REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, January 23, 2019

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, 2nd Vice-Pres. John Waller, Treasurer Steven Wagamon, and Secretary Michael Bradley.

Absent: 1st Vice-Pres. Barbara Haake (with prior notice).

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Technician Samantha Berger, Project Manager Kyle Axtell, Communications & Education Coordinator Beth Carreño, Office Manager Theresa Stasica.

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

Visitors: John Mazzitello, Jack Ammerman, Bill Keegan, Brian Olsen.

SETTING OF THE AGENDA
Motion by Manager Bradley, seconded by Manager Waller to approve the agenda as presented. Motion carried 4-0.

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the January 7, 2019 Workshop. Motion by Wagamon, seconded by Manager Waller to approve the minutes as presented.
Administrator Belfiori requested a correction to line 72, the year should be 2021 not 2010. Motion carried 4-0 with the year correction to line 72.

Minutes of the January 9, 2019 Board of Managers Meeting. Motion by Wagamon, seconded by Manager Bradley to approve the minutes as presented.
Manager Waller requested his statement on line 310 be changed to a question instead of a statement.

The managers agreed to the friendly amendment.

Motion carried 4-0.

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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It was moved by Manager Waller, seconded by Manager Wagamon to approve the Consent Agenda item for permits 18-123 and 18-124 outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations dated January 16, 2019. Motion carried 4-0.

Permit Applications Requiring Board Action

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|       |                           |           |                                |                         |

Permit Coordinator/Wetland Specialist Nick Tomczik stated the project applicant has submitted a written request for a variance from Rice Creek Watershed District (RCWD) Rule F.6(e), which requires that a “buffer adjacent to wetland within the final WMC must be at least 50 feet in width at all points along a high-quality wetland.” The District Engineer evaluated the variance request per RCWD Rule L for Permit 18-118 in the Request for Variance and Statement of Hardship (Exhibit 1) dated December 4, 2018 and received on December 4, 2018 and Vegetation Management Plan (Exhibit 2) which includes Figures 1 and 2 dated January 7, 2019 and revised January 11, 2019. The District Engineer evaluated the variance request per RCWD Rule L for Permit 18-091 in the Request for Variance and Statement of Practical Difficulty and Undue Hardship (Exhibit 1) dated October 3, 2018 and received on October 3, 2018.

Permit Coordinator/Wetland Specialist Tomczik stated that the project proposes project proposes to reconstruct a 22,000 square foot industrial building and appurtenances in Blaine. The site was originally permitted under application 01-093 and burned down in June 2018. The applicant has since applied for a demolition permit from the City but has not applied for a building permit within 180 days of the fire. Thus, per Minnesota state law the proposed building must be
built to current ordinances. The building is proposed at the same location as the previous
building but has been slightly redesigned to better address the current business needs of the
applicant. The BMPs (3 basins (rate control only) and 2 NURP ponds) were constructed under
permit 01-093. The 2 NURP ponds are compliant with current rule requirements and are being
used to meet the current stormwater requirements. The project will reconstruct the entire
existing 1.80± acres of impervious surface and will disturb 1.80 acres overall. The project drains
to the onsite and adjacent wetlands and then to Golden Lake the resource of concern (ROC). The
original footprint was developed prior to the CWPMP and thus, the majority of the project along
the north, south, and west edges of construction do not meet the 50-foot buffer width
requirement. The project also proposes to restore previously unpermitted wetland impacts
along the southwest corner of development, however, the 50-foot buffer width requirement has
not been satisfied.

Permit Coordinator/Wetland Specialist Tomczik stated the District Engineer evaluated the
variance request by applying the “practical difficulties” test set forth in the District’s variance
rule. 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 stated ultimately, the Board determines whether
consideration of the above criteria supports approval of a variance. The Board may exercise
discretion in analyzing the applicant’s compliance with the variance criteria – both generally and
with regard to application of the individual variance (and other rule) criteria. The Board also may
require input from legal counsel. Nothing in the presented variance memorandum should be
construed as rendering a legal opinion.

Permit Coordinator/Wetland Specialist Tomczik informed the Board that he would reiterate the
above criteria and District Technician Berger would reply with the District Engineer’s response.

Permit Coordinator/Wetland Specialist Tomczik asked per practical difficulties criterion (a), how
substantial the variation is in relation to the RCWD Rule requirement(s).
District Technician Berger replied: the applicant has not met the 50-foot buffer requirement at any location along the High Quality Wetland. The areas where the width is not met can be found in the Exhibit A Request for Variance dated 12-4-2018. The applicant has provided 56,420 square feet of buffer area which is less than the required 71,755 square feet of buffer area. The provided buffer extends to the property line along the north, west, and south portions of the site. The stormwater pond in the northwest corner of the property was identified as jurisdictional wetland previously by the applicant but has been determined to be a stormwater pond constructed in upland, and is therefore not a WCA jurisdictional wetland. Therefore, this stormwater pond has been included within the WMC buffer, consistent with Rule F.6(e)(7)(iv).

Permit Coordinator/Wetland Specialist Tomczik asked per practical difficulties criterion (b) the effect the variance would have on government services.

District Technician Berger replied: issuance of a variance for the Dem-Con Properties LLC project is not expected to increase flooding (see criterion (c)) or have any negative effect on government services. The applicant has maximized the amount of buffer without decreasing the original footprint.

Permit Coordinator/Wetland Specialist Tomczik asked per criterion (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.

Permit Coordinator/Wetland Specialist Tomczik asked: 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 non-degradation as identified within 7050.0180 Non-degradation for Outstanding Resource Value Waters; and
- Other generally sensitive resources.
District Technician Berger replied: The project proposes only to rebuild to the conditions prior to the fire (which existed for more than 15-years). Thus, it is not expected to change the characteristics of the watershed. Golden Lake, which receives project drainage, is listed on the Section 303(d) impaired water list. The affected designated use is aquatic recreation with a pollutant or stressor of nutrient/eutrophication biological indicators.

The main wetland complex onsite has been identified as a High Quality Wetland by the District CWPMP wetland inventory. District staff have consulted available data to review the wetland for high-quality characteristics. Available data included the Minnesota Land Cover Classification System (MLCCS), District survey elevations, MN State Threatened and Endangered data, and Minnesota County Biological Survey data. District staff have found and, in lieu of performing a MnRAM wetland functional assessment, the applicant has concurred, that the wetland meets the definition of a High Quality Wetland in the District rule. The wetland is High Quality due to the presence of the native plant community and state-listed threatened and special concern species, and an unaltered hydrologic / outlet condition. District staff did not require the applicant to complete a MnRAM wetland functional assessment, based on the following reasons, which are unique to this site and situation:

1. The applicants are not proposing any impact to this wetland and are removing unauthorized fill from a small portion of the wetland and restoring the area to the pre-fill condition.
2. The applicants are actively working with District staff to meet District rule to the greatest extent possible, while working within the constraints of the existing development footprint and conditions of the site.
3. The applicants are defining the Wetland Management Corridor on site, which will be subject to an easement.

Drainage patterns and treatment have not change from the original site footprint. Curb, gutter and storm sewer will route the drainage to a NURP pond to mitigate the effect of the lack of buffer by removing pollutants prior to runoff entering the wetlands. The NURP ponds have outlet control structures and pipe outlet with riprappled flared end section which provides a skimming and energy dissipation function that minimizes the effects of concentrated flow on the buffer and wetland areas. All reconstructed impervious surface runoff is treated prior to being routed to the wetlands, thus, the wetlands do not receive any direct runoff from the site.

Permit Coordinator/Wetland Specialist Tomczik asked: Per criterion (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 Technician Berger replied: The proposed variance is for the buffer requirements, which has minimal effect of flood elevations. The applicant has complied with the Rule C stormwater requirements for peak rate and water quality and the impervious area has not changed from pre-fire conditions.

The proposed buffer requirement variance will have a minimal effect on runoff rate as the site is being reconstructed to existing conditions. The applicant noted that to make the project feasible, the original footprint cannot be reduced to increase the buffer and still be a property of a usable size. The applicant is proposing a seeding mixture designed for upland prairie to improve the land quality within the wetland buffer area. Additionally, the applicant is collecting and treating 100% of the runoff from the newly reconstructed impervious surface via two NURP stormwater ponds and 3 basins, so minimal direct runoff from existing undisturbed impervious surfaces will enter the wetland without treatment.

Permit Coordinator/Wetland Specialist Tomczik asked: Per criterion (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.

District Technician Berger replied: The applicant has indicated that the project cannot be rebuilt without the variance, as the footprint cannot be reduced to meet the site required business needs. The building size and location requirements are not engineering related and thus not evaluated. The entire site is comprised of the development area, wetlands, or buffer. To meet the minimum buffer width requirement, additional wetland could be filled to create the buffer, however this is not considered acceptable under WCA and is not considered prudent.

Permit Coordinator/Wetland Specialist Tomczik asked: Per criterion (e), we considered how the practical difficulty occurred, including whether the landowner created the need for the variance requires consideration.

District Technician Berger replied: The District Engineer finds that the current landowner did not cause the situation which lead to the implied practical difficulty. The site was developed prior to the CWPMP rules and then burned down. The need for a variance was created by the need to reconstruct the project site. Per the discussion above, the applicant finds that there is no feasible way to do the project which meets the requirements of the applicant and the District without a variance.

Permit Coordinator/Wetland Specialist Tomczik asked: In consideration of criterion (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 Technician Berger 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 District's buffer requirements of Rule F.6(e). Other applicants have had the ability to feasibly meet these requirements onsite because the site constraints presented here were not evident in the previous applications.

Permit Coordinator/Wetland Specialist Tomczik informed the Board that the applicant’s representative and consultant were in the audience today.

Manager Bradley stated he looks to see whether the District will get the same value from treating the run-off as there would be from having a buffer. He noted the District Engineer’s comments in the staff report on page 34 that the wetlands will not receive any direct run-off from the site. He asked if there would be 100% treatment prior to it going to the wetlands.

Technician Berger stated that her understanding is that it will be 100% treated before it leaves the site.

Manager Waller stated that it is important to note that the applicant will be restoring on site in the triangular area that was shown on the map.

Permit Coordinator/Wetland Specialist Tomczik confirmed that the triangular area will be restored. He stated that to address Manager Bradley’s question, he wants to make it clear that there is no curb in this case. He stated that he did not want to undermine the certainty of 100% treatment before it leaves the site, but there is no curb which means there may be the possibility of some micro-topography. He stated that the grading is designed to get it to the valley gutters and then to the stormwater BMPs.

Manager Wagamon stated that this one seems like a fairly easy call compared to other variance requests and he will support this variance.

Permit Coordinator/Wetland Specialist Tomczik reviewed a proposed change in the motion language with regard to the District’s fee policy. He proposed adding the language, “and square variance account per District variance policy and refund $210 to the applicant.”

It was moved by Manager Bradley, and seconded by Manager Waller, to Approve the Variance request for variance application 18-118 as outlined in accordance with RCWD District Engineer’s Variance Technical memorandum, dated January 16, 2019 and the applicant match the variance amount to the District variance policy and refund $210 to the applicant. Motion carried 4-0.

Permit Coordinator/Wetland Specialist Tomczik explained that staff would like to add a new CAPROC item 10 and adjust the numbers accordingly, as follows: The applicant must pay the remaining Water Management District Charges associated with the parcel. These charges were previously noticed to the landowner. The charges are administered through the County property
tax collection process as well as administration of a deferred charge due to development. The charges are subject to change during the 12-month CAPROC term of the permit application, therefore the applicant must contact the District prior to submitting final payment to verify the amount to be paid to the District.

Manager Bradley stated that the District is being paid a future development WMD charge per the District approved charge memo.

Permit Coordinator/Wetland Specialist Tomczik agreed that permit processing is a method by which the District collects WMD charges.

*It was moved by Manager Bradley, and seconded by Manager Waller, to CAPROC permit 18-118 as outlined in accordance with RCWD District Engineer’s Findings and Recommendations, dated January 16, 2019 with Permit Coordinator/Wetland Specialist Tomczik’s revision to the engineer’s report to include a new item 10 as outlined above and shift numbers down.*

*Motion carried 4-0.*

**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.

**ITEMS REQUIRING BOARD ACTION**

1. **Consider Water Quality Grant Program Guidelines.**

District Technician Berger gave a brief overview of the 2018 Water Quality Grant Program such as the grant tracking system. She reviewed the projects by County, number of site visits and their costs. She presented before and after photos of the various projects. She noted that Brian Olsen with Ramsey SWCD was present at the meeting. She outlined some proposed changes for the 2019 program, such as: contracts be revised to 18 months in duration; contract amendments allowed to be handled administratively; updated buffer amounts; putting the grant applications on the consent agenda; future changes under WMP. She reviewed the proposed agreements for 2019 for Technical Assistance Contracts and Master Water Stewards.

Manager Bradley noted on page 52, three lines from the top of the page, there should be a period after the words “county Conservation Specialist”.

Manager Waller asked how close to the lake the rain gardens and curb cuts were that she showed from White Bear Lake.
Technician Berger noted that the rain gardens were located off Johnson Street and Morehead Avenue which is on the Northwest corner of the lake.

Manager Waller stated that the District has done these types of rain gardens before in City of Mounds View and asked for staff opinion on how they feel about doing rain gardens when the streets are being redone. He asked if staff saw any value to the rain gardens.

Technician Berger stated that she wanted to clarify that the rain gardens in City of White Bear Lake were done through the grant program and the rain gardens done in City of Mounds View were done through the permitting program. She stated that she does believe it is advantageous to work with city partners on these types of projects.

Administrator Belfiori stated that a few years ago, the Board made an effort to help stimulate this type of approach and the rules were changed for reconstruction of linear public road projects that did not increase impervious surface. He stated that the District has talked to many cities about these types of projects as part of the Local Water Management Plan process. He stated that many cities have included them in their CIP process where they identify matching dollars to do something like this during the reconstruction process. He noted that as the Board develops the watershed plan, the Board will need to consider to what extent this program should be continued in order to perpetuate this kind of project.

**Motion by Manager Wagamon, seconded by Manager Waller, to approve the newly named Water Quality Grant Program Guidelines as presented and authorize staff to promote and implement the 2019 Water Quality Grant Program. Motion carried 4-0.**

**Motion by Manager Wagamon, seconded by Manager Waller, to approve service agreements with the ACD, WCD, and Ramsey SWCD for up to $10,000, $10,000 and $20,000, respectively, to provide technical assistance for the 2019 Water Quality Grant Program. Motion carried 4-0.**

2. **Consider RCWD Legislative Initiative for 2019.**
District Administrator Belfiori explained that the MAWD legislative day is coming up soon and staff wanted to have a discussion with the Board about what kind of communication they would like to send out to MAWD. He stated that staff will bring back a draft of the communication to a future meeting.

Communications and Outreach Coordinator Beth Carreño asked for input from the Board on what topics they would like to bring to the attention of the legislators. She noted that they had initially include some information on clarifying the role of the DNR with regard to ditch maintenance. She stated that the District had sent an e-mail recently outlining...
the RCWD outstanding BWSR PRAP results and the watershed management planning efforts. She stated that they could update them on these items but stated that she did not want to overwhelm them with too much information.

President Preiner stated that she believes the DNR issue is major and suggested only one other subject be added.

Manager Waller stated that as this goes through the legislative process, he does not want to see the language that was added by Manager Bradley regarding the DNR to be lost, because he feels it was essential.

Communications and Outreach Coordinator Carreño stated that staff will also take this information and create talking points for the Board.

District Attorney Smith stated that because he knows the District cares a lot about carp, he wanted to make the Board aware of a slight adjustment to the statute and the process where the DNR commercial fishing rules may be adjusted to be more helpful and conducive to watershed districts that would like to conduct carp harvesting.

Manager Bradley stated that Lake and Stream Specialist Matt Kocian has advised the Board that the legislation is not needed because the DNR is willing to work within their existing rules to provide us the relief that we wanted. He explained this was why the District had proposed at MAWD to add the language “legislation or rule change”. He stated that the advice from Lake and Stream Specialist Kocian is that the legislation is not needed.

District Attorney Smith stated that he would be happy to share the other communications he has with the DNR regarding this issue and the Board can decide how they would like to proceed.

District Administrator Belfiori stated that at the meeting on the 28th, Lake and Stream Specialist Kocian could come and give the Board an update on the situation.

Manager Waller stated that he wants to make sure that it doesn’t go in reverse and becomes more difficult than it currently is.

Communications and Outreach Coordinator Carreño asked that for the discussion at the meeting on the 28th, that the Board to be thinking about what communication they would also like to see go to the city and county partners. She noted that staff had been directed to send letters to some the cities and their county partners regarding taking the lead in some of the ditch legislation. She stated that they have also sent the city and county partners an update on what the legislative efforts of the District have been.
President Preiner stated that one thing that she would like to see discussed, is ditches as infrastructure, but she isn’t sure that it should be done this year.

Manager Waller stated that he strongly agrees with her use of the word “infrastructure” because it needs to be maintained for storm water.

Communications and Outreach Coordinator Carreño stated that this language and terminology can definitely be included even in a more subtle way, if necessary.

District Administrator Belfiori asked the Board to let him know if there were any specific meetings with legislators that they would like and staff can try to help facilitate setting those up.

President Preiner also asked staff to let the Board know if there were specific legislators that they felt the Board should approach.

Administrator Belfiori stated that Representative Fischer has part of his district within the RCWD and has recently been appointed to a leadership role. He stated that he may be someone the Board would like to talk to. He noted that Representative Fischer also has a background in water management.

Communications and Outreach Coordinator Carreño stated that the DNR legislation is a pretty fluid situation and noted that staff will go back and make sure they are including the most recent and best information.

Motion by Manager Wagamon, seconded by Manager Waller, to direct staff to include the priorities as discussed in the legislative communication and share with the Board at the next workshop prior to sending to District legislative representatives.

Administrator Belfiori clarified that the priorities discussed at the workshop will be the DNR maintenance issue clarification, get an update from Lake and Stream Specialist Kocian on the carp issues, and sprinkle in some language relating to ditches as infrastructure.

Manager Waller noted that the Board has a meeting with the City of Hugo regarding ditch #3 and at the same time the legislative committee on water will be meeting. He stated that he is torn about which meeting he should attend.

District Administrator Belfiori thanked Manager Waller for that information and noted that the drainage team and the Board has committed to attend the meeting with the City of Hugo. He stated that Kale Van Bruggen from Rinke Noonan has been assigned to attend the legislative meeting and will report on any pertinent information.

Motion carried 4-0.
3. **Consider Peterson Companies, Inc. Final Pay Request for the Oasis Pond IESF Project.**

Project Manager Axtell gave some background on the final pay request from Peterson Companies for the Oasis Pond iron enhanced sand filter project. He stated that the project is essentially complete but there are two items remaining that staff would like to do. He stated that EPG Companies has been working on the cellular modem connectivity issue. He stated that the District has worked with them directly so ending the contract with Peterson will not affect the ability to work with EPG on the cellular modem connectivity issue. He noted that the wiring for two of the transducers that measure water levels were supposed to be tamper proof, but the plans were not completely clear. He stated that Peterson is under the impression that they have installed it correctly, per plan. He stated that he feels it will be most cost effectively for him to go get a few shrouds made than to pay Houston Engineering to deal with Peterson Companies to try to get them in place. He stated that Peterson Companies has provided the District with a one-year maintenance bond even though that was not required. He stated that there were two small change orders on this project that totaled $4,600 and noted that the total project cost was about $545 less than the contract price. Staff is recommending final payment.

District Attorney Smith stated that if the Board takes the recommended action it will lose the ability to hold Peterson Companies accountable for the electrical subcontractor. He assumed that staff has taken that into consideration and has made the recommendation to handle it with EPG and that it is okay to let go of Peterson Companies.

*Motion by Manager Waller, seconded by Manager Bradley, to approve Peterson Companies, Inc.'s pay request as submitted and certified by the District Engineer and directs staff to issue a payment in the amount of $11,713.69. Motion carried 4-0.*

Project Manager Axtell clarified that the control system works properly it was just an issue with the remote cellular modem.

4. **Consider Partial Pay Request #15 from Rachel Contracting, Inc. for Hansen Park Project.**

Project Manager Axtell gave some background on the pay request from Rachel Contracting for the Hansen Park project. He noted that this pay request is for a few miscellaneous items and a retainage reduction from 2.5% to 1.5%. Staff and Houston Engineering are recommending approval.
Motion by Manager Bradley, seconded by Manager Wagamon, to approve Rachel Contracting, Inc.’s pay request as submitted and certified by the District Engineer and directs staff to issue a payment in the amount of $54,205.89. Motion carried 4-0.

5. Consider Check Register dated January 23, 2019, in the amount of $341,226.61 prepared by Redpath and Company.

Motion by Manager Wagamon, seconded by Manager Bradley, to approve check register dated January 23, 2019, in the amount of $341,226.61, prepared by Redpath and Company. Motion carried 4-0.

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports.
Technician Berger expressed her thanks to the Board for their support and guidance. She noted that she has been with the District as an intern, a contract inspector, an inspector and in her role as Technician.

President Preiner stated that Technician Berger has done an excellent job in her time with the District.

There was a round of applause for Technician Berger.

District Administrator Belfiori stated that Technician Berger is a great team player and is always willing to help out. He noted that in addition to her normal duties, she has been handling all the computer and IT stuff for the office. He stated that this has been quite time consuming because it was done in addition to her regular duties and she was always willing to put in whatever was necessary to get the job done. He stated that he feels the District has the best team of staff in the State and much of their work is behind the scenes. He thanked Technician Berger for her dedication and expressed his hope that they would be able to keep in touch with her and find ways to work with her again in the future.

2. February Calendar.
Manager Bradley noted that the last entry in the calendar should be February 27 not February 28.

District Administrator Belfiori noted that it will be a very busy February with many projects such as watershed plans and public drainage, starting up. He stated that staff will keep the Board as updated as possible moving forward.

3. Managers Update.
Manager Waller stated that he had stopped by to meet Representative Fischer. Representative Fischer stated that he would like Administrator Belfiori to contact him. He asked whether anyone on the Board would have a problem with him meeting with Representative Fischer.
There was a consensus of the Board that there was no issue with Manager Waller meeting with Representative Fischer.

Manager Waller explained that he had attended the goal setting meeting for the City of Hugo. He stated that they had talked about a new elementary school, addition to the City Hall, a second fire station, an additional maintenance building, as well as a referendum to pay for the projects. He noted that one of the councilmembers made a statement that said that ten times the amount of water flows out of the City of Hugo through Clearwater Creek and Hardwood Creek than what they draw out of the ground. He stated that there is a strong interest in partnering with the District as they continue development.

Administrator Belfiori stated that following Manager Waller’s meeting with Representative Fischer, they did start research with Met Council to request answers from Met Council on some of the questions about the Met Council sanitary line spill that occurred in 2014 and 2015. He stated that Lake and Stream Specialist Kocian has contacted both the DNR and the Met Council to ask for background from these two relevant agencies on these two Met Council sanitary line spills. He stated that it will be important to get specific technical and scientific background information from Met Council and share that information with Representative Fischer. He noted that if the requested scientific background information identifies a contamination issue, it will important to understand of who is in charge and responsible. He stated that the District’s role in the case will be to serve in a Technical Advisory and Technical Assistance role rather than being in charge.

There was a consensus of the Board to include Met Council in the legislative meetings and in agreement of the District’s role.

Manager Bradley thanked Administrator Belfiori for his active representative and continued efforts to protect the District. He stated that Manager Waller had mentioned the City of Hugo using surface waters from Hardwood Creek to deal with some of the growth in the city which is potentially a very big issue and will need time to evaluate.

Administrator Belfiori stated that at the CAC meeting there is an item to discuss the urban stormwater and BWSR based funding applications. He stated that one of the largest ones that have come in is from the City of Hugo Water Edge phase 2 re-use project. He stated that this is a very critical area within the watershed for flood control, ground water management and water quality. He stated that he is happy to see that the Hugo City Council has continued their efforts in these types of re-use projects.

ADJOURNMENT

Motion by Manager Wagamon, seconded by Manager Bradley, to adjourn the meeting at 10:22 a.m. Motion carried 4-0.