

MEETING MINUTES

SOUTH ZUMBRO WATERSHED JOINT POWERS BOARD

OCTOBER 14, 2022

Board Members Present: Molly Dennis, Patrick Keane, Kelly Rae Kirkpatrick, Mark Thein, Cheryl Winters

Board Members Absent: Matt Flynn

Staff/Others Present: Scott Bennett (Olm. Co. SWCD), Matt Crawford (City), Jeff Haberman (City), Aaron Luckstein (City), Mike Nigbur (City), and Chad Schuman (Olm. Co.)

1. Call to order/Roll Call

Meeting was called to order at 12:10pm. Roll call was taken.

2. Order of Agenda

Motion by Board Member Thein, second by Board Member Kirkpatrick. Motion carried 5-0.

3. Introductions

Board Chair Keane asked board members and staff to introduce themselves.

4. Confirmation of officers

Officers were confirmed. Board Chair (Keane), Board Vice Chair (Thein), Board Secretary (Dennis).

Staff Member Luckstein stated City staff will produce the agenda, public posting, and meeting minutes for the Board Secretary.

5. General overview on the role of Joint Powers Board

Staff Member Luckstein provided an overview of the reservoirs and role of the South Zumbro Watershed Joint Powers Board. He also shared a copy of the Joint Power Agreement between the City, County, and SWCD and the by-laws. See enclosed packet items “Agenda Item 5_Background on Reservoirs and SZWJPB” and “Agenda Item 5_SZWJPB Agreement and By-laws”. There was a discussion on project partners and the role of various agencies like the National Resource Conservation Service, Department of Natural Resources, and Minnesota Pollution Control Agency. Board Secretary Dennis recommended offering a standing invitation to representatives of those Agencies to attend future meetings to help foster collaboration. This agenda item was intended for informational purposes only and no Board action was taken.

6. Annual Maintenance Inspection Update for 2021 and 2022

Staff Member Crawford provided an overview on the need for annual inspections and what items are looked at. He shared the inspection checklist results from 2021 and provided a verbal update on the 2022 inspections. The 2022 inspections occurred on 10/12/22 and 10/13/22 so the records were not yet complete. He noted the reservoirs as a whole are in good repair. The attached inspection checklists show the minor repair work that is needed and any areas to watch in future inspections. Ongoing maintenance is needed but no big repairs. Staff Member Schuman stated the City and County have a good working relationship. See the enclosed “Agenda Item 6_Res Inspections 10-12-21” attachment. This agenda item was intended for informational purposes only and no Board action was taken.

7. Planned maintenance activities for 2023

Staff Member Crawford discussed the maintenance items identified from the inspections that need to be completed. Otherwise efforts will focus on routine maintenance like vegetation management and fence repairs. Staff Member Haberman provided an update on the fence repair project. All fencing for all reservoirs other than Willow Creek was complete or near completion. This has been an ongoing project since 2017 and focuses on in-kind replacement of aging fencing and adding new fence in current gaps. Staff Member Haberman noted some of the residents surrounding Willow Creek Reservoir noted a concern for adding new fence so there are discussions happening between the City and residents. There was a discussion on the extent of fencing at the reservoirs to better



understand the scope of project and intent of fencing. Staff Members Nigbur and Crawford provided examples and noted some of the issues occurring at Gamehaven where children are getting on to the discharge structures and jumping into the reservoir. This is a safety concern. Recreational users also enter some of the reservoir property through undefined access points which can result in trespassing onto neighboring property and damage to private property. Staff Member Haberman also discussed some of the recent changes they have made with vegetation management. Previous efforts of mowing and spot spraying was labor intensive and expensive. They are now working with local farmers to cut the vegetation and use it for feed. This serves a dual purpose and saves time and money. This agenda item was intended for informational purposes only and no Board action was taken.

8. Atlas 14 and reservoir capacity discussion

Staff Member Luckstein stated he had gotten previous questions on whether there was any long term concerns regarding the increased volume of rain based on the updated climate data (Atlas 14). He provided an overview on the change from TP-40 to Atlas 40 and the potential impact on the capacity of the Reservoirs. The Reservoirs were initially designed for a 24 inch rain over 6 hours which is at the 500 year or greater storm event. Those events are so rare the data hasn't changed as much at that level. It has more of an impact in the 100-200 year events. The storms in 2007, 2012, and 2019 demonstrated the reservoirs (and flood channels) worked as designed and have plenty of capacity. There is not a current concern. The JPB had initially discussed evaluating the capacity of the reservoirs in 2015 but decided it was not needed. Staff Member Luckstein noted that the City is updating its comprehensive storm water management plan and has requested a scope of services and bids from consulting firms to model the system to help identify potential areas with elevated risk and how the capacity of the reservoirs fit into that. While the study would not specifically focus on the reservoirs, information will be obtain to help this board determine if future expansion projects are needed or if funds would be better spent in other areas. Bids have not yet been received but Staff Member Luckstein is hopeful the project will be affordable. The study would be paid for by the City's stormwater utility fund. Staff Member Luckstein will report back at the next meeting. There was a discussion on the potential impact development has had on the capacity of the reservoirs. The discussion not only focused on increased impervious surface but altering or removing soils that traditionally held more water or promoted infiltration. That activity should not have had a measurable impact on the reservoirs but is something the City could consider as part of



it's comprehensive surface water management plan. This agenda item was intended for informational purposes only and no Board action was taken.

9. Funding/Local Option Sales Tax update

Staff Member Luckstein presented on the history of the flood control fund and its current state. There is approximately \$14 million dollars remaining however there are several expensive projects identified in the 7-year capital improvement plan (CIP) such as dredging and replacing the discharge structures which would deplete the fund in 2028 or 2029. This fund is also used for the USACOE flood channels and levees within the City of Rochester. The City requested approval of a local option sales tax during the 2022 legislative session however no legislative action was taken. The local option sales tax would first need to be approved by the legislature then passed through a local referendum. The goal would be to generate \$40 million dollars to provide 35 years of funding. Since the long state of the fund is unknown, staff are delaying CIP projects, reducing maintenance by trying things like the collaborative project with local farmers mentioned earlier, and seeking grants and alternative funding sources for projects. There was a discussion on budget costs, long term planning, and impacts to other funds like Parks and Trails and stormwater utilities if the local option sales tax is not approved. This will be an ongoing discussion topic at future board meetings. This agenda item was intended for informational purposes only and no Board action was taken. See the "Agenda Item 9_Funding and Local option sales tax update" attachment.

10. Open Discussion

Board Chair Keane recommended meeting two times per year in the spring and fall; especially because of the status of the flood control fund. The meeting can be cancelled if there are no topics or updates. After discussion it was agreed that April and October would be the best months. Vice Chair Thein recommended planning a field trip to one or more reservoirs as part of an upcoming meeting. This will be considered when planning future meetings.

11. Adjournment

Meeting was adjourned at 1:56 pm.

