REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, August 9, 2017
Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Approved Minutes

CALL TO ORDER
President Patricia Preiner called the meeting to order, a quorum being present, at 9:00 a.m.

ROLL CALL
Present: President Patricia Preiner, 1st Vice-Pres. Barbara Haake, 2nd Vice-Pres. John Waller, Treasurer Steven Wagamon, and Secretary Michael Bradley.

Absent: None.

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Technician Samantha Berger, Communications and Outreach Coordinator Beth Carreño, Office Manager Theresa Stasica.

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); and, District Attorney Chuck Holtman from Smith Partners.

Visitors: None.

SETTING OF THE AGENDA
Administrator Belfiori requested an addition under Items Requiring Board Action, a new Item 2: Consider letters to landowners on driveway and authorize payment. Then all action items following will be increased by one.

Motion by Manager Haake, seconded by Manager Wagamon, to adopt the agenda as amended. Motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the July 26, 2017 Board of Managers Meeting. Motion by Manager Wagamon, seconded by Manager Haake to approve the minutes as presented.
Manager Bradley requested a correction to the sentence on line 253: Manager Bradley asked where they are at in relationship to actions suggested on and whether some of the projects have already been funded.

The main motion was amended by unanimous consent to incorporate the correction.

Motion carried 5-0.

CONSENT AGENDA
The following items will be acted upon without discussion in accordance with the staff recommendation and associated documentation unless a Manager or another interested person requests opportunity for discussion:

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Permit Applications Requiring Board Action

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CAPROC= Conditional Approval Pending Receipt of Changes

Permit Coordinator/Wetland Specialist Tomczik requested an addition to permit 17-057 engineer’s report on page 28 of the agenda packet. Under Rule D-Erosion and Sediment Control: (h) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).

It was moved by Manager Haake and seconded by Manager Bradley to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations, dated August 1 & 2, 2017 including the amendment made by Permit Coordinator/Wetland Specialist Tomczik for permit 17-057. Motion carried 5-0.

OPEN MIKE – LIMIT 12 MINUTES. Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

No comments.
ADDITIONAL ITEMS REQUIRING BOARD ACTION

1. Consider Resolution Awarding the Contract for the Repair of the Halls Marsh Outlet
   Control Structure.

   District Administrator Belfiori referred to the memo on page 41 of the packet relating to
   Resolution 2017-19 Awarding the Contract for Repair of the Halls Marsh Outlet Control
   Structure. A copy of an email from John Peterson from Peterson Companies was also
   provided to the Board before the meeting. District Administrator Belfiori reported on
   June 28, the Board received the project plans and authorized staff to obtain quotes for
   the project. After quotes were received on July 27, 2017, the District Engineer prepared
   a memorandum. This memorandum is in the Board packet and it recommends
   awarding the project to the Contractor providing the lowest quote, Peterson
   Companies, Inc. in the amount of $98,624.80. The memorandum further recommends
   that an additional 20 percent of the contract ($19,724.96) be budgeted for potential
   change orders for unforeseen conditions or omissions discovered as the project moves
   forward.

   District Engineer Otterness provided a brief technical background on the project. The
   three quotes came in slightly higher than the engineer’s estimate due to site constraints
   and the tight timeframe.

   District Engineer Otterness referred to the email received from John Peterson of
   Peterson Companies Inc. following the preparation of the award recommendation,
   which included a clarification in the quote regarding the protection and restoration of
   the existing private drive. The project specifications include a requirement that the
   contractor provide protection of the private driveway, and if protection measures fail
   the contractor is responsible for replacement of the driveway surface. Peterson’s email
   indicated that Peterson’s quote assumes it will not have to replace the driveway and can
   accomplish the project using protections, such as plywood, in order to avoid damage to
   it. However, in the event the driveway does not support the construction equipment
   and damage is done, the contractor would require payment for the cost to fix it. District
   Engineer Otterness stated that Peterson’s email indicates their quote is based on an
   assumption that non-conforming to the specifications. However, the based on the other
   two quotes provided, the financial risk should the driveway protection strategy fail,
   would not be substantially greater than the difference in cost between quotes received.
   Based on this, they still recommend awarding the contract to Peterson Companies, Inc.

   Manager Bradley suggested the Board of Managers reject this non-conforming quote, or
   tell Peterson Companies the District will authorize a certain amount of money in the
   event of needing driveway repair, and amend the contract to include an additional
   amount of money. He requested additional clarification from Attorney Holtman.

   Attorney Holtman advised he has not been involved in this process and is looking at it
   for the first time. He stated it was not a sealed bid and was done on the basis of
competitive quotes, which means the District is not restricted to choosing the low bid amount and can make adjustments. He provided background information on an incident within the past year, where Peterson Companies did a project with the Comfort Lake-Forest Lake Watershed District and a property owner claimed damage to a private sanitary line under his driveway. The Comfort Lake-Forest Lake Watershed District ended up paying for the alleged damage, but Peterson Companies spent a lot of extra time and effort to work the problem out. This incident may be the reason Peterson is seeking to state that it is not responsible for driveway damage. He advised the District and Houston Engineering see if there is infrastructure under the driveway in question, determine the condition of it, and be clear with the land owner of the potential risks.

District Engineer Otterness stated they plan to take video of the driveway both before and after construction to confirm any potential damage done to the driveway. If there is any damage done beyond the surface of the driveway, they would work with the contractor to try and repair that portion of it. If there is extensive damage along the entire driveway, they would need to replace it entirely. The underground utilities that have been identified in that location through Gopher State One Call include water main, sanitary sewer, and a gas line.

President Preiner inquired what the next quote is, and if it includes the $10,000 for repairs.

Manager Haake directed the Board to page 44 of the packet, which outlines the quotes submitted for this project.

President Preiner concluded it would be appropriate for Peterson Companies to add $10,000 to their quote.

Manager Bradley commented it is a non-conforming quote. He inquired if they can request Peterson Companies to adjust its quote and then decide if it will be awarded to them.

Attorney Holtman stated depending on time constraints, it may be best to issue a clarification on the risks the District is assigning to the contractor and make sure the other quotes have been submitted on that basis. If time does not permit that, the District can communicate to Peterson Companies it has accepted the quote, and be clear on the basis on which it is being accepted. Peterson Companies can accept it and move forward, or communicate further how the potential risk can be settled. It is also important that the District communicate with the property owners involved regarding their responsibility to tell the District what utilities are involved. They should provide access to these utilities so the District can document their condition before construction begins. At this point, the District has assumed the risk of damage to the homeowners.
and it would be up to the District to specify with the contractor which equipment can be used to safely complete the project.

District Engineer Otterness commented the quote process does provide more leeway, but due to the timing of things, a decision is needed today. He sees the Peterson Companies quote as an alternative quote that is being submitted with no responsibility for repaving the driveway. There are two choices: 1) Select this alternative quote knowing that the District is assuming a liability risk of $10,000 or higher for repaving the driveway, if needed; or, 2) Accept the quote from Rachel Contracting. It does not include a liability for the District, but they are going to be conducting the project in a different way that expects they will have to repave the driveway upon completion. The Board needs to decide if they want to pay more upfront, or pay less upfront and assume more risk. If they add $10,000 on to the Peterson Companies quote, it comes out higher than what Rachel Companies quoted. If they select Peterson Companies, they will amend the contract to reflect that Peterson will not be responsible, knowing it was the basis of the quote they provided.

Manager Waller inquired if there was any discussion with the other two contractors that submitted quotes to clarify that the contractor and not the District is assuming the cost of needed driveway repair.

District Engineer Otterness responded that the District has not had any correspondence with either of the other contractors. He confirmed this was first initiated by Peterson Companies through a phone call, then in writing, and was not initiated by Houston Engineering.

Manager Waller inquired if any more of the sewer was reviewed from when it was looked at previously for the culvert, and if they knew the condition of it. It is possible that after the work there may not appear to be surface damage, but the pipe could shift due to compaction. He suggested they video the sewer and water main prior to construction as a risk management practice.

Manager Wagamon inquired if the District assumes the risk of damage under the Peterson Companies quote, there is an incentive for Peterson to be less careful since if there was damage, Peterson would not have to pay for it.

District Engineer Otterness stated the District did not televise any of the sanitary sewer south of the manhole, which is located just south of where they will be working. They only know the condition where the dip is and will be replacing the sanitary sewer in that area.

Manager Waller expressed concern with the impact of the machinery going over an extensive area of the driveway in order to reach the area of construction. The District
needs to have an understanding of the condition of the driveway and sanitary sewer
prior to construction.

District Engineer Otterness commented knowing the depth of the sanitary sewer, he
cannot reasonably see how it could be damaged by access in and out by the machinery.
In his opinion, the risk is minimal to none.

In response to Manager Wagamon’s previous question, District Engineer Otterness
stated they require the contractor to provide a plan for how to protect the driveway and
any structures, and Peterson Companies provided the most detailed plan. Based on
what they suggested, it is the best protocol for protecting the driveway.

Manager Wagamon inquired if they had any concerns with the abilities of Rachel
Contracting.

District Engineer Otterness responded they do not, and Rachel Contracting is working on
the Hansen Park Project. They are a well-respected company and they are confident in
their abilities. The quotes are close, and it is up to the Board to decide which quote they
are most comfortable with.

Manager Bradley commented the District goes to great effort to write clear quote
language. While companies may be legally allowed to propose an alternative, he
supports moving forward with Rachel Contracting.

Manager Wagamon commented he agreed with Manager Bradley. With his company,
they have met specifications with bids, and then lost them to someone who did not
have all the specifications. It bothers him when they add specifications as they go along.

Manager Preiner stated from her experience when you start with controversy, you end
with it.

Manager Waller commented this was an issue that was also brought up at the citizens’
meeting which shows there were others concerned about the driveway.

Attorney Holtman stated if staff and the District Engineer are satisfied that the
specification allocating risk for driveway and utility damage is clear, the Board of
Managers should make a decision today. The loose end is that Rachel Contracting has
not confirmed its position on the driveway. If there is damage to the driveway and the
specification is in any way arguable, Rachel Contracting is not necessarily going to pay
for it. If there is any risk of uncertainty on Rachel Contracting’s view on it, the Board
could authorize the District Administrator to award the contract to the low quote, but
give the District Administrator and District Engineer the authority to determine through
clarification with Rachel Contracting their understanding of this provision. If it is in accord with the Board’s intent, they can proceed with Rachel Contracting.

District Administrator Belfiori stated the other two contractors identified a more robust driveway replacement approach in their bid.

District Engineer Otterness stated Rachel Contracting provided a cost of $11,300 for driveway protection and potential replacement. He agreed with Attorney Holtman’s provision to allow flexibility for the District Administrator to provide clarification from the contractor, and if necessary, adjust the award.

Manager Bradley commented the quote language is very clear.

Manager Wagamon stated they should just award the contract to Rachel Contracting since it included everything in its quote.

**Motion by Manager Bradley, seconded by Manager Haake, to adopt Resolution 2017-19: Awarding The Contract For The Repair Of The Halls Marsh Outlet Control Structure**

WHEREAS, the District engineer has submitted a memorandum dated August 2, 2017, in which it reports that the low quote that satisfies the District’s specifications was submitted by Rachel Contracting, Inc., in the amount of $108,713.60, that the quote is responsive and that Rachel Contracting, Inc., is a responsible contractor; and

Therefore, be it resolved by the RCWD Board of Managers that:

A. The contract for the repair of the Halls Marsh Outlet Control Structure is awarded to Rachel Contracting, Inc., for the contract price of $108,713.60.

B. The District administrator shall sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and the District’s engineer, when prerequisites for issuance have been met by the contractor.

C. The District administrator may sign task orders increasing the contract price in an aggregate net amount not to exceed 20 percent of the contract price.

Manager Waller inquired if they should include wording suggested by Attorney Holtman.

President Preiner responded it is not necessary since the quote already includes what was needed.
ROLL CALL:

Manager Waller – Aye
Manager Haake – Aye
Manager Bradley – Aye
Manager Wagamon – Aye
President Preiner – Aye

Motion carried 5-0.

2. Consideration of Rice Creek Watershed District letters to three Halls Marsh area landowners on private driveway and authorization of compensation.

District Administrator Belfiori reported at the Workshop meeting on August 7, 2017, it was decided to send a letter to three Halls Marsh area landowners on the private driveway regarding home access interruption, compensation payment, etc. The letter identifies that various utilities will need to be shut off, informs them it is unlawful to reside per the codes identified in the letter, and that it is necessary for them to temporarily vacate their property during construction. It also talks about compensation recommended by staff, potential construction periods, access to their property, correspondence with emergency response, correspondence with utilities companies and suggestions for the property owners, and garbage collection.

District Administrator Belfiori stated the summary of compensation is $2,508 for John and Jan Rupert and Dale and Jan Johnson, and $4,037 for Dave and Betsy Thorson. The reason for the difference is because there is an extra person with Mr. and Ms. Thorson, and the Federal amount allowed is $1,254 per person. There is also an added allowance of $275 for pet boarding.

Manager Haake inquired if they are required to submit receipts.

District Administrator Belfiori responded they are using the Federal standard and it is a proactive payment.

Manager Waller stated the letter points out this is reimbursed according to the Federal reimbursement rate for travel expenses for the Twin Cities metro area.

Motion by Manager Waller, seconded by Manager Haake, to authorize distribution of the attached letter and approve payment of compensation amounts identified in the letter. Motion carried 5-0.
3. **Consider Resolution Awarding the Contract for the Repair of Anoka County Ditch 53-62, Branch 2.**

   District Administrator Belfiori referred to the memo on page 48 of the packet. He reported Houston Engineering solicited bids for the construction of the ACD 53-62 Branch 2 Repair Project. After 12 bids were received on July 25, 2017, the District Engineer is recommending they proceed with the low bid amount of $222,140.55 from North Pine Aggregate, Inc. Staff recommends the Board adopt Resolution No. 2017-20 awarding the project to North Pine Aggregate, and that an additional 20 percent of the contract ($44,428.11) be budgeted for potential change orders for unforeseen conditions or omissions discovered as the project moves forward.

   District Engineer Otterness provided additional technical background on this item. He reported there were no additional issues with the lowest responsible contractor. The engineer’s estimate was $364,389, which would have placed it at number 10 in the ranking of bids received. The difference in bids is due to the contractor’s confidence in their ability to complete the work and the timing of the project. It is a desirable project and very competitive as there were three other contractors within 25 percent of the lowest bid provided. He is unsure if the RCWD has worked with the low bidder in the past, but he has worked with that contractor in the past with other clients and he has no concerns.

   President Preiner stated she too has worked with North Pine Aggregate and agreed they do a very nice job.

   Manager Bradley inquired if they know if the Roseau River Watershed was happy with their work.

   District Engineer Otterness responded he did not contact them, but based his recommendation from his personal experiences with the contractor and the type of work the contractor has completed in the past.

   **Motion by Manager Wagamon, seconded by Manager Haake, to adopt Resolution 2017-20: Resolution Awarding The Contract For The Repair Of Anoka County Ditch 53-62, Branch 2.**

   Therefore, be it resolved by the RCWD Board of Managers that:

   A. The contract for the repair of ACD 53-62, Branch 2 is awarded to North Pine Aggregate, Inc., for the contract price of $222,140.55.

   B. The District administrator shall sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and the District’s engineer, when prerequisites for issuance have been met by the contractor.
C. The District administrator may sign task orders increasing the contract price in an aggregate net amount not to exceed 20 percent of the contract price.

**ROLL CALL:**

Manager Waller – Aye  
Manager Haake – Aye  
Manager Bradley – Aye  
Manager Wagamon – Aye  
President Preiner – Aye  

Motion carried 5-0.

4. **Consider Noticing of Proposed General By-Laws Revision for 30-day notice.**
   
   District Administrator Belfiori reported the revised By-Laws were distributed before the meeting and include the three changes that were discussed at the August 7, 2017 Workshop meeting. The proposed resolution is on page 56 of the meeting packet and the notice for the amendment is on page 57.

   District Administrator Belfiori reported on the changes made to the By-laws document and included the following:
   
   1. Page 3, Submission of Managers Expenses: This item is from a previous Board policy and was added under Article IV, Section 7.
   2. Page 8, Committees of the Board
   3. Page 11, Temporary Suspension of By-laws
   4. Page 12, deleted all text relating to Resolution No. 04-08

   The Board pointed out areas in the document that still have underlining and requested that the underlining be removed.

   District Administrator Belfiori responded it will be removed.

   **Motion made by Manager Haake seconded by Manager Bradley, to authorize distribution of the attached notice to the RCWD Board of Managers for the 30-day notice for proposed general By-Laws revisions. Motion carried 5-0.**

   District Administrator Belfiori advised staff will send each manager a hard copy of the final document, which will have all the underlined text removed. As stated in the notice, the general revision of the By-Laws will be considered at the September 13, 2017 regular meeting of the Board of Managers.
5. **Consider Buffer Law Cost Share Informational Document and Revised Cost Share Program Guidance.**

District Administrator Belfiori reported based on discussion at the August 7, 2017 Workshop meeting, the buffer document and RCWD Water Quality Grant Program guidelines were revised. The County conservation districts have identified landowners in the watershed district that may be affected by the new requirement of the State Buffer Law. The RCWD is working with the conservation districts to provide cost-share opportunities for those potentially affected by the State Buffer Law.

District Administrator Belfiori stated they are offering a one-time incentive payment to these landowners for property that is affected by the “Buffer Law.” It is 75 percent of the Reinvest In Minnesota (RIM) Non-Crop Payment Rates from the Minnesota Board of Water and Soil Resources (BWSR) for that particular County, it would be capped at $7,500, and it is a per acre payment. For Anoka County, the payment would be $2,209 per acre and in Washington County, it would be $4,229 per acre.

District Administrator Belfiori stated landowners need to contact district staff in order to receive the funds, complete an application, and sign a five-year maintenance agreement. The conservation district must make a determination of compliance before Buffer Law payments are made.

President Preiner inquired if this is only for 2017-2018.

District Administrator Belfiori explained they are in a unique situation with the Buffer Law, and that the RCWD is not involved in the technical, landowner, or regulatory part of it. It would be an ongoing program, just like their cost-share program, and anyone who is deemed by the SWCD as non-compliance with the law could be eligible.

President Preiner inquired how long the District will hold funding in anticipation of this.

District Administrator Belfiori responded from a funding perspective, it is not a new program. It is using approved money under the water quality cost-share program. It will use the Washington and Anoka County portions of the $50,000 that is already budgeted to implement other water quality practices and they do not anticipate going above that amount in either County.

Manager Waller commented he received information regarding funding available from the NRCS for clean water practices. He is not familiar with what it is, but there is a deadline of August 18.

**Motion by Manager Haake, seconded by Manager Wagamon, to approve the RCWD buffer cost share funds informational document and revised Water Quality Grant Program guidelines. Motion carried 5-0.**
6. Consider Letter Regarding Public Waters Reclassification of Hardwood Creek Segments.

District Administrator Belfiori referred to a proposed letter dated August 9, 2017 to the Department of Natural Resources (DNR) area Hydrologist and other attachments. He reported on April 13, 2017, the DNR Commissioner ordered the removal of two segments of Hardwood Creek from the Public Waters Inventory (PWI). In recent correspondence, DNR staff is now is recommending segments three and four on Hardwood Creek in Washington County be put back onto the PWI.

District Administrator Belfiori read a portion of the RCWD response stating the District does not believe that the statutory language or legislative intent of the PWI was to have an elastic Public Waters Inventory that would move a specific water on and off the list through time. The multiple classifications of the same water body creates considerable administrative difficulties and confusion for the regulated public. The letter also indicates the DNR should not reinstate segments three and four to the PWI without following the required notice, hearing, and appeal processes. This letter was also sent to the Washington County Commissioner, the Mayor and Administrator for Forest Lake, and the Mayor and Administrator for Hugo.

Manager Bradley referred to page 2, six lines down, and requested the comma be removed.

Motion by Manager Haake, seconded by Manager Bradley, to approve submission of this letter to Jenifer Sorensen, Department of Natural Resources Area Hydrologist.

Manager Waller commented he attended the Hugo City Council meeting on Monday, and the Council made a motion to support this. He will appear before the Forest Lake City Council next week and hopes to have the same result. When speaking with the County Commissioner, he welcomed the letter and thanked the watershed district for doing its job. He acknowledged Larry Kramka with Houston Engineering who assisted in preparing this letter. In Hugo, it involves where the current sewer line is and the anticipated 2040 growth of urban housing.

Motion carried 5-0.

7. Consider Veit & Company Inc. Pay Request #5 for Anoka County Ditches 31/46 Repair Project.

District Administrator Belfiori referred to page 83 of the meeting packet, and reported work has been completed in time to receive the 5 percent early completion incentive, which totals $22,700.82. Staff recommends authorization of Partial Payment #5 in the amount of $24,002.42, which includes an additional approximately $1,300 for action not paid in a previous payment, to Veit and Company, Inc.
Motion by Manager Haake, seconded by Manager Waller, to approve Veit & Company, Inc’s pay request #5 as submitted and certified by the District Engineer and directs staff to issue a payment in the amount of $24,000.42. Motion carried 5-0

8. Consider Greater White Bear Lake Community Foundation Grant Application to Partner with Cities on Master Water Steward Program.

Communications and Outreach Coordinator Carreño referred to the memo on page 92 of the meeting packet, and the attached two-page narrative that is required for the grant. She reported they are required to provide a project budget, and will indicate the Master Waters Steward budget is proposed since it has not yet been approved for this year. Since Cities and Counties are eligible for this grant, she does not think the size of the annual budget will be held against them in the project budget because it is common for Cities to have a lot of expenses as well as income.

Motion by Manager Bradley, seconded by Manager Waller, to approve the submittal of a grant application to the Greater White Bear Lake Community Foundation. The grant requests $5,000 from the Foundation to support a Master Water Steward dedicated to water quality projects and education in the Greater White Bear Lake area. Motion carried 5-0.

9. Consider Water Quality Grant Program.


District Technician Berger referred to the memo on page 96 of the meeting packet and reported on the Cost-Share Amendment R17-05 regarding a raingarden in Roseville. They will be adding additional soil amendments to help with the functionality of the basin and an additional clean out port that will aid in the maintenance of the structure. This amendment adds an additional $1,200 to the project cost, which results in an additional $625.65 to what was previously approved, and the Cost-Share recommendation total will go from $5,290.11 to $5,915.75. Program guidelines require Board approval for contract amendments totaling over $500.

Manager Waller inquired if this amendment will increase the ranking value on the water quality form.

District Technician Berger responded it probably will not increase the numbers because it is just adding a clean out port which allows for easier maintenance and the additional compost will aid in infiltration.

Motion by Manager Haake, seconded by Manager Bradley, to amend RCWD Water Quality Grant Program Contract R17-05 for the Petries’ raingarden project, to up to $5,915.75 and not to exceed 50% of eligible project expenses, in accordance with established program guidelines. Motion carried 5-0.
b) Application R17-06 Seiber Streambank Stabilization, Arden Hills.

District Technician Berger referred to the memo on page 105 of the meeting packet. She reported this project is for a riprap between Little Johanna and Lake Johanna, which is similar to the project complete in 2015 on the north end and is accomplishing what was expected. This area sees repeated high flows and is part of the public drainage system. They plan to remove some trees, get some riprap at the tow, and establish a buffer on top. A repair project is not likely to occur anytime soon, and other land owners are interested in potentially doing a project.

District Technician Berger went over the highlights of this project. It will help eliminate 49.2 pounds of Total Suspended Solids, an 87 percent reduction, and .17 pounds of Total Phosphorous per year, an 85 percent reduction. She reported they did receive several bids for this project and they are recommending the same Cost-Share that was provided to the northeast parcel for $7,500.

Manager Waller inquired which ditch this is in the public drainage system and requested more information on it.

District Technician Berger responded it is classified as RCD4 and other landowners are interested in installing a project because it is an erodible area.

District Engineer Otterness stated they do have a profile developed, but have not yet gone through the official procedure to correct the drainage system record.

Manager Waller commented he wants to make sure the profile is kept at its capacity. He is not against this project, but other similar work may be needed in order to maintain the banks in this system. The removal of the trees is important for a drainage system.

District Engineer Otterness stated he has not looked at the depths or elevations in this area.

Manager Haake stated she would like to know if this is a natural or manmade channel between the two bodies of water.

Manager Bradley inquired why this project does not belong to the RCWD for maintenance and it should be looked at further at a future Workshop.

President Preiner suggested they move ahead with this project, and then they can see if there is something more the RCWD should do.

Manager Waller stated he just wants to make sure the profile is not made smaller and he assumes it is an altered natural watercourse.
District Administrator Belfiori suggested they include in the motion wording to coordinate with the District Drainage Inspector to be sure that the work does not impact the profile.

Manager Haake commented she would also like to know what the width of the channel is.

District Technician stated there is a weir structure, which makes it difficult to travel in between the two bodies of water.

**Motion by Manager Haake, seconded by Manager Wagamon, to approve RCWD Water Quality Grant Program Contract R17-06 for the Seiber streambank stabilization, up to $7,500 and not to exceed 50% of eligible project expenses, in accordance with established program guidelines, pending review by the District Drainage Inspector that it does not impact the profile of RCD4. Motion carried 5-0.**

10. Consider Check Register dated August 9, 2017, in the amount of $64,609.44, prepared by Redpath and Company.

**Motion by Manager Wagamon, seconded by Manager Haake, to approve check register dated August 9, 2017, in the amount of $64,609.44, prepared by Redpath and Company. Motion carried 5-0.**

**ITEMS FOR DISCUSSION AND INFORMATION**

1. **District Engineer Update and Timeline.**

Manager Bradley referred to page 127 of the meeting packet, and pointed out the District-Wide Model Annual Maintenance is over budget by 7 percent and 90 percent completed, and the Lower Rice Creek Sediment Source Management is 11 percent over budget and 90 percent completed. He inquired if they need to re-evaluate the budget on those items.

District Engineer Otterness stated with both these items, Houston Engineering expended greater time than was budgeted, and the additional costs will not be billed to the District. The remaining item with the Lower Rice Creek Sediment Source Management is to finalize the memo and present it to the Board of Managers. With this project, there was a feasibility memo that considered things beyond stabilization including additional storage in the system.

Manager Waller commented the engineers have indicated the sediment basins are filling faster than expected in Long Lake and Locke Lake.
District Engineer Otterness stated this memorandum was specific to looking at Locke Lake, Long Lake was not reviewed, and the large storms were a major contributor to the sediment load.

2. Managers Update.

Manager Bradley noted that he and Manager Haake participated in a RCWD Citizen Advisory Committee (CAC) meeting on Bald Eagle Lake where they toured raingardens and the lake itself. The CAC was concerned about an area where the landowner had cut down trees and laid them down on the shoreline. Staff had informed them it was done intentionally to act as riprap.

Manager Haake thanked Gary and Barbara for hosting, and to staff and Rice Creek for making it a nice evening.

District Administrator Belfiori advised at the next Board meeting on August 23, Perry Jones will be joining them to talk about the White Bear Lake report, along with the 2018 budget hearing.

Manager Waller commented he attended the Washington County Water Consortium and they looked at raingardens in the County. He plans to work with landowners in northern Hugo and southern Forest Lake, and their support to the Cities would be a great help.

Manager Bradley stated on August 16 at 5:00 p.m. they have a Peltier Lake Drawdown public information meeting and inquired how many members of the Board should be there.

Manager Haake stated she planned to be there.

Manager Waller stated it is a very important meeting and there is usually a very good turnout. Last year, they took out all of the stop logs, and the water never came down. They are going to try it again this year.

District Administrator Belfiori commented they will notice that meeting publicly in the event that three or more Managers attend.

ADJOURNMENT

Motion by Manager Haake, seconded by Manager Bradley, to adjourn the meeting at 10:31 a.m. Motion carried 5-0.