Hugo Mayor Tom Weidt convened the workshop at 3:43 p.m.

Attendance:

RCWD Board members: Patricia Preiner, John Waller, Barbara Haake, Steve Wagamon and Harley Ogata.

RCWD Staff & Consultants: Administrator Phil Belfiori, Office Manager Theresa Stasica, District Engineer Mark Deutschman-Houston Engineering, District Attorney Chuck Holtman-Smith Partners.

Hugo City Council: Mayor Tom Weidt, Tony Bronk, Becky Petryk, and Phil Klein.

Hugo City Staff & Consultants: Manager Bryan Bear, Clerk Michele Lindau, City Engineer Jay Kennedy-WSB and Associates.

City of Centerville: Mayor Tom Wilharber, Administrator Dallas Larson.

MN DNR: Commissioner Tom Landwehr, Kent Lokkesmoe

Anoka County Commissioner Rhonda Sivarajah.

Washington County Commissioner Fran Miron.

Representative Linda Runbeck, MN House of Representatives.

Representative Matt Dean, MN House of Representatives.

Rick Gwynn, Planning Commission-Lake Resident.

Debra Neutken, The Citizen

Bald Eagle Lake Outlet Discussion.

Hugo City Engineer Jay Kennedy gave background information and update on the Bald Eagle Outlet structure. He referenced the status of the design plans and said that from an engineering perspective the work could be done in a year. He stated the Hugo City Council would like to see collaborative funding in the replacement of the structure and figure out the long-term maintenance of the structure and ownership.

Mayor Tom Weidt thanked everyone for attending the meeting. He stated the city has been dealing with this issue for the last 4 years and believed everyone was accountable. He said that a "true owner" of the structure could not be determined, and that everyone ought to just work together toward a solution.

RCWD Manager Harley Ogata replied that Board would like the issue to move forward and work collaboratively. He noted that the work has two components-the road and the lake level control structure - and that the latter falls within the legal purposes of the RCWD. He thanked city staff for having assisted the process by presenting an allocation of total project costs between the two components. He said that a majority of the RCWD Board is disposed to help fund the repair. But
the other question concerns the ownership of the structure going forward and responsibility for future maintenance. The
District has researched the history of the dam and it seems clear that there is no owner. The District Attorney has advised
of Mn Statute 103G.551, which states that if a dam has been abandoned, the DNR is to take ownership on behalf of the
state and control of the dam by filing a certificate with the county recorder. If DNR is willing to do this, the RCWD
believes the funding of the dam replacement can be accomplished.

DNR Commissioner Landwehr stated that the DNR doesn’t want to assume ownership of additional dams. However, if the
legislature has issued a mandate then that is the DNR’s directive. He said he is not familiar with the statute and has not
had an opportunity to review the matter. DNR Representative Kent Lokkesmoe said that the department has not done a
title search or easement search into the ownership of the dam. He said that the DNR can fund up to 50% of the cost to
repair or reconstruct a publicly owned dam. The City of Hugo had applied for DNR dam safety funds for the 2014
legislative session but was ranked number 7 and the first 5 applications were funded. He believed the five projects would
use the allotted funds.

Mayor Tom Weidt asked if there were any other DNR funds available for this project. DNR Representative Kent
Lokkesmoe replied there could be a possibility but the other projects take priority. RCWD Manager Harley Ogata noted
that based on the city’s cost breakdown of the project, the cost for the dam component is about $168,000 out of the
$600,000 total. Mr. Lokkesmoe said that there was a reasonable chance that the DNR could fund 50% of this smaller
amount.

RCWD Manager Ogata clarified that under the MN Statute, the commissioner is to either take control by filing a
certificate or conduct a public hearing regarding the abandonment of the dam, but he suggested all agreed that
abandoning the lake level control would not be under consideration. He noted that per the statute, after taking
ownership, the DNR can then transfer the dam ownership to a local public entity that agrees to it.

Mayor Tom Weidt asked if there were any other Anoka County funds available for this project. Washington County
Commissioner Fran Miron asked whether the DNR’s new legislative authority concerning groundwater management
afforded any source of funds or support.

Anoka County Commissioner Rhonda Sivarajah replied this was a road project and they would be setting precedence if
they were to fund. She believed because of the RCWD taxing jurisdiction they were the appropriate funding mechanism
for the dam and that ownership was the main issue at this time.

RCWD Manager Harley Ogata noted that the watershed district would have to amend its capital plan before the board
legally could commit to provide funding, but that a majority of the Board is prepared to do that in the interest of the
public.

Mr. Lokkesmoe said that the DNR has not examined the basis for saying that the dam is abandoned. RCWD Counsel
Chuck Holtman noted that in 1943 the DNR’s predecessor, Department of Conservation, had a proceeding to address high
water on Bald Eagle Lake and exercised authority over the dam in order to remove 6 inches of the sill to lower the lake.
This was pursuant to a formal order based on a finding that no party, public or private, was exercising any ownership or
control over the structure. He said that in the 70 years since there is no evidence of any similar exercise of ownership or
control.

Mr. Lokkesmoe summarized the proposed concept as being that if the DNR declared the structure to be abandoned, then
by agreement the DNR and the RCWD would fund the reconstruction and the City of Hugo would take ownership. Hugo
Engineer Kennedy remarked that while the allocation for the lake level control structure is about $168,000, the total for
dam safety grant purposes would be larger since the road structure also includes the culverts.

Washington County Commissioner Fran Miron believed the ownership issue was very important to resolve before moving
forward. He believed it would be helpful if the watershed district and city forward all information discovered to the DNR.
He said that if the RCWD didn’t take ownership of the structure, as a regional water entity, it at least should take a leadership role in moving this matter forward.

DNR Commissioner Tom Landwehr said that he would like their general counsel to look at the Statute and into the history/ownership issue of the dam. He would like to know whether in 1943 the DNR acted or directed another party to act, as that might shed light on the ownership.

The RCWD and City agreed to forward all information researched on the issue to the DNR’s counsel.

Mayor Tom Weidt thanked all the attendees. He said he would like everyone to commit to making progress on this over the next 2 months.

The meeting was adjourned at 4:35 p.m.