment volume (ft ³)	Water Quality Volume Provided (ft ³)
Ex. UG Detention System	13,689	Ex. UG Detention System	0.5	2,509	6,534*

*Total volume provided in the underground system serving both parcels. The UG system is sufficiently sized to accommodate the required treatment volume for the Shine Car Wash site per 2009 District Rules and the Take 5 Oil site per 2023 District Rules.

Table 2.

Pretreatment is not required for the existing treatment system; however, a sump will be installed upstream of the proposed system.

The volume reduction requirements are met as shown in Table 2. Infiltration is not allowed as a volume control practice because the practice would need to be placed in areas containing contaminated soil or groundwater. A contaminated soils assessment was provided with PAN 20-149. The project location also has less than three feet of separation from the bottom of the infiltration system to the seasonally saturated soils or the top of bedrock. Geotechnical information was provided with PAN 20-149. The volume control standard has been met.

Water Quality: Stormwater treatment on site must remove at least 80% of the average annual post development TSS per discharge location. The following PAN TSS removal has been provided:

Discharge Point	TSS Removal Provided
Offsite east	98.6

Table 3.

The TSS removal standard is met at each discharge point as shown in Table 3.

Discharges to Wetlands: Because this section was not a requirement when PAN 20-149 was approved for the discharges from the existing underground detention system, and it was designed to accommodate the impervious from this site, the requirements in this section were not imposed on the project.

Low Floor Freeboard: The proposed project is new development including buildings and habitable structures. Therefore, SMPs must be designed such that the lowest basement floor elevations are at least 2 feet above the 100-yr high water level and 1 foot above the emergency overflow. The lowest basement floor elevation proposed is 859.5 MSL. The applicable 100-year high water level is 857.6

MSL. The freeboard requirement is not met, but the LFE only needs to be raised by 0.1 ft.

Maintenance:

Maintenance Agreements: The proposed stormwater management practices will not be maintained as part of standard municipal public work activities. Therefore, a maintenance agreement that meets District standards will be required.

Soils and Erosion Control (Rule 4.0)

Rule 4.0 applies to the proposed project because it is a land disturbing activity that requires a permit under another District rule.

The proposed project drains to Coon Creek. The soils affected by the project include Nymore and Markey and have a soil erodibility factor of 0.15 or greater. Disturbed areas are not proposed to be stabilized within 24 hours, as required. The proposed erosion and sediment control plan includes silt fence, street sweeping, rock construction entrance, and inlet protection. The erosion control plan does not meet District Requirements because it does not contain a note to stabilize soils and soil stockpiles within 24 hours of inactivity, a double row of perimeter control is not present at wetland, and a note regarding erosion and sediment control device maintenance is not present.

Wetlands (Rule 5.0)

The proposed project does not include activities which result in the filling, draining, excavating, or otherwise altering the hydrology of a wetland. Rule 5.0 does not apply.

Floodplain (Rule 6.0)

Rule 6.0 applies to the proposed project because it includes land disturbing activities within the boundary of the 100-year flood elevation as mapped and modeled by the District. The regulatory floodplain elevation is 857.6 ft MSL. The application proposes the placement of 4.16 cubic yards of fill within the floodplain. Compensatory storage is required. The proposed project provides 5.22 cubic yards of compensatory storage, which exceeds the required 1:1 ratio.

Drainage, Bridges, Culverts, and Utility Crossings (Rule 7.0)

The proposed project does not include land disturbing activities which construct, improve, repair, or alter the hydraulic characteristics of a bridge profile control or culvert structure on a creek, public ditch, or major watercourse. The proposed project does not include land disturbing activities which involve a pipeline or utility crossing of a creek, public ditch, or major watercourse.

The proposed project does not include land disturbing activities which construct, improve, repair or alter the hydraulic characteristics of a conveyance system that extends across two or more parcels of record not under common ownership and has a drainage area of 200 acres or greater. Rule 7.0 does not apply.

Buffers (Rule 8.0)

The proposed project does not include a land disturbing activity on land adjacent or directly contributing to a Public Water, Additional Waters, High or Outstanding Ecological Value Waters, a Public Ditch, or Impaired Waters/waters exceeding state water quality standards. Rule 8.0 does not apply.

Variances (Rule 10.2)

The proposed project is not requesting a variance from the District's rules, regulations, and policies. Rule 10.2 does not apply.

P-23-037



5/2/2023

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 10
ITEM: Permit Items to Consent

AGENDA: Discussion

ACTION REQUESTED

Discuss

PURPOSE & SCOPE OF ITEM

Evaluate existing policy and procedure to expedite the conduct of routine business during Board of Manager Meetings in order to allocate more meeting time to education and discussion of substantive issues.

BACKGROUND

On April 24, 2023, Board member Herbst requested an item be included on the May 8, 2023, Board meeting agenda to discuss options to move noncontroversial permit items to consent prior to the meeting rather than amending the agenda to move noncontroversial permit items to consent at the beginning of each meeting.

A consent agenda, sometimes called a consent "calendar," is a component of a meeting agenda that enables the board to group noncontroversial routine items and resolutions under one umbrella when no public comment or inquiries are anticipated. As the name implies, there is a general agreement on the procedure. Issues in this consent package do not need any discussion before a vote. Unless a board member feels that an item should be discussed and requests the removal of that item ahead of time, the entire package is voted on at once without any additional explanations or comments. Because no questions or comments on these items are allowed during the meeting, this procedure saves time.

FACTS

In 2022, 70 permit items were reviewed by the Board.

- The Board approved/tabled all permit items as recommended by staff.
- 69 permit items were recommended for approval and 1 was recommended for table due to having 10 conditions and 2 stipulations which was then approved at the following meeting with 3 conditions and 2 stipulations.
- 65 permit items were moved to consent and 5 remained on the regular agenda for independent discussion, clarification, and/or minor edits.
- The number of conditions ranged from 0-10, with an average of 3.3, and 7 being the highest recommended for approval.
- The number of stipulations ranged from 0-4, with an average of 1.4, and 4 being the highest recommended for approval.

ISSUES/CONCERNS

Permit items: Permits items typically are not presented to the Board for action until a complete application is received and the review process achieves a staff recommendation for approval. Occasionally permit items are presented to the Board prior to staff recommendation for approval if the applicant requests or there are special circumstances.

Policy: The attached current policy for the use of the consent agenda was approved in 2012. The procedures are intended to be general and flexible to apply to a wide array of scenarios but do not specifically mention permit items or how an item is determined to be controversial or not. Any modifications to the policy should be approved/authorized by the Board.

Threshold: a predetermined criteria is recommended to determine which permit items would be eligible to be included in the consent agenda prior to the meeting.

Considerations:

1. A specific number of conditions and/or stipulations. Some conditions and stipulations are common and consistent, but others vary in scope and scale which can be misleading when only considering the quantity.
2. Staff recommendation for approval. Generally based on the number of conditions and stipulations with the added context of staff evaluating the type, scope, and scale of the conditions and stipulations. Staff recommendation is restricted to compliance with the District rules and procedures and is not intended to reflect if the item is controversial or not.
3. The administrator and president or chairperson make the determination.
4. Item is noncontroversial.
5. No anticipated public comment or inquiries.
6. No anticipated need for a Board member to disclose a potential conflict or abstain from voting.
7. Permit item is available for Board and public review prior to the meeting.

PRIOR DECISIONS

At the July 23, 2012, Board meeting the Board adopted the attached policy for the use of a consent agenda.

OPTIONS

1. Continue to utilize the existing policy and procedure for consent
2. Advise staff on how to proceed
3. Direct staff to present a draft updated policy as discussed at the next meeting

RECOMMENDATION

Direct staff to present a draft updated policy as discussed at the next meeting

COON CREEK WATERSHED DISTRICT
POLICY & PROCEDURES MANUAL

Policy # 1.91
Program: Administration
Policy Name: Use of Consent Agenda

POLICY

The Board of Managers may elect to use a consent agenda for the passage of non-controversial items or items of a similar nature.

The Consent Agenda

1. The consent agenda should consist of routine financial, legal and administrative matters that require Board action.
2. Consent agenda items are expected to be non-controversial and not require discussion
3. The consent agenda is generally voted on in a single majority vote, but it may be divided into several separate items
4. Motions, resolutions and all supporting materials for the consent agenda should be sent to Board members prior to the meeting with adequate time for review
5. The consent agenda should be considered early in the Board meeting. The Chair/President will ask if any member wishes to remove an item from the consent agenda for separate consideration, and if so, the Chair/President will schedule it for later in the meeting

INTENT

To expedite the conduct of routine business during Board of Manager Meetings in order to allocate more meeting time to education and discussion of substantive issues.

DEFINITION

Board: Means the Board of Managers of the Coon Creek Watershed District

Consent items: Consent items are those agenda items that do not require discussion or explanation prior to Board of Managers action, are non-controversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion.

GENERAL INFORMATION & BACKGROUND

The District Administrator, in consultation with the Chair/President of the Board, may place items on the consent agenda. By using a consent agenda, the Board of Managers has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request.

Consent items are those which usually do not require discussion or explanation prior to Board of Managers action, are non-controversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff reports, approval of maintenance details for assets and resources or approval of various schedules.

Items shall be removed from the consent agenda by a timely request by an individual Board of Managers member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the Board of Managers. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.

Consent agenda items are approved en masse by one vote of the Board of Managers. The consent agenda items shall be separately recorded in the minutes.

PROCEDURES

A consent agenda can only work if the reports, and other matters for the meeting agenda are known in advance and distributed with agenda package in sufficient time to be read by all members prior to the meeting. A typical procedure is as follows:

1. When preparing the meeting agenda, the administrator and president or chairperson determines whether an item belongs on the consent agenda.
2. The administrator prepares a numbered list of the consent items as part of the meeting agenda.
3. The list and supporting documents are included in the board's agenda package in sufficient time to be read by all members prior to the meeting.
4. At the beginning of the meeting, the chair asks members what items they wish to be removed (or added) from/to the consent agenda and discussed individually.
5. If any member requests that an item be removed from the consent agenda, it must be removed. Members may request that an item be removed for any reason. They may wish, for example, to discuss the item, to query the item, or to register a vote against the item.
6. Once it has been removed, the chair can decide whether to take up the matter immediately or place it on the regular meeting agenda.

7. When there are no more items to be removed, the chair or secretary reads out the numbers of the remaining consent items. Then the chair states: "If there is no objection, these items will be adopted." After pausing for any objections, the chair states "As there are no objections, these items are adopted." It is not necessary to ask for a show of hands.
8. When preparing the minutes, the Secretary includes the full text of the resolutions, reports or recommendations that were adopted as part of the consent agenda.

Reviewed: 7/9/12
Adopted by Board: 7/23/12

COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: May 8, 2023
AGENDA NUMBER: 11
ITEM: Boundary with Sunrise River WMO

AGENDA: Discussion

ACTION REQUESTED

Review and discuss boundary between the Sunrise River Water Management Organization and Coon Creek Watershed District within the City of Ham Lake.

PURPOSE & SCOPE OF ITEM

To achieve a more accurate alignment between the hydrologic and legal boundaries of the Sunrise River Water Management Organization (SRWMO) and Coon Creek Watershed District (CCWD) within the City of Ham Lake.

BACKGROUND

On March 1, 2023, Staff attended a meeting hosted by the Board of Soil and Water Resources (BSWR) with representatives from the City of Ham Lake, SRWMO, and Upper Rum River WMO, to discuss the City of Ham Lakes membership in the SRWMO. Discussion included the 2014 and 2016 boundary evaluations and the potential for the City of Ham Lake to request another evaluation of the boundary and submit a petition to the BSWR to formally amend the boundary.

On April 13, 2023, Staff met with Tom Collins (City of Ham Lake City Engineer) and Jamie Schurbon (SRWMO representative) to discuss options for modifying the boundary with SRWMO. It was agreed that the City of Ham Lake Council would submit a formal written request to evaluate the boundary.

On April 24, 2023, the City of Ham Lake City Administrator submitted a formal written request to review the hydrologic boundary of parcels in the City of Ham Lake to determine if the jurisdiction of any properties needed to be revised to/from the CCWD and SRWMO.

ISSUES/CONCERNS

Formal Written Request: On April 13, 2023, Staff requested the City of Ham Lake City Council provide a formal request to evaluate the boundary. The request received on April 24, 2023, signed by the City Administrator, does not copy the City Council, or indicate whether it was reviewed or approved by the City Council. The boundary evaluation was not mentioned at the April 24, 2023, or May 8, 2023, City Council meetings.

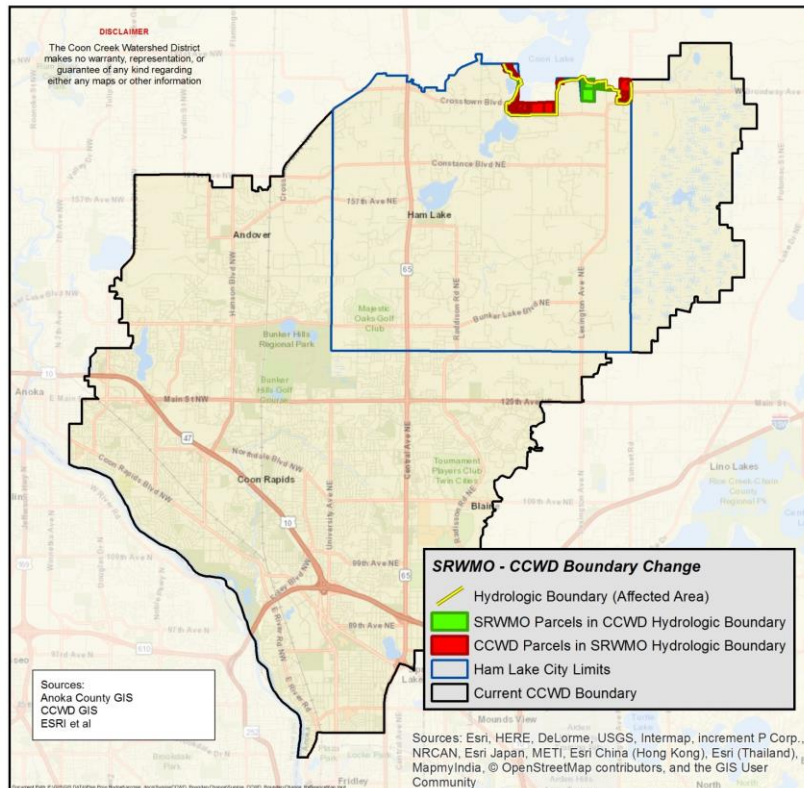
Boundary with SRWMO

The legal boundary with SRWMO has not been amended since the CCWD was established in 1959. The legal boundary was established along the parcel boundaries that best aligned with the hydrologic boundary based on the available information at the time. Several large parcels were included in the CCWD because the majority of the parcel drains to the CCWD but the minority portions of those large parcels, including portions of Coon Lake, drain to the SRWMO. Most of those large parcels have since been split and subdivided resulting in new smaller parcels that enable the ability to refine and achieve a more accurate alignment between the hydrologic and legal boundaries. The SRWMO boundary was evaluated in 2014 and 2016 but did not achieve concurrence between the impacted agencies so has not been amended.

Properties Involved:

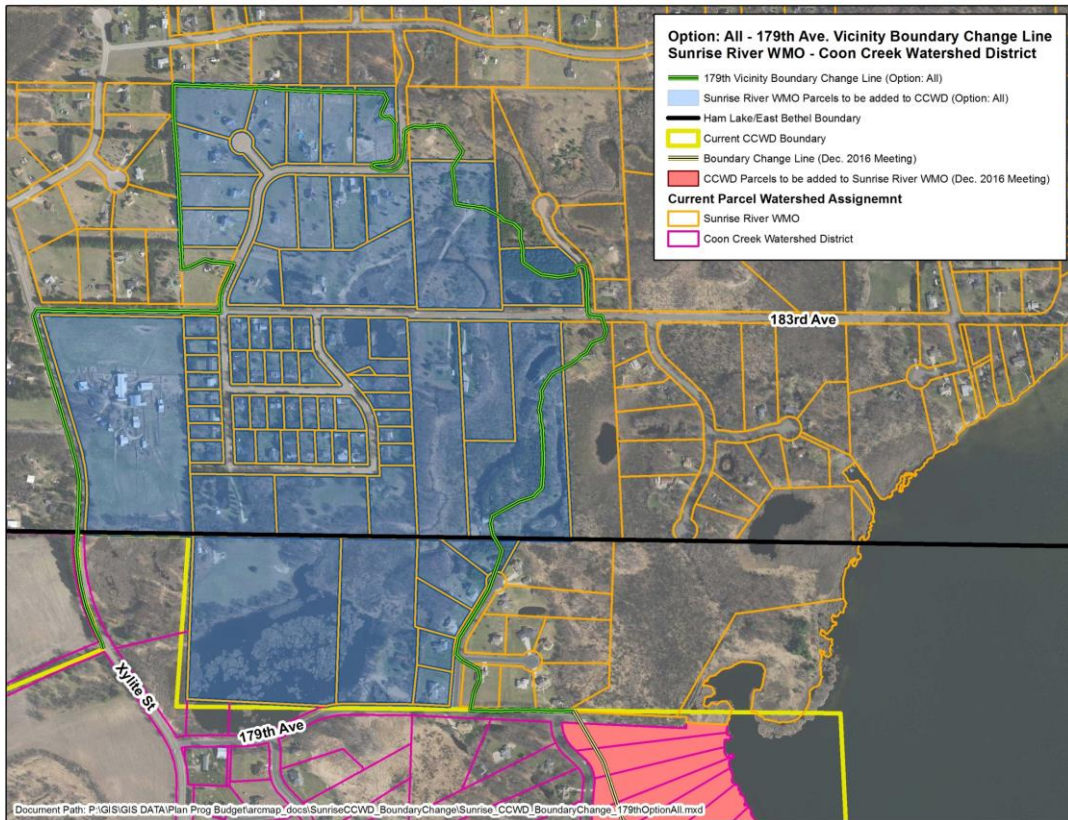
2014 and 2016 boundary evaluations estimate:

1. There are 75 parcels on approximately 350 acres that are within CCWD that should be within the SRWMO.
2. There are 24 parcels on approximately 96 acres that are within SRWMO that drain to CCWD.



East Bethel Minor Subwatershed:

There is an approximately 166-acre landlocked area along the East Bethel-Ham Lake boundary between 179th Ave, Xylite St, 183rd Ave, and Flanders St/Coral Sea St that only drains out during extreme high-water conditions (>100-year flood). The area is currently within the SRWMO because the area would eventually outlet through Flanders Street in East Bethel and drain to the SRWMO. However, recent surveys have determined that a driveway without a culvert along 183rd Ave in East Bethel acts as a plug to the extreme high-water outlet and that the current extreme high-water outlet would instead overtop the 179th Ave roadway and drain to the CCWD.



Two culverts were designed and permitted to be under 179th Ave between Xylite Street and Coral Sea St. One culvert is an outlet for a stormwater basin on the south side of 179th Ave draining north into the landlocked area which has been located and found to be operational. The second culvert was intended to allow the landlocked area to drain south to the CCWD under more normal circumstances but has not been found and is presumed to either have not been installed or has become buried and nonfunctional over time.

The City of Ham Lake attempted to locate the missing culvert under 179th Ave and thought they had found it partially buried. The city proceeded to clean the culvert and informed the CCWD that the culvert for the landlocked area had been located and repaired. A follow-up inspection determined the city had located and repaired the stormwater basin culvert and that the culvert for the landlocked area is still missing.

East Bethel Minor Subwatershed continued:

1. A culvert could be installed under 179th Ave that would allow the landlocked area to drain to the CCWD under more normal circumstances.
2. Beyond providing an outlet, there are no services that the CCWD can provide to the citizens of the area that aren't being provided already and probably less expensively.
3. The extension of the legal boundary into East Bethel would cause an administrative burden to include East Bethel that would cost more than the tax base of the area.
4. The City of Ham Lake, SRWMO and staff agree a reasonable solution would be to either split this area along the city boundary or exclude this area from the boundary amendment petition and leave the boundary where it is in this area.
 - a. Entire landlocked area - 69 parcels totaling 166 acres
 - b. Split along city boundary- 7 parcels totaling 37 acres
 - c. Leave boundary where it is- 0 parcels totaling 0 acres

PRIOR DECISIONS

2014 Ham Lake Boundary Evaluation

In 2014 the CCWD responded to a request from the City of Ham Lake to evaluate the portions of the city that are currently within the SRWMO and Upper Rum River WMOs. An analysis was conducted along with a DRAFT petition to the BWSR for amending the Boundary. While the Board was not super supportive of the petition, Upper Rum demonstrated fierce opposition to the amendment and the BWSR who must approve the petition was not convinced. The CCWD never received any response from the SRWMO.

2016 Sunrise River WMO Boundary Evaluation

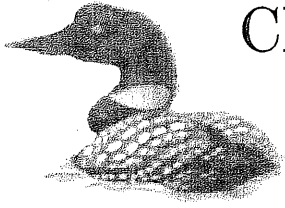
In 2016-2017 the CCWD responded to a request from a Ham Lake property owner (Troy Wollens) to evaluate the boundary with the SRWMO. An analysis was conducted and a request for statement of concurrence was requested by the CCWD from SRWMO and the City of Ham Lake. A letter of concurrence was received from SRWMO but not the City of Ham Lake. The CCWD submitted a Boundary Petition to the BWSR without the East Bethel minor subwatershed. The BWSR denied the petition due to missing a written statement of concurrence from a governing body having jurisdiction over the territory proposed to be added or transferred.

OPTIONS

1. Request the City of Ham Lake City Council provide a formal request to evaluate the boundary and then evaluate the boundary
2. Evaluate the boundary
3. Request more information &/or assessment of support
4. Receive the report and evaluate boundary another time

RECOMMENDATION

Request the City of Ham Lake City Council provide a formal request to evaluate the boundary and then evaluate the boundary



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
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April 24, 2023

Tim Kelly, Administrator
Coon Creek Watershed District
13632 Van Buren Street
Ham Lake, Minnesota 55304

Candice Kantor, Chair
Sunrise River Watershed Management Organization
5660 South Linwood Lake Drive
Wyoming, Minnesota 55092

Dear Mr. Kelly and Ms. Kantor:

The City of Ham Lake is requesting that the Coon Creek Watershed District (CCWD) and Sunrise River Watershed Management Organization (SRWMO) review the hydrologic boundary of parcels in the City of Ham Lake to determine if the jurisdiction of any properties need to be revised to/from the CCWD and SRWMO. The review is being requested to achieve an accurate alignment between the hydrologic and legal boundaries between the CCWD and SRWMO, per the Minnesota Statutes 103B.205 definition of a watershed.

Sincerely,

Denise Webster
City Administrator

cc: Jamie Schurbon, Anoka Conservation District
cc: Tom Collins, City Engineer