Minutes

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

ROLL CALL

Absent: None

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

Consultants: District Engineers Mark Deutschman, Houston Engineering, Inc. (HEI); and, District Attorney Lois Smith from Smith Partners

Visitors: Ramsey County Commissioner Black Huffman; Bryan Bear, Hugo City Administrator

SETTING OF THE AGENDA
District Administrator Belfiori moved Item one from Items for Discussion to new Item nine under Items Requiring Board Action and asking for authorization on notice of a public hearing on the two drainage systems.

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

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the November 10, 2014, Board of Managers Meeting Workshop Meeting. Motion by Manager Wagamon, seconded by Manager Haake, to approve the minutes as presented. Motion carried 5-0.

Minutes of the November 12, 2014, Board of Managers Regular Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.

CONSENT AGENDA

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BOARD OF MANAGERS
Barbara A. Haake | Ramsey County
Harley M. Ogata  | Ramsey County
Patricia L. Preiner | Anoka County
Steven P. Wagamon | Anoka County
John J. Waller | Washington County
Permit Coordinator/Wetland Specialist Tomczik noted on number 09-017, there were two permits that had previous Board and CAPROC approval and were a little unique. He stated the ER format for those is a little different because they start with the last board action, which they approved, and from there the CAPROC items were stricken out because they were fulfilled and they list how/when the item was fulfilled directly below it. As to the other sections, the exhibits and the findings, there are minor strikeouts for adjustments and any text edits or additions are in italics. In both situations, the applicant exceeded the wetland impact of what was previously approved and both situations were considered by the TEP and this additional approval is for the increase in the impact amounts. The reason these permits are being considered by the Board today is because the approval of an adjustment plan has not been delegated to staff.

Manager Ogata stated Permit 14-101 is the City of Hugo application for the Bald Eagle Dam Bridge.

**Motion by Manager Ogata, seconded by Manager Waller, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD staff and District Engineer’s Findings and Recommendations, with Findings as amended. Motion carried 5-0.**

Permit Coordinator/Wetland Specialist Tomczik stated he would like to make a note on their administration. He stated they have a number of resolutions the Board has adopted that lay out the framework of how they deal with violations and notifications. In the two situations, they are technically violations but no notice was given because the District and applicant were working together to resolve this and providing as-builts showing the excesses. He stated he wanted the Board to be aware that staff is exercising some judgment on the administration of these resolutions and looking to professionally resolve the issues without escalating them further.

**PUBLIC HEARING ON BALD EAGLE LAKE DAM REPAIR PROJECT**

President Preiner welcomed everyone and opened the public hearing. The purpose of this hearing is to receive comments from the public on the board of manager’s decision to establish and order the Bald Eagle Lake Dam Repair Project.

This project will reconstruct the outlet structure for Bald Eagle Lake, which maintains the water level of the lake. The structure was originally built about 125 years ago. Recent inspections by the City of Hugo show that the structure is leaking and should be reconstructed. The city intends to do the work as a part of its work on 129th Street North where it passes over the lake outlet. The watershed district and the city have entered into a memorandum of agreement under which if the board of managers decides to establish and order the project, the watershed district will contribute $113,000 to the cost of reconstructing the outlet structure. The city also will receive funding through the Minnesota Department of Natural Resources dam safety grant program for a part of the cost.

Before the watershed district can proceed to spend its funds on the reconstruction, state law requires that the board of managers hold a public hearing, receive public comments and make a judgment that the project is a sound and cost-effective project to help fulfill our water resource goals. That is the purpose of today’s hearing. In accordance with state law, notice of this hearing was published for two successive weeks in the St. Paul Pioneer Press and mailed to all cities within the watershed district, as well as the district’s four counties.

First, I would ask Phil Belfiori, our administrator, to give a brief summary of project background. When Phil’s remarks are completed, the floor will be open for any members of the public who wish to address the board. At that time, if you wish
to comment, please come forward to the podium and state your name and address for the record. If you have a written copy of your statement, or any other documents that you would like to submit, please give them to Theresa Stasica, our meeting clerk.

During public comment, managers are welcome to ask questions of commenters to clarify their remarks. I also may ask Mr. Belfiori or our District Engineer to respond to any technical questions raised. Managers will hold their own comments about the project until the public hearing is closed. At that time, the board will have the opportunity to discuss the project. If the board feels prepared to act at that time, it will consider a resolution to order the project.

Administrator Belfiori welcomed Hugo City Administrator Bryan Bear and Ramsey County Commissioner Blake Huffman to the meeting for this item.

Administrator Belfiori reviewed the Location of the Bald Eagle Lake Dam Repair Project. He noted the current structure is a 40-foot long rubble masonry weir located on the downstream side of the embankment, with five elevated corrugated metal pipes conveying flow under the road. The city of Hugo intends to construct the projects as part of the reconstruction of 129th St. North and will include construction of a new water control structure which will be a fixed-crest concrete drop inlet weir located on the upstream side of the embankment. A new 8 foot by 4-foot concrete box culvert will convey flows under 129th Street North. The project narrative from City of Hugo permit application 12-101 identified that construction would occur in August 2015.

Administrator Belfiori stated the total estimate project cost is around $640,000, according to the latest estimate from the City of Hugo. The City of Hugo has secured approximately $250,000 from MNDOT/CSAH funding and approximately $160,000 from the DNR (dam safety program) for the project funding. The RCWD will be contributing $113,000 from the BEL/TMDL fund-utilizing Ad Valorem funding upon completion of the construction. RCWD contribution is based on the estimated cost of the lake level control part of the work and will be ordering the project and the other terms within the approved MOA.

President Preiner opened the public hearing at 9:10 a.m.

Mr. Bryan Bear, City of Hugo Administrator stated he wanted to speak in support of this process and wanted to thank the Watershed District for partnering with the City of Hugo and participating in this project. They felt this was an important project and seems to benefit a lot of people and different taxing entities. He thought they have been able to get the cooperation of everyone they have talked to. He hopes the Board approves the plan on the behalf of the City of Hugo.

Mr. Blake Huffman, Ramsey County Commissioner, 899 Cobb Road, Shoreview, thanked the Board for their cooperation and the City of Hugo for partnering together to get the project done. He fully endorsed the plan.

President Preiner closed the public hearing at 9:15 a.m.

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.

There were no comments made at Open Mike.
132 ADDITIONAL ITEMS REQUIRING BOARD ACTION

1. Consider resolution ordering the Bald Eagle Lake Dam Repair Project

Administrator Belfiori explained on October 22, 2014, the District Board of Managers approved a memorandum of agreement with the City of Hugo to cooperate in financing the Bald Eagle Lake Dam Repair Project. As part of this approved agreement, the Board determined that the District should contribute $113,000, to be applied to the Project based on the estimated cost of the lake level control part of the work as determined by MnDNR grant eligibility under the dam safety program. At this time staff is recommending that the Board of Managers approved Resolution 2014-43 ordering the Bald Eagle Lake Dam Repair Project.

Motion by Manager Ogata, seconded by Manager Wagamon, to approve Resolution 2014-43, ordering the Bald Eagle Lake Dam Repair Project in accordance with Minnesota Statutes 103B.251.

Manager Waller stated he would like to point out that in the Resolution it notes the original dam was built in 1889 and has been unable to establish true ownership with this. He thought it would be an indicator that the St. Paul Water Authority had some role to play here and hoped that as the Government entities work together that the St. Paul Water Authority would step up and provide some money towards this because he believed originally this was built for the St. Paul Water Authority and they still maintain the right to draw water today, which is approximately 12 billion gallons a year and Bald Eagle is part of that program. He stated he would support this resolution but the Watershed District is providing funding that he believed is the responsibility of the St. Paul Water Authority.

Manager Ogata waived the reading of the Resolution.

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

Motion carried 5-0.

Manager Haake agreed with Manager Waller and believed what he stated was true.

2. Consider Water Quality BMP Cost-Share Application: RCWD14-05 Warren Wildes – Streambank Stabilization (RCD4 Outlet)

Water Resource Specialist Axtell stated this project proposed the stabilization of a 114 linear foot severely eroding bank on the east side of the Ramsey County Ditch 4 (RCD4) outlet at Lake Johanna. Lake Johanna is currently meeting State water quality standards and is designated as a RCWD Tier 1 lake in the 2010 Watershed Management Plan.

Water Resource Specialist Axtell stated the project involves the installation of up to 140 tons of rock riprap along the existing ditch bank from the bridge at Shorewood Drive downstream to the lake to prevent erosion during the high flow conditions. The west bank is currently stable, as the landowner installed riprap many years ago. A tree on the west bank fell down across the channel about five years ago, directing flow into Mr. Wildes’ property, scouring out several large segments of the east bank. The tree was removed in the past couple of years, but the damage has been done. Repeated high flows from RCD4 continue to further erode and undermine the bank.
Water Resource Specialist Axtell stated the Ramsey County Conservation District estimated that the total project cost would be approximately $24,095.50. The landowner has obtained and submitted two estimates for the project, Outdoor Lab's estimate is for $19,611.30 and Cold Stone Shorelines has an estimate of $22,610.00. The landowner has also submitted an application to encumber up to $9,805.60 in cost-share funding for this project, not to exceed 50% of eligible project expenses. Due to the potential timing of construction in early January, this application has not been reviewed by the RCWD Citizen Advisory Committee.

Water Resource Specialist Axtell stated that, historically, RCWD staff has cautioned landowners against the pursuit of cost-share funding for projects adjacent to public ditches. However, future maintenance would not likely result in any excavation or modification of the RCD4 outlet channel aside from stabilization of the banks, given its current dimensions. There is a weir across the ditch directly upstream of Shorewood Drive that controls water levels in RCD4 upstream of Lake Johanna. Water levels in the ditch in the vicinity of the project, downstream of Shorewood Drive, are directly related to the water levels in Lake Johanna. Based on submitted documents, RCWD staff supports the project and recommends that the RCWD Board of Managers approve Water Quality BMP Cost-Share funds for Warren Wilde's streambank stabilization project.

Manager Haake asked if this project would be done in the spring. Water Resource Specialist Axtell noted it would be done this winter, likely in early January.

**Motion by Manager Haake, seconded by Manager Ogata, to approve RCWD Water Quality BMP Cost-Share Contract RCWD14-05 for Warren Wilde's streambank stabilization project, up to $9,805.60, not to exceed 50% of eligible project expenses, in accordance with established program guidelines.**

Manager Waller asked if there was concrete next to the street on Shorewood Drive. Water Resource Specialist Axtell stated the proposed material is class five riprap that will be placed on the bank. He explained the materials that will be placed in the area. Manager Waller asked how long the materials will last. Water Resource Specialist Axtell answered that he expected they should last a long time. Manager Waller stated gabion baskets and rock last decades. He wondered why the riprap did not start right at the concrete from the bridge. Water Resource Specialist Axtell stated this is something they could look at when constructing the project. He noted that portion is still stable with riprap that was installed in the 1950's. He noted the plans will be reviewed at time of construction and adjustments will be made if necessary.

**Motion carried 5-0.**

3. **Consider 2015 Water Quality BMP Cost-Share Program authorization**

District Technician Kreibich stated the RCWD has operated its Water Quality BMP Cost-Share Program since 2008. RCWD Staff feels that the current program is generally successful, fair, and aims to direct funding to projects in keeping with the stated goals and policies of the RCWD. At this time, staff does not wish to make any major changes to its current program. The changes outlined in the draft included updating contact and calendar information, providing program clarifications, and revising grammar.

District Technician Kreibich stated as in years prior, the RCWD will enter into service agreements with the Anoka, Ramsey, and Washington Conservation Districts to provide technical assistance to program participants. Staff proposes that the funding levels for each SWCD in 2015 remain the same as in 2014.
District Technician Kreibich stated at the November 5, 2014 RCWD Citizen Advisory Committee there was discussion about possible changes to the program guidelines and no major changes were proposed to the current cost-share program; however, staff provided an introductory presentation about the new cost-share program adopted by the Capitol Region Watershed District, which generated some interest about the development of a new program. At this time, staff is not ready to pursue changes to the current cost-share program, but may pursue changes later.

Staff recommends that the Board authorize the promotion and initiation of its 2015 Water quality BMP Cost-Share Program, incorporating the attached adjustments to the program guidelines.

Manager Waller thought there was discussion about one of the Counties running out of money and he wondered what they want to do about that. President Preiner thought this was what is in their budget. District Technician Kreibich stated while Ramsey may have ran out of the funding that is allocated to them, there are still unencumbered funds from the other Counties that were utilized so there was no money coming out of the other budgets. President Preiner noted they are really thinking about changing the program.

Motion by Manager Haake, seconded by Manager Ogata, to approve the Water Quality BMP Cost-Share Program Guidelines as presented and authorize staff to promote and implement the 2014 Water Quality BMP Cost-Share Program. Motion carried 5-0.

Motion by Manager Haake, seconded by Manager Wagamon, to approve service agreements with the ACD, RCD and WCD for up to $10,000, $15,000 and $10,000, respectively, to provide technical assistance for the 2015 Water Quality BMP Cost-Share Program. Motion carried 5-0.


Water Resource Specialist Axtell stated after a two-year hiatus, the RCWD is planning to offer another round of funding through its Urban Stormwater Remediation Cost-Share Program in 2015. The program had been cancelled previously due to a low number of applications for quality projects. Some of the cause may have been that the RFP timeline did not coincide well with municipal planning and budgeting cycles.

Water Resource Specialist Axtell stated the RCWD has also recently completed an amendment to its Watershed Management Plan. The amendment allowed the District to be more flexible with the timing of the program. The preliminary 2015 budget has $150,000 available in this program for project funding in 2015. Funded projects may be offered up to a 50% cost-share, not to exceed $50,000 per project. The cost-share structure remains unchanged from the original program.

Water Resource Specialist Axtell stated at the November 5, 2015 Citizen Advisory Committee meeting staff led a review of the program and solicited feedback and suggestions. The committee suggested a requirement that educational signage or other educational components be incorporated into each funded project. The group also discussed the merits of requiring municipal applicants to have a current, RCWD-approved local surface water management plan. The education/signage requirement has been added to the program, while the local plan requirement has not been incorporated at this time. Applicants must still discuss the project's relation to their local water plan, and their plan status will be taken into account during the review and ranking process by RCWD's staff and engineer. Lack of a current plan will not automatically disqualify a municipality.

Water Resource Specialist Axtell stated the review schedule has been revised to reduce the amount of staff and Board time required to complete the approval process. Further, staff is proposing that two "rounds" of review be
offered during the calendar year. The second “round” would only be offered in the event that program funding is
NOT fully utilized during the first round. This proposal is specific to the re-boot of the program and will likely
evolve as the program regains its momentum moving into future budget years.

President Preiner thought the funding should be opened in the fall so the projects can be done in the next year.
Water Resource Specialist Axtell stated that he agreed and thought moving forward that would be possible. At
this time, the grant agreements they offer usually carry a two-year term.

Manager Waller agreed that having more than one application time is practical but he would also like to see how
the $150,000 that is budgeted be proportional to the three counties that contribute the tax levy. He would like to
see Washington County retain their portion of the budget and if not used it could be carried over to the next year
so it is available for the counties to use when needed. President Preiner was not sure that was the right way to
hold the money. She thought they should use the program, work it for a couple of years and see where they are
at and then make some changes if necessary.

Manager Waller indicated he would like to see designated funding. Manager Haake stated if they would start
doing that then Ramsey County would get 52 percent of the money that is supposed to be used throughout all of
the counties so she thought this could be discussed further in the future after the program has been in place for a
while.

District Engineer Deutschman thought this item could be reviewed further at a future workshop meeting in order
to look at this in depth and figure out if items needed to be changed in the program.

**Motion by Manager Wagamon, seconded by Manager Haake, to authorize staff to initiate the 2015 Urban
Stormwater Remediation Cost-Share Program as presented and to notify known potential applicants of
funding availability through a distribution of application materials.**

President Preiner thought all the counties should be notified rather than known potential applicants. Water
Resource Specialist Axtell responded that he had a notification list prepared that included all cities and counties,
in addition to other potential applicants.

**Motion carried 5-0.**

5. **Consider Final Certification of 2015 Tax Levy and Budget**
District Administrator Belfiori stated pursuant to MS 103D, Watershed District Law, the Board’s action on
September 10, 2014 serves as both the preliminary and final levy and budget certification to the counties. The
 counties have historically allowed watershed districts to revise and submit a final levy and budget certification on
 or before December 15th along with other local governments. If the Board of Manager is not intending to make
 any changes to the budget and levy adopted on September 10th no further action is required on the part of the
 Board.

Manager Waller noted he did not vote for this budget in September and has not changed his reasons for that
which he provided at the workshop. He felt Washington Counties $840,000 should come back to them.

6. **Consider Citizen Advisory Committee applications**
District Manager Belfiori stated the Board of Managers is required to maintain an advisory committee to advise
and assist the Managers with all matters affecting the interests of the watershed district as well as to make
recommendations on all proposed RCWD projects and improvements. The Board reviewed three applications for
the Citizen Advisory Committee at a previous workshop from Joseph Mueller, and Gary Krejcarek, and David
Anderson.

Manager Haake thought they should appoint Mr. Mueller, Mr. Krejcarek and Mr. Anderson to the Citizen
Advisory Committee.

Motion by Manager Haake, seconded by Ogata, to appoint Mary Truchon, Jeff Severseike, Wayne LeBlanc,
Bob Rosenquist, Doug Ramseth, Mary Sue Simmons, Bridget Osborn, Joseph Mueller and Gary Krejcarek and
David Anderson to the CAC. Motion carried 5-0.

District Administrator Belfiori stated the Board has one meeting in December and staff is presenting a resolution
for authorization for payment of the December check register for the second half of the month.

Motion by Manager Ogata, seconded by Manager Waller, to approve Resolution 2014-40, adopting
Authorization of Payment of the December 2014 Check Register and authorize the District Treasurer to review
and approve payment of the December 24, 2014 check register in the amount not to exceed $300,000 for
operating expenses, $150,000 surety returns, and $300,000 in pay requests for District projects.

ROLL CALL:
Manager Haake – Aye
Manager Ogata – Aye
Manager Wagamon – Aye
Manager Waller – Aye
President Preiner - Aye

Motion carried 5-0.

8. Consider Check Register dated 12/10/14, in the amount of $105,759.37, prepared by HLB Tautges Redpath.

Motion by Manager Wagamon, seconded by Manager Ogata, to approve check register dated 12/10/14, in the
amount of $105,759.37, prepared by HLB Tautges Redpath. Motion carried 5-0.

9. Discuss follow-up on December 8, 2014 Anoka County Ditch 31 and Anoka County Ditch 46 landowner
information meetings.
District Manager Belfiori stated a follow-up from previous discussion on December 8th Anoka County Ditch 31
and Anoka County Ditch 46 landowner information meetings there was many landowners in attendance. There
was approximately 3.5 hours of discussion at the meetings. He stated there was nothing heard at the meetings
that would significantly impact the memorandums he wanted to move forward and request the Boards
authorization to notice a public hearing and would recommend having it within the City Hall again in the evening
to allow for resident schedules. He was recommending late January if possible.

Motion by Manager Waller, seconded by Manager Haake, to authorize the notice of a Public Hearing for
Anoka County Ditch 31 and Anoka County Ditch 46 in Columbus City sometime in late January 2015.
Motion carried 5-0.
ITEMS FOR DISCUSSION AND INFORMATION

1. **District Engineer Update and Timeline**
   District Engineer Deutschman updated the Board on County project timelines.

   President Preiner wondered if there was anything new with the Army Corps of Engineers. District Engineer Deutschman stated there was a meeting between staff and one of the individuals at the Corp. The individual at the Army Corps of Engineers has been examining the records of Browns Reserve and trying to clarify what Rice Creek needs to do when resubmitting the mitigation bank instrument and to resolve the crediting differences between the Corp of Engineers and Board of Water and Soil Resources. He noted they are getting close to an agreement. An additional meeting or two may be needed.

2. **December/January Calendar**
   There were no comments.

3. **Staff Report**
   There were no comments.

4. **Manager's Update**
   Manager Haake congratulated Manager Wagamon on the birth of his granddaughter. She noted there were no substantial changes at the MAWD convention on the proposed legislative initiatives. She wanted to praise staff on the seminars regarding Hardwood Creek restoration project and Oneka Ridge Golf Course project both given at MAWD.

   President Preiner wished everyone Happy Holidays.

ADJOURNMENT

*Motion by Manager Waller, seconded by Manager Preiner, to adjourn the meeting at 9:53 a.m. Motion carried 5-0.*