REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, November 7, 2016
Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Approved Minutes

CALL TO ORDER
President 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, Secretary Michael J. Bradley, and Treasurer Steve Wagamon.

Absent: None

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, District Technician Samantha Berger, Office Manager Theresa Stasica.

Consultants: District Engineers Mark Deutschman, Chris Otterness and Greg Bowles, Houston Engineering, Inc. (HEI); and, District Attorney Louis Smith from Smith Partners

Visitors: Marilyn VanPelt; Mary Wingfield; Jenny VanCanneyt; Joel VanCanneyt; Yoshiko Miller; Patrick Antonen; Mike Werner; Stephanie Hatten; Trevor Jensen; Doug Wood.

SETTING OF THE AGENDA
District Administrator Belfiori added new item 3 under action “Consider Susan Moore Agreement” and a new item 11 under action “Consider Participation in Workshop via Phone”. New item 1 under discussion “Special Announcement” and a new item 2 under discussion “MAWD Board of Directors Succession Plan”.

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

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the October 26, 2016, Board of Managers Meeting. Motion by Manager Wagamon, seconded by Manager Haake, to approve the minutes as presented. Motion carried 5-0.
RECOGNITION FOR YEARS OF SERVICE ON CITIZEN ADVISORY COMMITTEE: MARY SUE SIMMONS.

District Administrator Belfiori stated he was honored to recognize one of their Citizen Advisory members who has committed their time for over five years on their committee. She is Mary Sue Simmons. He stated Ms. Simmons is a positive light and every meeting attended she puts a smile on everyone’s face. She is a beacon of positivity at every meeting.

District Administrator Belfiori stated in addition to her volunteerism on the Advisory Committee she built a rain garden working with RCWD on the cost share program. She has been an advocate in her neighborhood for this program.

Manager Haake stated she also appreciated her dog coming to the AC meetings because it always keeps them calm.

President Preiner presented Ms. Simmons a certificate for her five years of services.

Ms. Simmons thanked staff and RCWD for the recognition. She stated she was so sorry that she has had to resign and put space in her life for her recovery. She noted she was on the mend and liked working with the Board and in particular the staff. She thanked the Board for their affection towards her dog also.

Manager Waller thanked Ms. Simmons for help on the big projects. He stated anytime she wants to come back there will be space for her.

PERMIT APPLICATIONS REQUIRING BOARD ACTION

The following applications have been reviewed by the District Engineer and Staff and will be acted upon without discussion in accordance with the Engineer’s Recommendation unless a Manager or the Applicant or another interested person requests opportunity for discussion:

CONSENT AGENDA

<table>
<thead>
<tr>
<th>No.</th>
<th>Applicant</th>
<th>Location</th>
<th>Plan Type</th>
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<tr>
<td>16-072</td>
<td>Jeff &amp; Mary Joyer</td>
<td>Lino Lakes</td>
<td>Final Site Drainage</td>
<td>CAPROC 6 items</td>
</tr>
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Permit Coordinator/Wetland Specialist Tomczik indicated a correction on page 18, under number two, stormwater. Below the table, fourth line down shows 69,391 and instead of cubic feet it should be square feet, as well as in the next line and the one mid-sentence should be square feet as well.

Manager Bradley asked if it would also need to be corrected in the table as well. Permit Coordinator/Wetland Specialist Tomczik stated those are volume so cubic feet is fine.

Manager Haake asked if they are going to have some tight regulation on here and recorded as well to make sure these are going to be maintained and remain there. Permit Coordinator/Wetland Specialist Tomczik stated whenever there is a stormwater BMP that is utilized to meet RCWD regulation, the rule requires long term maintenance of that facility; a declaration is recorded upon the property or it is an agreement with the municipality that it will be maintained in a functioning condition.
District Technician Berger stated CAPROC item 4 calls out that declaration of maintenance of stormwater features.

**Motion by Manager Wagamon, seconded by Manager Waller, to conditional approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations, dated October 31, 2016. 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.

Mr. Joel VanCanneyt and Mrs. Jenny VanCanneyt, 17010 Kettle River Blvd NE, Columbus, MN, stated they were at the meeting regarding the ditch project taking place on ACD 31. He presented information packets containing photos and other information to the Board. He stated they are on the main trunk and the pond was part of the landscape for thirty years. He stated the photos show what has happened.

President Preiner asked if the pond was man made. Mr. VanCanneyt stated that it was an excavated pond.

Mr. VanCanneyt stated right now they are looking at a mud pit right now and are asking for immediate action including dredging the pond as soon as possible. He stated they have lost a lot of wildlife. He stated part of the problem with this project is they were told the pond would remain, with some loss of water but not be completely drained. He felt there were some engineering issues with that as well. Concerning the culverts on their property that are at either end of the pond, one was at an elevation lower than the other one which made it impossible for the pond to hold any water. One of the things they are asking for is that the culvert on the south end be raised so it is level with the culvert on the north end. There is no way for the pond to hold any basin with the way it was engineered. He asked for an immediate dredging permit to try to get water back in there. All their property is irrigated from that pond and has been for the last thirty years. They will be applying for some grant money to cover the costs of this.

Mr. Doug Wood, 16926 Kettle River Blvd. NE, stated his pond is pretty much the same as Mr. VanCanneyt. He stated there is hardly any water left in it due to this project. He stated he needs something to happen there as well because of the muck and smell there.

District Engineer Otterness stated this pond is in line with Anoka County Ditch 31 and during the public meetings they talked about impacts that are associated with the project including tree clearing and other parts of the construction occurring and they did discuss that the water levels in the ditch would be lowered and did not recall discussing any specifics regarding the pond as far as where the depth of the water would be in that pond because they did not survey the pond bottom while they were out there. Their concern was with the ditch itself during the original survey and finding the bottom of that. He stated given the information he has been given from their construction observer out in the field, approximately two feet of water have lowered down in the pond since construction was completed in the last couple of days to replace the culverts that were downstream and to remove some of the
sediment that was in the channel downstream. It has resulted in quite a change to the water elevations but it is a component of restoring the drainage right to the people that are upstream.

President Preiner asked if the pond was within the ditch. District Engineer Otterness indicated that was correct and it was excavated off the side of the ditch over the years.

District Public Drainage Inspector Tom Schmidt stated he stopped by the northern part of the project and noticed the pond has drawn down. He stated in his conversation with the resident he did explain what District Engineer Otterness stated. He stated there was also discussion this summer with the residents about this and indicated at that time that, based on the final elevation of the new culvert on the downstream end that there would still be water in the pond. He stated that he made this statement without knowing the depth of the pond at the time. He stated that the result is a significant change in the landscape from what it was prior to the project. He stated right now water comes into the pond and there is a large delta forcing water to move around through the pond. At minimum, there would need to be some sort of channel dredged between the two pipes for it to have some sort of flow path beyond what it is now. He stated he would have to defer to Houston Engineering who is onsite every day. He did explain to the resident on the phone that the existence of the ponds on the ditch were not a part of the original ditch construction and that they were first placed there without permission or permits in the early 70’s.

Manager Bradley wondered how much further upstream does the ditch run. District Public Drainage Inspector Schmidt thought it was about a mile. Manager Bradley did not think they could change the pond depth without affecting upstream. District Public Drainage Inspector Schmidt stated restoring the water to the elevation it was before the ditch excavation would have an impact upstream.

Manager Bradley suggested they bring this item back to a workshop with an engineer’s report for further review and discussion.

Permit Coordinator/Wetland Specialist Tomczik stated he had received a phone message from Mr. Wood as well and that the situation may also need to consider wetland regulations.

**ADDITIONAL ITEMS REQUIRING BOARD ACTION**

1. **Consider City of Circle Pines Permit Application 16-087 Variance Application.**

   Permit Coordinator/Wetland Specialist Tomczik explained Jim Keinath, former Administrator of the City of Circle Pines (City), has submitted a written request for a variance for the East Golden Lake Road/East Golden Lake Lane Street Reconstruction (Street Project), from its stormwater ordinances, in which it has adopted District rule provisions by reference. While Circle Pines has assumed regulatory authority, the MOU requires the district’s consideration of the variance. Thus, this variance reviewed only the portion of the project pertaining to Rule C. The information presented in this variance memorandum was provided by the applicant. Project plans were reviewed to verify information in the Statement of Hardship, but not otherwise reviewed for compliance with District Rules. The variance would deviate from the following two District rule provisions: District Rule C.6(c)(2), which specifies the required water quality treatment volume standard for Public Linear Projects; and Rule C.6(d)(3), which prioritizes siting of offsite and/or regional Best Management Practices (BMPs). The Street Project is located within the Long Lake Resource of Concern (ROC). The applicant is proposing to provide no water quality BMPs, and instead only provide sump manholes with “SAFL Baffles” as pretreatment.
practice prior to discharging to open waters. The variance has been applied for after-the fact as
the project is already under construction. The after-the-fact nature of the project will be
addressed by the District during the audit process.

The District Engineer evaluated the variance request by applying the “undue hardship” and
“practical difficulties” test set forth in the municipal variance statute and incorporated by prior-
adopted policy into the District’s variance standard. This standard is applied through the Board
of Managers’ consideration and weighing of the following criteria:

a. How substantial the variation is in relation to District Rule requirement(s);
b. the effect the variance would have on government services;
c. whether the variance will affect a substantial change in the character of the watershed
   resources or will be a substantial detriment to neighboring properties;
d. whether the practical difficulty can be alleviated by a feasible method other than a
   variance (economic considerations play a role in the analysis under this factor);
e. how the practical difficulty occurred, including whether the landowner created the need
   for the variance; and
f. whether in light of all of the above factors, allowing the variance will serve the interests
   of justice.

Permit Coordinator/Wetland Specialist Tomczik informed the Board that he would reiterate the
above criteria and District Engineer Greg Bowles would reply with the District Engineers
response.

Permit Coordinator/Wetland Specialist Tomczik asked per practical difficulties criterion (a), the
applicant has not met Water Quality requirements in the Long Lake ROC. Coarser suspended
solids will be removed through the installation of a sump catch basin with a SAFL baffle, but fine
suspended sediment will not be treated.

District Engineer Bowles replied: Although the proposed variance is substantial, the Board will
soon be considering a Rule change that will remove the requirement for water quality treatment
of public linear reconstruction projects. No water quality treatment would be required for this
project under the contemplated Rule change, and therefore this variance would not be required
if the application occurred following the adoption of the proposed rule. Although the pending
rule change is not yet in effect, the Board may contemplate the current Board direction and
actions regarding the proposed rule revision when considering the extent to which the variance
would constitute a “substantial variation” from District Rules under criterion (a).

Permit Coordinator/Wetland Specialist Tomczik asked per criteria (b), issuance of a variance for
the Street project is not expected to increase flooding (see criteria (c)) or have any negative
effect on government services.

District Engineer Bowles replied: The variance will generally have a positive effect on
governmental services in that the project will repair and maintain City streets.

Permit Coordinator/Wetland Specialist Tomczik asked Per criteria (c), which sets the criteria for
consideration of whether the variance will effect a substantial change in the character of
resources within the watershed, the District Engineer used three criteria to assess substantial
change: 1) water quality, defined the quantity of pollutants such as phosphorus and suspended
sediment leaving the site and the potential for degrading water quality downstream; 2) the
presence of and potential impact to special and impaired waterbodies as defined by various 
laws including the Minnesota Pollution Control Agency stormwater program, whether a water 
body is impaired and related designations including Wild and Scenic or Outstanding Natural 
Resource Value designations; and 3) flooding, the potential for flood damages or other adverse 
hydrologic impacts.
District Engineer Bowles replied: In assessing whether a substantial change in the character of 
the watershed resources may occur, we considered, not exclusively but as a measure of impact, 
the presence of and potential impact to the following:

- a 303(d) listed water body (i.e., an impaired water);
- a high quality or non-degraded wetland;
- a federally listed threatened or endangered species or state threatened, endangered or 
species of special concern and their critical habitat;
- a Scientific and Natural Area as defined by the Minnesota Department of Natural 
Resources;
- resources protected from nondegradation as identified within 7050.0180
- Nondegradation for Outstanding Resource Value Waters; and
- Other generally sensitive resources.

Long Lake is listed on the Section 303(d) impaired water list and is downstream of the project. 
Golden Lake (the nearest waterbody to the project) is upstream of the project and is also listed 
on the Section 303(d) impaired water list.

The construction of the project is not expected to cause an adverse impact to Long Lake. The 
project is not increasing the impervious surface. Thus the water quality is not expected to 
decrease.

Permit Coordinator/Wetland Specialist Tomczik asked Per criteria (c) and whether issuing the 
variance has a negative effect to the neighboring properties, we considered whether the 
granting variance will:

- cause or contribute to a change in the 100-year floodplain elevation immediately 
downstream or upstream of the project site
- increase the frequency or magnitude of flood damages to adjacent properties; or
- increase hardship downstream from peak flow and flood duration.

District Engineer Bowles replied: The drainage patterns and runoff volume will not change. 
Based on no change, peak runoff rates will be maintained to Long Lake for all storm events (2-
year, 10-year, and 100-year). An adverse impact analysis is required by Rule as part of the 
permit process. This variance will not cause an adverse impact to the neighboring properties.

Permit Coordinator/Wetland Specialist Tomczik asked Per criteria (d), an assessment of whether 
the practical difficulty can be alleviated by a feasible method other than a variance (economic
considerations play a role in the analysis under this factor) is necessary. The variance was
created by the occurrence of two conditions:
  a) First condition is the need of the City to maintain the roads and infrastructure within the
  Long Lake ROC and the lack of opportunity to provide water quality treatment due to
  the physical conditions within the project area and available BMPs (proprietary
  filtration) providing minimal benefit at high costs (removal of ~25% TP or 2-3 lbs. annual
  removal of TP at the cost of $75k-$90k).
  b) Second condition is the developed nature of the Long Lake ROC within the City of Circle
  Pines.
District Engineer Bowles replied: The City has identified that physical conditions of the project
include limited BMP opportunities within the ROC due to limited right-of-way (ROW), nearby
lakes and wetlands, and neighboring properties with low floor elevations below potential BMP
locations within the project area. The upland areas adjacent to the project are heavily
developed with limited right-of-way and drainage easements. The City proposed a potential
“treatment” system that would pump water from Golden Lake (upstream of the Long Lake ROC)
to an existing stormwater subsurface drain field. However, District Rule C requires stormwater
treatment prior to the resource of concern and disfavors in-lake treatment for regulatory
compliance purposes (Rule C.1(c)), thus this is not cognizable as a means to meet the Rule C
requirement. Furthermore, the proposed in-lake pumping project is not a proven mitigation
 technique nor one that District staff, including the Lake and Stream Specialist, would
recommend as a viable mitigation technique for Golden Lake. Although hypolimnion withdrawal
and treatment is not a new technology, the proposed project is to discharge to a subsurface
infiltration drain field is atypical and unproven to provide benefit to the lake being treated. The
District, with Wenck Associates, has completed a study of viable options for reducing the
internal loading within Golden Lake; the proposed in-lake “treatment” of pumping from the
hypolimnion to a subsurface infiltration drain field is not recognized as one of the options. Should a
project within Golden Lake be proposed, it is recommended by District staff that an option be
chosen from the alternatives identified within that report.

The applicant did assess a proprietary filtration device, but found that it would only provide
~25% removal of TP as stated above. The applicant has indicated that their assessment of the
sump manholes with SAFL Baffles will provide ~10-15% removal of TP. The benefit provided by
the sump manholes and SAFL Baffles is not compliant with the District Rules definition of
“treatment” but rather as pre-treatment. The District Engineer concurs that proprietary
filtration device are more expensive than typical BMPs. However, other applicants have used
these devices to meet District Rules. District 2015 and 2016 urban cost share program shows
BMP construction costs ranging from $183 to $4,214 per pound of TP removal over a 30-year
period, not counting maintenance. The cost of proprietary filtration provided by the applicant
was $1,000 per pound over a 30-year period. If incidental removal by SAFL Baffles is considered,
the cost per pound rises; in addition, this estimate does not include the cost to maintain the
device over the assumed 30-year life. The applicant did not submit removal calculations.
Therefore, the District Engineer could not verify correctness.

The applicant indicated that locations for treatment within the Long Lake ROC have previously
been evaluated as part of road reconstruction projects within Circle Pines. At the time of those
previous searches, no locations were identified within the ROW or on public lands as suitable for
BMP construction per the applicant. This is due to the fully developed nature of the area and the limited benefit available by expanding existing BMPs. Per the applicant, the City is open to assessing locations within the Golden Lake ROC to provide water quality treatment, but is not proposing any specific project as part of this project. The District has previously provided the City Engineer with a Subwatershed Assessment report completed by the Anoka Conservation District identifying locations of potential BMPs within the Golden Lake ROC and the City. The District has not required applicants to provide treatment in upstream ROCs in the past. The District Engineer agrees that the project areas are fully developed and has limited BMP locations available. The applicant did not submit the previously completed road reconstruction evaluation for review.

Permit Coordinator/Wetland Specialist Tomczik asked Per criteria (e), we considered how the practical difficulty occurred, including whether the landowner created the need for the variance requires consideration. District Engineer Bowles replied: The District Engineer finds that the current landowner did not cause the situation which lead to the implied practical difficulty. The variance was created by the need for road and infrastructure maintenance and the District stormwater requirements.

Permit Coordinator/Wetland Specialist Tomczik asked In consideration of criteria (f), some determination of whether in light of all of the above factors, allowing the variance will serve the interests of justice is necessary. District Engineer Bowles replied: This criterion lies largely in the Board’s domain as it involves judgments of a non-technical nature. Our criterion for assessing this portion of the practical difficulties standard is the ability or inability of other permit applicants with similar site conditions to comply with the Rule C.6(c) water quality treatment and BMP siting requirements. Other applicants have had the ability to feasibly meet this requirement onsite because the site constraints presented here were not evident or alternative BMPs, such as inlet filtration, was shown to be effective in that setting.

Manager Bradley wondered if it is staff’s indication that they do not want the applicant to use the alternatives. Permit Coordinator/Wetland Specialist Tomczik indicated that was correct. He reviewed previous issues cities have had in treating the water.

Manager Bradley asked why they would not grant the variance and have the applicant address the TMDL. Permit Coordinator/Wetland Specialist Tomczik stated they do not find that the proposed water quality treatment method they are proposing is a sound method to treat the stormwater.

Manager Haake asked what the alternative method might be proposed in treating the water. Permit Coordinator/Wetland Specialist Tomczik stated the District doesn’t propose it. To date they have not pressed applicants to look outside the subject ROC and look for other ways but when it is offered and available to take them up on it. The proposed method is not a method the District finds works.

Water Resource Specialist Axtell stated the hypolimnetic withdrawal being proposed by the applicant, pumping water out of the bottom of the lake, treat the water and return it to the lake. What they are proposing is not actually treating stormwater so they are not engaging that
Manager Waller asked if the stormwater went into the lake. Water Resource Specialist Axtell stated it does but in terms of the TMDL requirements, if they are proposing it for that purpose, the State Pollution Control Agency does not allow you to use in-lake treatments in replacement of watershed treatment of stormwater.

Manager Waller asked if the applicant could use an iron sand filter at the point where the stormwater discharges into the lake because that is a way to remove phosphorus that has dissolved. Permit Coordinator/Wetland Specialist Tomczik stated it is and as review of the project in its entirety there was investigation of different areas where those facilities could be put in place. However, there is a limited opportunity space for doing it and spaces that do exist, the road or road right-of-way, there would be an issue of if it was cost effective or reasonable to go that far. They could do something but potentially cost prohibitive.

District Engineer Otterness stated there is a substantial difference in taking water from the ditch or any incoming water into the lake versus treating water from the lake itself because they are dealing with a different concentration of pollutants within the water and taking that water out and not returning back into the water column of the lake, which is being proposed, could have changes that may not result in treatment and could potentially have the effect of increasing the concentrations within the lake.

Manager Waller thought there might be a communication problem with the engineering company of Circle Pines where they have not offered an alternative besides taking the water from the lake such as an alternative that would apply more to the watershed. Permit Coordinator/Wetland Specialist Tomczik stated there is communication between Houston Engineering and WSB in regards to the project.

Manager Haake asked if this is something that is already being done. Permit Coordinator/Wetland Specialist Tomczik stated it was his understanding that the project is already underway.

Mr. Patrick Antonen, City of Circle Pines, stated he is the new administrator for Circle Pines. He introduced Stephanie from WSB. He stated they are in support of the variance and proposed rule change and are in the process of reconstructing many of their streets. He stated with regards to treating the watershed they are looking at different projects and are looking at an iron sand filter. They want to improve the water quality of Golden Lake.

Motion by Manager Bradley, seconded by Manager Wagamon, to approve the requested variance to applicant 16-087. Motion carried 5-0.


District Administrator Belfiori stated at the May 9, 2016 meeting the RCWD Board of Managers provided consensus for the District Engineer to proceed with the engineers recommended
inspection and repair plan for the Halls Marsh Outlet Structure Repair project as defined in the HEI technical memorandum issued on April 6, 2016.

District Administrator Belfiori stated in addition the District Engineer received two quotes from contractors and based on the review of the quotes, HEI is recommending to award the project to Ellingson Companies at their identified quote amounts.

District staff recommends that the Board adopt Resolution 2016-30, Authorizing Hall Marsh Outlet Structure Repair. Staff also recommends that the Board authorize the district fund balance for any expenses related to this repair work that exceeds the 2016 approved budgeted amount in fund 95-03.

Manager Haake stated in speaking to Earnest Jensen he stated that he remembers from the time he has lived there that there are aprons so they will need to be constructed. The ten-inch pipe would be his preferred plan.

Manager Bradley asked what the difference would be in pipe inch. District Engineer Otterness stated the 10-inch pipe would be smoother than the 12-inch pipe because that is corrugated. The smoothness of the 10-inch pipe would be preferred because it makes a substantial difference in the function of the project.

Manager Bradley asked what they would lose using the 8-inch pipe versus the 10-inch pipe. District Engineer Otterness stated the peak flow estimated out of the 8-inch pipe would be 1.6 cfs and out of a 10-inch pipe that would get approximately 2.3 cfs, assuming both are pcv. A brand new corrugated steel pipe would provide 1.96 cfs of coming through it.

Manager Bradley asked if District Engineer Otterness has any indication how much longer water would stay high using the 8-inch pipe versus the 10-inch pipe. District Engineer Otterness stated assuming they had a two-year rainfall in the pond and under a dry pond conditions, for it to drain down from its peak elevation one foot, it would be approximately four days for any of the alternatives. Draining down the first ½ foot there is a greater efficiency with the 10-inch pvc or 12-inch corrugated pipe in place it would be approximately 34 hours for it to drain down versus 43 hours for a draw down with the 8-inch pipe.

Manager Haake wondered if the decision for pipe size can be held off until they find out specifically what it is that will be best recommended. District Engineer Otterness stated they are asking for the cleaning and repair be done concurrently because they do not want to leave the pipe open for an extended period of time, without completing a repair, because it could result in a deformation or collapse of the sanitary sewer.

District Attorney Kolb stated this matter first came to his attention in April 2016 when staff was looking at alternative repair options. At that time, they reviewed all of the history of the Peavey Lake Project. What they noticed was there were no access easements of record that would allow them to enter into this driveway to allow them to perform the maintenance being proposed. One of the things that have taken time is to get the easement and waivers from the additional landowners that have to utilize that driveway.
District Attorney Kolb reviewed the history of the project and alternatives with the Board. He stated that while the Board has an engineers’ recommendation for alternatives, they have the world of options available to them in terms of their exercise of discretion on how to repair this facility and they are not bound to repair it to what was actually constructed but they are bound to repair it to a condition that will allow the project to function as intended. He stated in his opinion, all three of the repair options are legitimate in terms of getting the project back to the intended function, providing a level of relief to the current situation and also taking into consideration cost, efficacy risk and safety.

Manager Waller stated they do not know what action needed to be taken until the culvert is opened and inspected. District Attorney Kolb indicated that was correct and there is also nothing that would prevent whatever is being installed this fall from being a temporary solution to bridge the gap between what is there and what might be an ultimate solution.

Manager Waller asked if the sequence of recommendation was changed would there be any issues with that. He would prefer to look at the option of lining a 12-inch pipe first and then if that is not feasible to install a 10-inch pipe with an 8-inch pipe as the last option because the residents would prefer either a 12-inch or 10-inch pipe. District Engineer Otterness stated both the 10-inch slip lining and cured in place plastic alternatives would increase the capacity of the pipe from what it was originally constructed. The rationale they had of selecting the 10-inch slip lining option first was because it is more likely to be feasible than the cured in place plastic due to the potential for corrosion of the existing pipe and potential for loss of pipe integrity. Those two alternatives could easily be swapped one for the other in terms of preference. The 8-inch pipe meets the original intent of the structure. It will decrease water elevations compared to what it is now.

Ms. Mary Wingfield stated she was the Mayor of Birchwood and she has lived in the area for fifty years and has a good understanding of what was and how they got there. This was a marsh that was environmentally better off than it was before Peavey Lake came into being. She stated Hall’s Marsh was a wildlife habitat and they have lost of that habitat over the years since the lake came to be. She noted Mr. and Mrs. Jensen put a lot of effort into this and until recently Birchwood was not involved.

Ms. Wingfield stated the inlet height from White Bear is at 924 and that would cause a considerable raise to the water level in that area than what it is now. The only reason why this has not come to anyone’s attention in the last 8 to 10 years is because the entire water area has been drawn down unreasonably low so there has been no potential for flooding in that area for some time but now that it is back on everyone’s radar it is an inconvenience and has taken some of their parks out of play. She stated she would ask that they follow through with what Manager Waller has done. If the corrugated pipe is viable then to install the cured in place as choice one and if not viable then to go onto the 10-inch pvc pipe. In any event, they are appreciative this is on the agenda and the Board is wanting to take action to fix this problem.

Mr. Trevor Jensen, 110 1st Avenue, NE Mpls, read the following letter into the record from Ruth and Bud Jensen to RCWD Board of Managers.

Statement of Ruth and Bud Jensen to RCWD Board of Managers November 9, 2016
Presented by Trevor M Jensen

3 Pages

I am here to give more background information about the proposal for the Hall’s Marsh Outlet Structure, and to request that the proposal be amended or tabled.

My parents have lived on Hall’s Marsh since 1980. When it began to stay permanently flooded, beginning in mid-July of 2015, they checked the Outlet Structure and found Class 5 gravel had been dumped on the sides of Johnson’s Driveway. They reported the flooding and the fill to RCWD, but it took from July 3, 2015 until December 1, 2015 – five months – just to get RCWD staff to admit that the culvert was blocked, despite multiple emails, phone calls, photos, and meetings. RCWD’s only follow up on the un-permitted fill was to shovel it out of the three EOF culverts into the draw-down culvert area.

For the past 16 months, Hall’s Marsh water level has remained at two to three feet above normal, killing much of the shoreline vegetation, including trees, shrubs, and valuable native plants.

The Halls’ Marsh Outlet Structure has two separate culvert components with different functions:

First, three 30” Emergency Overflow culverts, at elevation 925.4, control only peak flood elevation.

Second, a 12” draw-down culvert, at elevation 922.8, controls flood duration, minimizing damage to Hall’s Marsh (a Protected Public Wetland) while maintaining water quality in White Bear Lake.

HEI recommendations are based on similar peak flood levels for the different alternatives. However, the peak flood level is set at 925.4 by the EOF culverts, depends only on incoming water, and is not affected by the size of the draw-down culvert.

Their report completely ignores the Outlet Structure’s second component. It fails to analyze the flood duration outcomes, which are controlled by the size of the draw-down culvert, and which are significantly different for an 8” versus the original 12” pipe.

We object to the 8” pipe because of its greatly reduced hydraulic capacity compared to the original 12” pipe. Our calculations show that an 8” pipe almost doubles the draw-down time of the original 12” pipe. This extended flood duration will also cause more frequent and higher non-peak flooding (due to the Marsh’s inability to drain one rainfall before another hits).

We have repeatedly asked HEI and RCWD for the hydraulic capacity of an 8” pipe, and a comparison of draw-down time in Hall’s Marsh using the two different pipe sizes, but they have refused to respond. We can think of only one reason for this: Their calculations show the same result as ours. HEI’s November 3, 2016 Technical Memo skirts the question by saying:
“The 8-inch slip-lined pipe alternative will likely increase the draw-down time of Halls Marsh. However, the increase in inundation duration will occur at an elevation below the current water level in Halls Marsh and adjacent lawns.”

The 8-in slip lined pipe will certainly, not “likely” increase the draw-down time. HEI state in their February 3, 2016 Memo that an 8” slip line will “reduce hydraulic capacity and increase susceptibility to clogging”. HEI’s next statement is ludicrous. The “current water level” has been at or near peak flood level for the past 16 months; the only way flooding could occur at a HIGHER elevation would be to block all three of the EOCs.

Minnesota Environmental Law requires, under CHAPTER 116D, ENVIRONMENTAL POLICY, 116D.03, ACTION BY STATE AGENCIES, Subd. 2, Duties:

“All departments and agencies of the state government shall:

...identify and develop methods and procedures that will ensure that environmental amenities and values, whether quantified or not, will be given at least equal consideration in decision making along with economic and technical considerations.” [emphasis added]

Hall’s Marsh is a Protected Public Wetland, yet its environmental amenities and values have received NO consideration, let alone “equal.” An 8” pipe is a substantive and negative change from the original design, and there is no way it can be considered “normal” or “routine” maintenance of the original Outlet Structure.

After 37 years of zero maintenance by RCWD, the original 12” pipe, is, according to HEI, “failing”. Despite increasingly protective legislation for wetlands, the favored recommendation is for a “repair” that will increase flood duration, pollution and sedimentation, cause further damage to shoreline vegetation, reduce wildlife habitat, and cause environmental harm to Hall’s Marsh.

My parents ask that the Managers consider this issue as if Hall’s Marsh were part of your backyards. Please amend Resolution 2016-30 to deny the use of an 8” slip-line pipe, and to include replacement of the 12” culvert, if a CIPP or a 10” slip-line pipe are not feasible. If this cannot be done now, please table the Resolution until answers to the hydraulic capacity question can be obtained and discussed.

Thank you for your consideration.

Ruth and Bud Jensen
701 Hall Avenue
Birchwood Village, MN 55110

Ms. Yoshiko Miller, 709 Kohl Ave, stated they have lived there since 2013 and have never experienced the water so high and so long. She stated the cattails are expanding to their yard and the yard is muddy and un-useable. They are worried that the flooded part of the yard will
remains un-useable. She is also concerned for the park and the flooding there and how it is now
un-useable except by the ducks. She hoped they can get the nice park back and hoped the repair
will be one that will solve the problems and not a temporary fix.

Ms. Marilyn VanPelt, 707 Hall Avenue, stated she has lived there since 1979 and saw the
beginning of the Preavy Lake Outfall project and seemed to be well done with clear water
running through and wildlife and waterfowl. In the last ten years, she has seen a decline in the
amount of waterfowl and the algae has increased. For the past sixteen months twenty-five feet
of the lawn in her backyard has been underwater which is polluted and borders up to spruce
trees. She urged the Board work as soon as possible on the project and concurred with Mr.
Waller's idea of using the largest possible outlet flow for the marsh.

Mr. Mike Warner, 711 Hall Avenue, stated they are at the east end of Halls Marsh next to the
roadway the culvert undercuts. A portion of their backyard has been underwater constantly
since June 2016 and in years past during a heavy waterfall that portion of their yard goes
underwater for a day or two but would recede quickly so there is an obvious problem. He
stated there seems to be some debris that has gotten into the culvert. He stated a smaller pipe
would probably be easier to plug. His wish would be to try to maintain this as close to what they
currently have as possible.

Manager Bradley stated he would support flipping the choices as Manager Waller suggested but
would like to leave that determination in the hands of their experts. Manager Haake thought
that sounded reasonable but if it is determined that the 12 or 10 inch options are not feasible
then she would like to be able to discuss with the Engineers what the next step would be before
anything is done. Manager Bradley stated the issue with that is once the pipe is open the
Engineers need to determine the problem and fix it so it doesn’t snowball into a real problem.
Manager Haake stated she would like to get a phone call and have the residents contacted.

Manager Waller asked if they had the easements in place. District Attorney Kolb stated they
have the easements from the Johnsons and waivers from additional landowners and all are
recorded so they have all rights and authority to enter the driveway for the purpose of
maintaining the outlet structure in perpetuity. Manager Waller thought the 8-inch pipe is a
temporary solution to the problem.

Manager Haake asked if the Resolution will show what the Board wants to be done as far as
steps taken. District Administrator Belfiori indicated the Resolution identified that the Board is
following Houston Engineering recommendation memo which is the order 1, 2, 3 on page 43 of
the packet. He stated they will make an onsite determination and the engineer will make a final
call but he will make it in that order unless told otherwise.

Manager Bradley stated if they put in an 8-inch pipe and deem it temporary and want to replace
it that will take time, bids and he did not think they could afford to leave it the way it is. He
thought this would be a temporary solution. Manager Waller stated his concern was if the
Resolution locked the RCWD into one position. He wanted to make sure that there would be
flexibility.
District Attorney Kolb indicated the Board is not bound to a bad decision. If it ends up being
that the only thing they can accommodate doing is an 8-inch pipe and it is determined it would
not have been the preference given all of the other options available, there is nothing
preventing the Board from coming back at a later date and doing something different. He
thought staff was given good guidance on the Boards preference on the order of things and still
giving the Engineer the ability to exercise some professional judgement so in his opinion he did
not think there needed to be anymore detail put into the resolution. The important part of the
resolution for him was that it reflected the effort the Board made in balancing and weighing the
competing issues they have with this particular instance. The Resolution can be modified but he
thinks the Resolution is sufficiently broad with guidance given.

Motion by Manager Waller, seconded by Manager Haake, to approve Resolution 2016-30,
Resolution Authorizing Hall Marsh Outlet Structure Repair.

THEREFORE BE IT RESOLVED, that the RCWD Board of Managers authorizes repair of the Halls
Marsh outlet control structure according to the engineer’s recommendations contained in the
November 3, 2016 technical memorandum; and

FURTHER, the President is authorized to execute contracts, if necessary to secure the work; and
FURTHER, the work may proceed upon receipt of required regulatory approvals.

ROLL CALL:
Manager Haake – Aye
Manager Bradley – Aye
Manager Wagamon – Aye
Manager Waller – Aye
President Preiner – Aye

Motion carried 5-0.

Consider Susan Moore Agreement
District Administrator Belfiori stated this item was discussed and per the Boards consensus at
the Board Workshop in July the Board asked for this agreement with Susan Moore. He stated
the Board was given a packet with the agreement and Resolution 2016-32 before the meeting.
This agreement as discussed at the workshop releases the District from future claims from
damages and agrees to the payment of $3,000 and several other items. Resolution 2016-32
approves that settlement according to the terms of that settlement and release and authorizes
the President and Secretary to execute the agreement.

Manager Bradley stepped out of the meeting.

Motion by Manager Haake, seconded by Manager Waller, to approve Resolution 2016-32,
Authorizing Payment of Monetary Compensation to Resolve Asserted, but Doubtful Claim.

THEREFORE BE IT RESOLVED, that the RCWD Board of Managers approves settlement according
to the terms contained in the Agreement and Release; and
FURTHER, the President and Secretary are authorized to execute said Agreement as the voluntary and lawful act of the RCWD; and

FURTHER, upon completion of Moore’s requirements under the Agreement staff is authorized to issue a draft for compensation as detailed in the Agreement.

**ROLL CALL:**
Manager Haake – Aye  
Manager Bradley – Absent  
Manager Wagamon – Aye  
Manager Waller – Aye  
President Preiner – Aye

*Motion carried 4-0-1.*

4. Consider Watershed Management Plan Minor Amendments  
District Technician Berger stated on August 31, 2016 the District distributed a proposed minor Watershed Management Plan (WMP) amendment to cities, counties, towns and State agencies for a 45-day comment period pursuant to the District’s WMP and former MN Rule 8410.

District Technician Berger reviewed the purposes of the proposed amendment and stated the comment period ended on October 18, 2016. Comment letters were received by several reviewers and those comments, along with District responses, are summarized in the Board packet for Board consideration.

District Technician Berger noted a public hearing on the proposed amendment was held on September 28, 2016. Comments received resulted in minor modifications to the original proposed amendment, in particular, sections 1.1.2, 6.2.1.1, 6.3.3.7, 9.1.2, 8.3.1, and 8.3.2.

District Technician Berger stated RCWD staff recommends that the Board of Managers approve Resolution 2016-29 adopting the proposed Watershed Management Plan minor amendment, as revised, effective immediately and direct the Administrator to distribute the amendment and response to comments as required by Minnesota Rules Chapter 8410.0140.

Manager Bradley returned to the meeting.

Motion by Manager Bradley, seconded by Manager Wagamon, to approve Resolution 2016-29, Resolution Adopting Amendment to Watershed Management Plan.  
THEREFORE BE IT RESOLVED that the proposed amendment, as revised, is adopted effective immediately;

BE IT FURTHER RESOLVED that the Administrator shall provide for the amendment to be printed in the form of replacement pages for the WMP, showing deleted text as stricken and new text as underlined, renumbered as appropriate and including the amendment’s effective date, and within 30 days shall distribute copies of the amendment,
electronically or in physical form, to all agencies and individuals who have received a copy of the WMP, and shall make the amendment available for public access on the District’s web site; and

**BE IT FURTHER RESOLVED** that the Administrator shall transmit to all commenters a copy of the District’s response to comments and shall include the response to comments in the record of the plan amendment process.

District Attorney Smith thought there was a reference made to the workshop discussion in Section 8.3.1 and a provision and he understood the resolution would be to incorporate that revision and he did not believe that was a part of the meeting record today so he wanted to make sure that change is a part of the record and intended to be a part of the Resolution. Manager Waller thought it was in the staff report.

Manager Bradley stated he would incorporate into the motion the language previously handed out for 8.3.1.

**ROLL CALL:**
Manager Haake – Aye
Manager Bradley – Aye
Manager Wagamon – Aye
Manager Waller – Aye
President Preiner – Aye

*Motion carried 5-0*

District Administrator Belfiori noted this item was tabled at the October 26, 2016 meeting for further review. He reviewed the consensus discussion from the November 7, 2016 workshop meeting the Board had. He stated the Board identified both legal firms’ strengths and indicated they wanted to have both firms represent them moving forward.

*Motion by Manager Bradley, seconded by Manager Wagamon, to approve Resolution 2016-28, Resolution to Retention of Legal Services.*

*Therefore Be it Resolved that the Board of Managers elects to extend the services agreement for legal services with Smith Partners and Rinke Noonan for an additional two-year period; Be it further resolved that the Administrator is authorized to enter into an extension of the existing agreement with Smith Partners and Rinke Noonan in accordance with the terms of the proposal received and such other terms as are not inconsistent there with and consistent with current delineation of duties between the firms which will be clarified further in discussions with firms. Where the scope of a particular project involves subject areas normally handled by both firms, the Administrator has the authority to select one of the two firms to provide all legal services associated with that project.*
Manager Waller stated he does not support renewing the contract agreement with Smith Partners. He stated Smith Partners is the legal counsel in the Rice Lake situation and the District lost. He did not feel that over the years Smith Partners stands up for property rights.

**ROLL CALL:**

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

*Motion carried 4-1.*

6. Consider 2017 Board Calendar  
District Administrator Belfiori asked the Board to review and consider the 2017 Board Calendar. 
Manager Bradley stated for personal reasons he would like to switch with Manager Wagamon for the CAC meetings in January and February. Manager Bradley indicated he would cover the January 4th meeting and Manager Wagamon would cover the February 1st meeting. The Board reviewed the calendar.

*Motion by Manager Bradley, seconded by Manager Wagamon, to approve the 2017 Board Calendar with the minor adjustment noted in the minutes. Motion carried 5-0.*

7. Consider Minnesota Association of Watershed Districts (MAWD) resolutions for annual meeting and delegate appointment & proxy forms  
District Administrator Belfiori stated in the Board packet is a summary that outlines each of the proposed MAWD resolution that will be acted on at this year’s meeting in Alexandria on Friday, December 2, 2016. Staff has also provided a recommendation on what the District’s position might be for each of the resolutions. The MAWD Resolution/Policy Committee Review and Recommendations are also in the packet for Board review.

*Motion by Manager Haake, seconded by Manager Bradley, to accept the recommendations outlined in the Memo dated November 3, 2016. Motion carried 5-0.*

District Administrator Belfiori stated the Board needs to elect delegates for MAWD. Manager Haake stated she would like to be appointed for the Rice Creek Watershed delegate. Manager Bradley asked if Manager Waller would like to be second delegate. He noted he would be going to the meetings but would act as an alternate. Manager Haake asked Manager Bradley to be the second alternate.

*Motion by Manager Preiner, seconded by Manager Waller, to appoint Manager Haake and Manager Waller as delegates with Manager Bradley as the alternate representative. Motion carried 5-0.*

*Motion by Manager Haake, seconded by Manager Waller, to approve the proxy for the annual meeting for the delegates just named. Motion carried 5-0.*
8. **Consider 2017-2020 Ramsey Conservation District Inspection Service Agreement.**

District Administrator Belfiori stated as was discussed as part of the 2017 budget process, attached for Board consideration is the agreement outlining the proposal for services between the Rice Creek Watershed District (RCWD) and the Ramsey Conservation District (RCD) for inspections and related services.

District Administrator Belfiori noted the proposed agreement utilizes the service provide by RCD to provide a portion of the inspection program delivery and function including:

a. Routine inspections of active construction sites.
b. Identify construction projects without required permits
c. Perform final inspections of completed construction sites
d. Other duties as assigned.

The proposed agreement identifies that the RCD may bill for up to 800 hours/year for each of the years 2017-2020 for inspection services with RCD at a rate of $45.00/hour for services provided pursuant to this agreement for services provided in those Cities where the RCD currently also has a MS4 inspection service agreement in place (currently Shoreview and Arden Hills). The RCWD will pay the RCD $50/hour for services provided pursuant to this Agreement for services provided in all other areas with the RCWD. The RCWD would manage time based on month reports to achieve the 800 hours/calendar year. The agreement also proposes flexibility to provide greater/enhanced program delivery during peak construction season.

District Administrator Belfiori stated staff is recommending that the Board of Managers approve the attached service agreement with Ramsey Conservation District to provide a portion of the RCWD’s inspection services and authorize the Board president to execute the agreement, with any final non-material changes and/or on advice of counsel.

*Motion by Manager Wagamon, seconded by Manager Bradley, to approve the attached service agreement with Ramsey Conservation District to provide inspection services and authorize the Board president to execute the agreement, with any final non-material changes and/or on advice of counsel. Motion carried 5-0.*

Manager Bradley asked if they had something like this in Anoka County. District Administrator Belfiori indicated they did not. He reviewed the reason with the Board why they have this special arrangement in Ramsey County. Manager Waller responded the cities of Hugo and Circle Pines already do this.

9. **Consider November 23, 2016 Check Register – Resolution Authorizing Treasurer Approval.**

*Motion by Manager Haake, seconded by Manager Bradley, to approve Resolution 2016-31, Authorization for Payment of November 2016 Check Register. Therefore Be it Resolved that the Board of Managers authorize the District Treasurer to review and approve payment of November 23, 2016 check register in an amount not to exceed $350,000 for operating expenses, and $150,000 surety returns.*
ROLL CALL:
Manager Haake – Aye
Manager Bradley – Aye
Manager Wagamon – Aye
Manager Waller – Aye
President Preiner – Aye

Motion carried 5-0.

10. Consider Check Register dated November 9, 2016, in the amount of $215,853.31, prepared by Redpath and Company.
Motion by Manager Wagamon, seconded by Manager Haake, to approve check register dated November 9, 2016, in the amount of $215,853.31, prepared by Redpath and Company. Motion carried 5-0.

a. Update on Bald Eagle Lake TMDL Implementation Project SRF/CWP Loan Program.
District Administrator Belfiori noted Item 10a is an FYI for the Board. A few years back the Board approved a loan to the PCA for paying for a portion of the Bald Eagle Lake Alum treatment project. That repayment schedule will be starting on December 16, 2016 and will take 10 years to pay back every six months. The first disbursement has been billed to them and they need to pay it by December 15, 2016 at $22,624.07 for 20 times over ten years. This has already been authorized by the Board so no action needs to be taken.

11. Consider Participation in Workshop via Phone
District Administrator Belfiori stated there was Board consensus at the last workshop meeting based on discussion with Manager Haake to revisit and discuss further the request to participate in the workshop via phone. Currently the policy stated the absent manager could participate in the workshop but only in a listening role.

Manager Haake asked as long as she would call in as a citizen would that work. Manager Bradley stated that being the Board does not make decisions at those workshop meetings he would not think this would be an issue. District Attorney Smith stated his legal opinion has not changed since the last discussion. He stated in terms of the open meeting law and the decisions of the MN Supreme Court interpreting the open meeting law, the court has been very strict in how it is interpreting on how they hold Government bodies to those requirements. Another reason to be cautious and careful in applying the open meeting law is that as managers they are subject to fines and penalties for open meeting law violations and with three violations are subject to forfeiting their position. With that backdrop they approach these questions cautiously and carefully. Secondly the Supreme Court has been very clear for decades about defining what a meeting is and a workshop gathering of a quorum of the Board for any purpose to discuss or receive information whether voting takes place or not is clearly a meeting subject to the open meeting law. He stated the statute about electronic participation in meetings falls into two categories; telephonic participation and interactive television. The Legislation made a change to allow for telephonic participation in the case of Pandemic Emergencies, which is not applicable here.
District Attorney Smith stated reading the statute and being cautious in interpretation does not find the Watershed District, as a local unit of Government, under the open meeting law can conduct its business by telephone. He thought if the Board had more questions about this they could see if the MN Dept. of Administration would agree with some type of modification.

Manager Haake thanked District Attorney Smith for his answer and did not want to pursue this further at this time.

Manager Bradley stated he did not necessarily agree with District Attorney Smith’s interpretation and this affects Manager Haake more than himself but he felt that workshop meetings are valuable and a learning session for him. Manager Haake agreed and stated by calling in and listening only helps her as long as she can comment afterwards. President Preiner stated Manager Haake could always correspond with District Administrator Belfiori about her opinions and that can be brought forward to the Board at the next meeting. District Attorney Smith agreed, they just do not want to have the majority if Board members responding back and forth via emails.

ITEMS FOR DISCUSSION AND INFORMATION

1. **Special Announcement**

   District Administrator Belfiori stated Rice Creek Watershed District has been awarded the 2016 MAWD Project of the Year. The Bald Eagle Restoration Project was selected and will be awarded at the annual MAWD meeting. He thanked the Board of Managers for their leadership on this project and thanked the staff and team at RCWD for their great work and commitment to their jobs.

2. **MAWD Board of Directors Succession Plan**

   District Administrator Belfiori stated MAWD asked the Board to discuss the Directors Succession Plan because it will be discussed at the annual MAWD meeting. Staff believes this plan is important. He summarized what the plan will be.

   Manager Haake thought this plan was needed and they will hear more at the meeting. Manager Waller indicated he would like to have a poll from the Board before they go up to the meeting. He wondered if the Board was in agreement with the cost. Manager Haake stated they cannot discuss the cost yet because they do not know what it will be until next year. President Preiner stated she cannot really agree to a plan until she knows the cost.

   Manager Bradley stated he supports the plan because he understands you cannot always replicate something as unique as they have now and they are growing and the complexity is growing and they need to replace it. Manager Wagamon agreed.

   Consensus of the Board was to support the transition.

3. **District Engineer’s Update and Timeline.**

   There were no comments.

4. **November /December Calendar**

   There were no comments.
5. **Managers Update**

Manager Waller stated Manager Haake and himself attended the Washington County Consortium meeting. The discussion that day was how to have water management organizations and watershed districts work closely with the cities in incorporating the land planning and the watershed regulatory proposal. He reviewed the meeting with the Board.

Manager Waller stated he was invited to attend the Hugo City Council meeting on Monday night because on their calendar was the memorandum agreement with Rice Creek about Judicial Ditch 2 maintenance and it did pass 5-0.

Manager Bradley thanked Manager Waller for his efforts to investigate the Hall Marsh issue.

**ADJOURNMENT**

*Motion by Manager Haake, seconded by Manager Wagamon, to adjourn the meeting at 12:09 p.m.*

*Motion carried 5-0.*