City of Oronoco
Special City Council Meeting Agenda
October 5, 2010
1:30PM

I. CALL TO ORDER

The Special City Council Meeting / Workshop was called to order at 1:30pm.

II. ROLL CALL

Members Present: Councilor Brian Breider, Councilor Kevin McDermott, Mayor Scott Keigley, Councilor Paul Briggs, and Clerk Sandy Jessen. Absent: Councilor Jackie Hall.

III. ORONOCO BRIDGE & DAM

The meeting called to talk to the experts on the dam and the bridge. Introductions: City Engineer Joe Palen with Bonestroo, Jason Boyle with the DNR, Dave Senjem; State Senate, Tom Canan; Olmsted County Attorney, Tom Ryan; Olmsted County Parks, Kevin Torgerson; EOC, Terry Lee; Olmsted County, Mayor Scott Keigley, Councilor Kevin McDermott, Councilor Paul Briggs, Councilor Brian Breider, Judy Ohly; Olmsted County Commissioner , Mike Sheehan; Olmsted County.

Discussion:
Mike Sheehan contacted Jason with the DNR. Jason will give a summary: He sent a letter dated September 30 with comments about the dam. They came down last Monday. Most of the gates were open, the flash boards were not in place, and there was debris on the gates. The letter talks about keeping the gates open at all times and to add a burm to prevent further washout and future flooding until a decision is made. The DNR is a regulator and will review what decisions are made. In the dam safety budget for 2010 and 2011; there may be state funds, Lake Shady is also a priority for 2012 for repair or removal. City Engineer Joe Palen; make sure to look at what the county and others have done; there is a Lake Shady report and also an inspection report of the dam in 2009 and they are pertinent to today's discussion. The report seems to say that the spillways need a larger capacity for the permitting of it. It doesn't have the capacity for the type of storm we had. It would need to have a 100 year event as the minimum design; it looks at those that would be flooded in the event of a flood. Would need to know how much capacity is needed, there is not a lot of room to expand it. It would need an environmental impact study up and down stream. In 2009 the state priority list had the dam at 18, was that looked at? It would now be in the top 10 as 8 were funded. Funding is for improvements; it can fund some design costs but not feasibility studies. What role would FEMA play? They put in typically 75% of the cost the other 25% is by others; the state May cover some or all maybe 15%, then it falls to local cost. FEMA has a hazard mitigation plan. How do we get to the point that gives us the cost of what it would take to do this? The Ares report had a five year schedule for diagnostics for the dam and it was $90,000. The improvements would be additional costs. We can't move forward until we have that information. It is a preference for the DNR; that river dams they want removed; if there is a purpose to a dam they are permitable. What would the impact through the community be if the dam was out and an event happened like this? During a 100 year event there is 30 minutes of storage before it spilled down stream; it is minimal for flood storage. Has the dam been weakened, and what does that impact? There are some damages; the overall condition of the dam will need to be looked at. Are there funds to take the dam out? The process for removal is a DNR permit and the army corps of engineers would review it. It is time consuming; the DNR can pay up to 100% for dam removal if its cheaper to remove it, usually 50% match for repairs, The US Fish and Wildlife have funds. The lake looks bad; we would need funds to bring the land back. The county decisions will come down to funding; what role FEMA can play and the DNR and who can pay for amenities for the future land. Financially the county is going to remove park dollars, the money isn't there. We need dollar costs for removing the dam and for repairing and upgrading the dam. Dave Senjem: If you look at Pine Island and Zumbro Falls or the disaster we have here FEMA will be involved and Rushford is

the template the 25% will be on the shoulders of the state. Through this process FEMA comes in and it's just done. Within the bill that they will put together they will add the repair or the removal of the dam and that way the dollars would be there. The options are there. What FEMA is there for is repair; removal may also be there. City Engineer Joe Palen; If the low cost is the removal of the dam, would that include upstream rivering of the system to make up for the loss of the lake? That would be important to the public and that would be important to understand when DNR looks at channel stability not intended for upstream restoration. What type of amenities would be incorporated into that; a canoe landing, park, ballpark, they could be incorporated and maintainable in that type of setting. Need help finding the resources to move forward. We need to speed the process up so this can move forward, so the bridge can be completed. Would FEMA make an estimate for the damage? Dave Senjem; There will be a number by the 8th. The threshold was 6.9 million and with the Oronoco bridge/road and dam it was said it met that. The message was the road will be fixed and to go ahead. I need to know what you want in the bill to make sure the bridge is done properly. City Attorney Tom Canan; the dam and bridge repairs; we can't make a permanent fix to the bridge until a dam decision is made. They have been doing support work; they will be doing temporary work on the bridge to stabilize the north span, they want to do something good that will last for 75 years, the arch appears to be ok. If the dam remains they will have to do something differently for the bridge. How do we move forward? The 6.9 million minimum is a state wide burden and there are 34 counties affected. Once it is declared, FEMA will come in and will answer these questions. FEMA will come back and look at the bridge and dam and its options. The council would like this included in the bill. This is county infrastructure and how do we link this. Judy Ohly; If the dam is repaired to today's standards this doesn't solve the sediment levels. That will create funding issues. If the river system was restored the county would help achieve levels at the federal dollars. FEMA will fund studies. And will fund damage to the condition prior to the event. Mayor Scott Keigley; in the past, with the lake being down it has caused issues downstream with dust bowl type conditions. It could be seeded and plant cover plants to come up in the spring. Terry there is aerial seeding or could broadcast seed it. Property ownership would also need to be looked at. Have the state attorney and the DNR look at that. Case law suggests on whether the lake was navigateable waterway in 1858 then the state would own if not then the adjoining owners would own out to the low water mark. If water recedes it is called accretion the adjoining property owners would get the new land. The Attorney General should be asked about an opinion on this. There is an ongoing law suit with Allis Park. The access rights were not resolved prior to the flood. Three of the four properties south of the bridge are in tax forfeiture Berg owns the fourth should the city or county acquire that. Approach her and offer her the amount it is valued at $1000.

Reconvene at 2:45 pm. Minutes taken by Assistant Clerk Lynn Karsten.
Mayor Scott Keigley; Residents want water in the lake; they are concerned that we are going to lie down and not fight to keep it. Judy Ohly; there is the option to fight, but will it be an asset for the community? Elaine Gerry: I just wanted you to know that People's did look at the Oronoco dam to see if it could be used as an energy source, quite a bit of work would need to be done to use it as an energy source. People's can't make a commitment at this time, we could possibly attempt to move forward as a partner. The results are not back from the study to see how the flow is to use the dam as an energy resource. Mayor Scott Keigley; from the states end for removal of the dam, what is the city's ownership in this part of it? Jason Boyle; as far as removal, there are number of things that are looked at, mainly sedimentation. Impacts to the bridges upstream would also be a consideration. Councilor Brian Breider; is it a long process? Jason Boyle; the longest part of the process is the decision making process as to what to do. Councilor Brian Breider; worst case scenario, what are looking at from start to finish? Jason Boyle; if everybody was on board to remove it, it could take just a couple months, the majority of the time is spent on the decision if the owner wants to remove it or not. Terry Lee; maybe seek funding for a pedestrian bridge to link the park with a new park area, now is the time to be throwing out those types of ideas. Mayor Scott Keigley; that is where our ownership comes into play. Judy Ohly; the county still owns it so the county can use it to accomplish some goals that the city may not otherwise be able to do. Tom Ryan; Olmsted County is paying the city of Oronoco. Judy Ohly; the county made a commitment to do that for 10 years whether the dam is there or not. Tom Ryan; the gates must remain open. If the county board

wants to keep the dam, does the state also serve as the arbiter as when the gates can be opened again? Jason Boyle; yes, to make sure it can be operated in a safe condition. Tom Ryan, the gates need to remain open. Mayor Scott Keigley; I don't see that changing at all. We don't want anything operating until we know it is safe too. We need to keep it clear; we don't know what is going to happen in the spring with ice chunks. Judy Ohly; should the county commissioners offer a clear direction from the county board? Mayor Scott Keigley; it could help the process. We also have to think of what is going to best for the city. Tom Ryan; go to Dave Senjem to have the dollars allocated, and then we will have hard numbers to give to the county, and then move forward. There needs to be a joint meeting to with City Council and County Board to get a good analysis, the water needs to come down. Mike Sheehan; it would be good to get input from the DNR to get the information on the condition on the dam from firms who could provide that information. Mayor Scott Keigley; what number do you plug in for matching money, repairs etc…Terry Lee; FEMA will probably call in a special team to assess it because the bridge is a high ticket item. It will be at least a month before we can move forward with a number. Jason Boyle; the cost estimate to bring the dam up to code, it will probably be a million dollars to bring it up to standards, but it hard to estimate. Hopefully FEMA will clarify a better understanding of that. Kevin Torgerson; FEMA understands that we not only need to bring it back to the way it was, but also bring it back up to code, FEMA understands that it will cost more than the preliminary numbers indicated. Once the 8th rolls around, we will know more. Councilor Kevin McDermott; will the appropriate people be notified so they are able to be there when the FEMA is going through the process. People like Kay, DNR, Peoples. etc…Kevin Torgerson; if the declaration comes, the teams will come full speed ahead and want to have all the main folks in the room at the same time, we will do as much notification as possible to make that happen. Mayor Scott Keigley; any other questions? Thank you for coming out. Kevin Torgerson; the media usually finds out before anybody else does if it will be declared a Federal Disaster, I have to see or hear it from an official.

IV. ADJOURNMENT 3:10 pm

Respectfully Submitted,

_____ _____

City Clerk Mayor