The Board convened workshop at 1:00 p.m.

Attendance: Board members, Patricia Preiner, John Waller, Steve Wagamon, Mike Bradley, and Barbara Haake.

Absent: None.

Others: Administrator Phil Belfiori; Permit Coordinator/Wetland Specialist Nick Tomczik (portion of meeting); Technician Samantha Berger (portion of meeting); Office Manager Theresa Stasica; District Engineer Chris Otterness-Houston Engineering (HEI) (portion of meeting); Drainage Attorney John Kolb-Rinke Noonan (portion of meeting).

Administrator Belfiori requested an adjustment to the agenda. The first item: Discussion on Rough Draft 2018 Budget will be moved to the end of the agenda. He also requested to add an update on the recent MAWD benefits of Stormwater reuse information sheet. The Board by consensus agreed to the changes to the agenda.

Initial Discussion on Draft RCWD Bylaws.
Managers Haake and Bradley provided the process to the Board by which they derived the draft bylaws provided in the Board’s packet. There was the addition of two new sections, grammar and clarifying edits, and the addition of Policy and Procedure Manual (PPM) referenced in the bylaws. The PPM already exists at the District. The Managers reviewed the document.

Article IV, Section 6. Compensation. Remove quotes from the MN Statute that is stated.

Article V, Section 5. Principles for Decision Making. Manager Bradley stated this section was taken from the existing Policy and Procedures Manual. He believed it was applicable to the Boards duties and should be contained in the bylaws. The Board agreed to set aside this section for further discussion at a Boards future workshop.

Article II, Section 1. General Purpose. Manager Waller requested this item be set aside for further discussion. It quotes a state statute and he would like to discuss more.

Article VI. Code of Ethics. The Board agreed to set aside this section for further discussion at a Boards future workshop.
Article VI. Code of Ethics Section 7. The Board discussed in length with staff and consultants the definition of the words Malfeasance, Nonfeasance, or Misfeasance.

Article VI. Code of Ethics Section 8 (b). Attorney Kolb recommended changing the word “charges” in the second sentence to “allegations”. He also suggested the Board be aware that this section ties back to Section 7. And also consider, how the Board ties this back to a manager’s “oath of office” and not carrying forward their oath.

Article VII. Meetings of RCWD Board of Managers. Section 7 (d). The Board by consensus agreed to change “Section 8” to “Section 9”.

Article VII. Meetings of RCWD Board of Managers. Section 8. This is an addition. Manager Haake stated these committees came from MAWD. The Board reviewed the committees presented and agreed by consensus to remove the potential committees listed.

Article VII. Meetings of RCWD Board of Managers. Section 9. The Board discussed the language and agreed that the Boards Open Mike item of its agenda was a very important right to conserve.

Article VIII. Parliamentary Authority. Section 1. The Board discussed Roberts Rules of Order. The Board agreed by consensus to set aside this section for further discussion at a future workshop.

Manager Bradley volunteered to revise the bylaws per the Board’s discussion and provide a draft for the next workshop.

Manager Preiner questioned if there was language in this document for the District doing business with someone representing the District. In the past, the District was considering renting a storage unit at a business own by a board member. At that time, District Counsel advised that the vote had to be unanimous for it to pass. Attorney Kolb stated there is a statute that specifically deals with this and he will give that information to Manager Bradley. Attorney Kolb believed the best place for this information would be in the PPM. The Board by consensus agreed to discuss and include some language in the PPM.

Manager Bradley recommended bringing back items: Article II, Section 1. General Purposes and Article V. Section 5. Principles for Decision Making to be discussed at the next workshop. He also encouraged Manager Waller to provide language/information on Article II, Section 1. General Purposes to the Board in advance of that discussion. Manager Waller stated he would like to see more of a statement like managing the system for surface water transportation.

Administrator Belfiori referenced Article 5, Section 5 (f). Manager Waller felt the language wasn’t well organized and focused. The Board agreed by consensus to bring the two items to the next workshop.

Manager Bradley left the workshop.

Administrator Belfiori reviewed with the Board the 4 items of the bylaws they would like to discuss at future workshops. These items are: Article II, Section 1. General Purposes; Article V.
Officers and Board Section 5. Principles for Decision Making; Article VI. Code of Ethics; and Article VIII. Parliamentary Authority. The Board by consensus agreed to these items.

Follow-up Discussion on the Shade Tree Construction Inc. Permit 17-005 Compliance Hearing.

Permit Coordinator/Wetland Specialist Nick Tomczik and Technician Samantha Berger informed the Board of this permit application in the City of Mounds View for developing an 8-unit townhome.

Manager Bradley returned to the workshop.

The District had received complete application materials on Friday, June 9th as specified in the 5/24/17 Board Order. HEI is reviewing this information. Administrator Belfiori replied that there is no action item for this item at the 6/14 Board meeting but staff will keep the Board updated.

Permit Coordinator/Wetland Specialist Tomczik stated HEI will complete their review and update the application’s Engineer’s Report. Staff will share the progress with the Board. Administrator Belfiori will approve the CAPROC or Approval per the Board’s Order.

Update on the Susan Moore WCA Application.

Permit Coordinator/Wetland Specialist Nick Tomczik and Attorney Kolb updated the Board. They referenced the draft resolutions found in the Boards 6/14 agenda packet. Manager Bradley requested additional information on item 17 where the TEP disagrees with the LGU’s approach. Permit Coordinator/Wetland Specialist Tomczik explained the TEP comments state they believe consideration should be given to the historic per drainage condition. The comments do not consider the 2006 delineation. Attorney Kolb explained the commenters want previous history before the manipulation/converted area to non-wetland. Manager Bradley requested revising item 17 to make it clearer that the District considered the comment and why the District disagrees with the comment. Permit Coordinator/Wetland Specialist Tomczik and Attorney Kolb replied they would revise the language for Board consideration for their June 14 meeting.

Manager Waller informed staff that he had met with Susan Moore and Mr. McCullough regarding Mr. McCullough’s culvert and weir on his property; concerning if this structure is the responsibility of DNR, MnDOT, or the City of Forest Lakes. He had also spoken to the City of Forest Lake regarding this subject. Manager Waller wanted to give staff a heads up on this situation.

Update on the Recent Legislative Bill(s).

Administrator Phil Belfiori updated the Board on the two pieces of legislation relevant to the RCWD that were approved by the legislature. First was the Correcting Watershed-Based Wetland Conservation Act Implementation bill that the District worked with MAWD on and the second was the WJD 6 public drainage authority transfer with Comfort Lake-Forest Lake Watershed District (CLFLWD). Administrator Belfiori commented that lead authors for the Correcting Watershed-Based Wetland Conservation Act Implementation bill, (Senator
Chamberlain in the Senate and Representative Dettmer in the House), as well as all the other bill sponsors, were very helpful in getting the bill heard and passed. All Managers agreed that the leadership and vision of the legislators that were involved was instrumental in the ultimate approval of both of these bills.

**Metropolitan Council Stormwater Grants.**
Administrator Phil Belfiori informed the Board that 3 applications to the Metropolitan County Stormwater Grant program were approved by the Council for funding. They were the City of Fridley’s Civic Complex, The City of Shoreview’s Rice Creek Fields Stormwater Reuse, and City of New Brighton’s Stormwater Reuse for Irrigation of Lions Park. Administrator Belfiori thanked the Board for their leadership on this important partnership and thanked the Metropolitan Council for their support of these excellent projects.

**Update on the Halls Marsh Outlet Repair Project.**
District Engineer Otterness updated the Board on the project timeline. The DNR permit application process is in its 30-day review period. He also noted that the next steps are to provide the plans and specifications to the City of Mahtomedi for staff review and then he would anticipate bringing the Plans and Specifications forward to the Board meeting on June 28th for consideration to direct solicitation of quotes. He also anticipates a landowner informational meeting be scheduled after the June 28th Board meeting to provide an overview of the anticipated project schedule and the project plan set and specifications.

Manager Waller inquired if staff had investigated the culvert on White Bear Beach in Ramsey County that goes under the railroad tracks and is the outlet for the stormwater pond. Administrator Belfiori replied staff had investigated the culvert and an email response was sent out to the Board of Managers after the 5/24 meeting with pictures explaining staff did not observe major blockages in the pipe.

**Update on the Investigation of Function /Water Levels on AWJD 4.**
District Engineer Chris Otterness informed the Board that the District had received comments from a landowner upstream of Browns Preserve has expressed concern regarding water elevations in the historic Judicial Ditch (JD) 4 Main Trunk upstream of Browns Preserve. Specifically, the depth of water in the 145th Ave. culvert has been cited as being greater than anticipated. The landowner has indicated that these water levels have resulted in inadequate drainage from their property for crop production.

Manager Preiner and Public Drainage Inspector Tom Schmidt met on site with Mr. Faymoville and Mr. Mike to further listen to their concerns. As a follow up to the landowner comments, District staff did authorize the District Engineer to complete a survey of components of the Judicial Ditch 4 (JD 4) Repair / Browns Preserve Wetland Restoration Project, and water levels in these locations. The District Engineer stated to the Board that HEI completed the survey on May 23, 2017. The Engineer then provided an overview of this survey information including the surveyed elevation of the culvert located at 145th Street and the surveyed elevation of the outlet weir at Browns Preserve. He noted that overall the permanent pool elevation remains
identical to as it was designed, and therefore the project is functioning consistent with the
approved design plans ordered by the Rice Creek Watershed District Board of Managers.
Upon further discussion, the Board of Managers reached consensus that the investigation to
further evaluate options for possible modifications to the ACD 15 system to facilitate increased
function and land use alternation can occur only after completion of 2017 hydrologic
monitoring and coordination regarding proposed land use development along ACD 15 has
occurred. They also agreed to send Mr. Faymoville a letter explaining the findings of the
Engineer’s survey data and related information and the Board consensus. Manager Preiner
requested a copy of the letter be sent to Mr. Mike who was also present at the site visit. The
Board reached consensus that the Administrator should provide this draft letter to the Board
for their review at the June 14 Board meeting.

**BWSR Buffer Program Update.**
Administrator Phil Belfiori reviewed the agenda packet memo from BWSR re: Buffer Program
Update-Election of Jurisdiction and Riparian Aid. He noted that the Board had voted earlier this
year to decline election of jurisdiction for the buffer law enforcement. He then identified that
BWSR has provided very rough preliminary information on how much funding the District
would receive if the Board were to decide to reverse its earlier decision and act by June 28 to
elect jurisdiction for enforcement of the law. Administrator Belfiori stated that he was in
contact with BWSR staff over the last couple days and his understanding was that a preliminary
estimate was about $28,000 for the first year (a range of maybe $20,000-30,000), considering
the amount of drain tile and storm sewer public drainage systems that would not be eligible for
funding from the County. Upon further discussion, the Board reached consensus to continue
with its January 25, 2017 decision to decline election of jurisdiction for Buffer Law enforcement.
The Board also reached consensus that the Board should send a letter to each County Board
explaining the Board’s decision.

**Update on MAWD Stormwater Reuse document.**
Administrator Phil Belfiori informed the Board that he had been requested by Minnesota
Department of Health to provide them a document to explain the benefit of stormwater reuse
systems. Based on this request, District staff is working with MAWD to provide (on behalf of
MAWD) this information sheet to the MDH. The Board Paused for a 10-minute break.

**Discussion on Rough Draft 2018 Budget.**
Administrator Belfiori outlined each of the rough draft budget highlights as identified in the
June 7 memo and cross referenced each of the memo items with the preliminary rough draft
budget worksheet tables. He also reviewed the fund balance worksheet with the Board and
informed them that some of the District’s anticipated future CIP projects are more expensive
than the large-scale CIP projects that they have traditionally considered in the past. He noted
that one new additional item that was included in the rough draft budget was including some
funds be set aside to research possible bonding options given the Board’s previous direction in
recent years to not increase the tax levy. Administrator Belfiori also reviewed with the Board
the proposed 2018 budget planning and development schedule. Administrator Belfiori noted
that given that the Board did not have any significant comments on the rough draft 2018 budget information as provided, that he would provide the Board with his recommended preliminary 2018 budget at their July 10 workshop.

The workshop was adjourned at 4:30 p.m.