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, 2nd Vice-Pres. John Waller, and Treasurer Steve Wagamon.
Absent: Managers Barbara Haake and Harley Ogata (with prior notice)
Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, Office Manager Theresa Stasica, Lake and Stream Specialist Matthew Kocian; Technical Specialist/Permit Reviewer Chris Buntjer.
Consultants: District Engineer Mark Deutschman, Houston Engineering, Inc. (HEI) and District Attorney Louis Smith from Smith Partners
Visitors: Chris Weirens, Kyle Grahek.

SETTING OF THE AGENDA
There were no changes.

Motion by Manager Wagamon, seconded by Manager Waller, to adopt the agenda as presented. Motion carried 3-0.

Motion by Manager Wagamon, seconded by Manager Waller, to elect Manager Waller as acting secretary. Motion carried 3-0.

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the February 9, 2015, Board of Managers Workshop Meeting. Motion by Manager Wagamon, seconded by Manager Waller, to approve the minutes as presented. Motion carried 3-0.

Minutes of the February 11, 2015, Board of Managers Regular Meeting.
Manager Wagamon stated on page nine, line 177, the motion has been made and seconded by Manager Waller and needs to be corrected.
Motion by Manager Wagamon, seconded by President Preiner, to approve the minutes as amended. Motion carried 3-0.
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>
<th>Recommendation</th>
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<tr>
<td>14-099</td>
<td>MnDOT Metro District</td>
<td>Forest Lake</td>
<td>Street &amp; Utility Plan</td>
<td>CAPROC 5 items</td>
</tr>
<tr>
<td>14-105</td>
<td>Landmark of Arden Hills</td>
<td>Arden Hills</td>
<td>Final Site Drainage</td>
<td>CAPROC 6 items</td>
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<tr>
<td>15-003</td>
<td>F&amp;F Real Estate Services</td>
<td>Blaine</td>
<td>Land Development</td>
<td>CAPROC 6 items</td>
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<tr>
<td>15-004</td>
<td>City of Arden Hills</td>
<td>Arden Hills</td>
<td>Street &amp; Utility Plan</td>
<td>CAPROC 4 items</td>
</tr>
<tr>
<td>15-006</td>
<td>DSK Holding, LLC</td>
<td>Blaine</td>
<td>Final Site Drainage</td>
<td>CAPROC 6 items</td>
</tr>
<tr>
<td>15-007</td>
<td>Steiner Construction Services</td>
<td>Roseville</td>
<td>Final Site Drainage</td>
<td>CAPROC 3 items</td>
</tr>
</tbody>
</table>

Permit Coordinator/Wetland Specialist Nick Tomczik indicated there was an adjustment to the language for permit 14-099 on page 14 of the packet. For clarity in the record, under recommendations CAPROC, sentence should be stricken and replaced with "It is recommended that the permit application be given conditional approval pending received changes CAPROC and outstanding items related to the following items"

Motion by Manager Wagamon, 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, dated February 18 & 19, 2015 including the amendment to 14-099 as stated by Permit Coordinator/Wetland Specialist Tomczik. Motion carried 3-0.

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.

There were no comments made at Open Mike.

ADDITIONAL ITEMS REQUIRING BOARD ACTION

1. Consider findings and order directing proceedings to reestablish and correct drainage system record for Washington County Judicial Ditch 5.

District Administrator Belfiori explained the resolution identifies the Board will follow the procedures and State Statutes 103E to reestablish and correct the drainage system record for Washington County Judicial Ditch 5 to reflect the functional alignment, dimension and right of way of the system. Upon this approval, this also authorizes staff to set a date, time and location for an information meeting on this reestablishment and correction of the system record as well as setting a date, time and location for a public hearing and authorizing staff to give proper notice of that hearing.
Motion by Manager Waller, seconded by Manager Wagamon, to approve Resolution 2015-05, Adopting Findings and Order Directing Proceedings to Reestablish and Correct Drainage System Record for Washington County Judicial Ditch 5.

Manager Waller stated during the workshop meeting it was his understanding that all three of the ditches are tile systems and that two were previously open channels that had been created and he wondered if the record was found showing these were once branches of Judicial Ditch no. 2. He also noted that on item 4 in the resolution it states they will continue to perform minor maintenance and it was his understanding that was all that was needed on these. There was not any need for comprehensive repairs.

District Administrator Belfiori indicated the second question was correct, it is staff’s anticipation that once the completion of the drainage system record process if the Board chooses to proceed with a repair memorandum, which is what has traditionally been done, this would be the spot minor maintenance where the critical areas are needed rather than a comprehensive from bottom up repair. They are not at that point yet and will have a recommendation brought forward to the Board at a future time.

District Engineer Deutschman stated in regards to the first part of the questions, the historical review memo did acknowledge that portions of these systems were in fact open channel at one point in time. To his knowledge, they have never found the original records that establish that. Manager Waller stated these are in fairly good shape so that is the reason for minor repairs rather than bottom to top repair. District Engineer Deutschman indicated that was correct. They can still maintain function of the system through the ad valorem budget and the District’s regular maintenance program.

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

Motion carried 3-0-2 (Managers Haake and Ogata absent).

Consider findings and order directing proceedings to reestablish and correct drainage system record for Washington County Judicial Ditch 6.

District Administrator Belfiori explained the resolution identifies the Board will follow the procedures and State Statutes 103E to reestablish and correct the drainage system record for Washington County Judicial Ditch 6 to reflect the functional alignment, dimension and right of way of the system. Upon this approval, this also authorizes staff to set a date, time and location for an information meeting on this reestablishment and correction of the system record as well as setting a date, time and location for a public hearing and authorizing staff to give proper notice of that hearing.

Motion by Manager Waller, seconded by Manager Wagamon, to approve Resolution 2015-06, Adopting Findings and Order Directing Proceedings to Reestablish and Correct Drainage System Record for Washington County Judicial Ditch 6.

Manager Waller indicated his comments from the previous items pertain to this item as well.
ROLL CALL:
Manager Waller – Aye
Manager Haake-Absent
Manager Ogata-Absent
Manager Wagamon – Aye
President Preiner – Aye

Motion carried 3-0-2 (Managers Haake and Ogata absent).

3. Consider findings and order directing proceedings to reestablish and correct drainage system record for Washington County Judicial Ditch 7.
District Administrator Belfiori explained the resolution identifies the Board will follow the procedures and State Statutes 103E to reestablish and correct the drainage system record for Washington County Judicial Ditch 7 to reflect the functional alignment, dimension and right of way of the system. Upon this approval, this also authorizes staff to set a date, time and location for an information meeting on this reestablishment and correction of the system record as well as setting a date, time and location for a public hearing and authorizing staff to give proper notice of that hearing.

Motion by Manager Waller, seconded by Manager Wagamon, to approve Resolution 2015-07, Adopting Findings and Order Directing Proceedings to Reestablish and Correct Drainage System Record for Washington County Judicial Ditch 7.

Manager Waller indicated his comments from the previous items pertain to this item as well.

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

Motion carried 3-0-2 (Managers Haake and Ogata absent).

4. Consideration of Anoka County Ditch 53-62 Branch 1 repair project partial pay request #2.
District Administrator Belfiori stated the purpose is to recommend partial payment to Dave Perkins Contracting, Inc. for work associated with the ACD 53-62, Branch 1 Repair Project. This partial payment covers work performed by Dave Perkins Contracting, Inc. from December 13, 2014 to February 2, 2015.

Motion by Manager Wagamon, seconded by Manager Waller, to authorize a partial payment of $89,905.71 to Dave Perkins Contracting, Inc. for work completed to date under this contract. Motion carried 3-0.

5. Consider Check Register dated 2/25/15, in the amount of $225,130.79, prepared by HLB Tautges Redpath.
Motion by Manager Wagamon, seconded by Manager Waller, to approve check register dated 2/15/15, in the amount of $225,130.79, prepared by HLB Tautges Redpath. Motion carried 3-0.
ITEMS FOR DISCUSSION AND INFORMATION

1. Update on Hanson Park Project concept plan and next steps.

Water Resource Specialist Axtell explained RCWD staff, working with Houston Engineering, Inc. (HEI), met with the City of New Brighton staff on February 5, 2015 to finalize the concept plan for the proposed projects within Hansen Park. The meeting was highly productive and input from the City is being incorporated into the plans.

Water Resource Specialist Axtell made a presentation to the Board on the Hanson Park project Concept plan update. He presented graphics which pointed out the locations of each of the specific project elements within the concept plan, discussed the proposed MOA with the City of New Brighton, presented the project benefits and listed the proposed next steps in the upcoming project schedule.

Manager Wagamon asked what PAH meant and where does that come from. Water Resource Specialist Axtell stated Polycyclic Aromatic Hydrocarbons come primarily from coal tar sealant from driveways and other asphalt based sealants. He did not think there was an outright ban but many of the service providers have begun not using the products that contain those chemicals because of the contaminated runoff. He stated this is a problem throughout the metro as a major source of sediment contamination in stormwater ponds. He stated they have very detailed information in this case on what is contaminated, where the contamination is located and what needs to be cleaned up.

Manager Waller asked if any agreements were made for the access to the site for clean up so they do not have an issue in the future. He also asked about the pond and the iron sand filter and if that was mainly used to remove the phosphorus. Water Resource Specialist Axtell indicated that was correct. He stated the pond will act as a type of NURP pond for runoff that comes through Ramsey County Ditch 2. He stated with just dredging and expansion of the pond they get a lot of phosphorus removal and getting the silt out of there is a major reduction in internal loading also. He stated the iron enhanced sand filter is very efficient and a relatively low cost project to remove a lot of phosphorus from the system as well.

Manager Waller asked if there will be a pump connected to the operation of the Iron Enhanced sand filter project with maintenance for it. Water Resource Specialist Axtell indicated it would be around a five HP pump. Manager Waller asked if this is part of the twenty-five year maintenance responsibility. Water Resource Specialist Axtell indicated it was and that consistent with the BWSR grant, the District is responsible for the operation and maintenance of the Hanson Park project for 25 years. Manager Waller stated this means the District is on the hook for quite a while and if the pump goes out the District will need to buy a new pump and he also thought the District will pay the electricity to run the pump. He wondered if they are saving part of the grant money to cover the maintenance costs for the next twenty-five years. Water Resource Specialist Axtell stated at this point the grant is covering construction and this is something that will need to be discussed further. He thought it is likely that the sediment forebay of the pond would have to be dredged out once in the 25 years. He noted Houston Engineering is getting some cost estimates together which will be available in a couple of weeks. Staff’s position is that the water quality components would be the District’s responsibility to operate and maintain.

President Preiner wondered if there would be a way for solar energy to be brought in to run the pump. Water Resource Specialist Axtell indicated it could be looked at, depending on the energy requirements needed.

District Engineer Deutschman stated they have gotten the least furthest along on the iron enhanced sand filtration in terms of design. They have done some preliminary sizing in terms of the feature and pollutant removals but have not really gotten into the details. They were considering a gravity flow system and can still consider that. The downside to the gravity flow system is that the filter system needs to be dry for a period of
time after it sees water. The thought process was if they do go to a pump system they can put water in the filter after every several days and run it, get some removal, turn it off and let it dry out. If they were to go gravity flow, when water gets into it, it is purely a matter of how the inlet is designed and the elevation of the inlet such that when the pond water level rises, water goes into the pipe and into the system. Those are details they have not gotten into yet.

Water Resource Specialist Axtell continued with his presentation regarding the Memorandum of Agreement.

Manager Waller asked if there was anywhere in the memorandum of agreement where it specifically has language about ownership of the dam. Water Resource Specialist Axtell stated it does not have any language in this one but are anticipating a formal operation and maintenance agreement in the future and that the District’s position would be that ownership of the dam would remain with the City of New Brighton. This position has been communicated to City staff.

Water Resource Specialist Axtell reviewed the upcoming project schedule with the Board.

2. **Hardwood Creek Restoration Project Presentation**

Lake and Stream Specialist Kocian made a presentation to the Board regarding the Hardwood Creek Restoration Project.

President Preiner asked how they are monitoring their time and money put into each project in the monitoring department. Lake and Stream Specialist Kocian stated monitoring that is done directly as part of the project is accounted toward the project as matching time. Once the grant is finalized then the monitoring is done as part of the monitoring program and is no longer accounted for in the grant.

3. **Discussion on Minnesota Association of Watershed Districts (MAWD) questionnaire on buffer initiative.**

District Administrator Belfiori stated MAWD Executive Director Ray Bohn has requested the Watershed Districts discuss and fill out the questionnaire regarding the governor’s buffer framework.

President Preiner asked at what time they would end up with a final answer. District Administrator Belfiori indicated they do not have an answer at this time.

Manager Waller stated he did not have any objection to the questions staff put forth but he would like some consideration to the following topics:

1. What impact does this buffer zone have on spoil piles placed during ditch maintenance?
2. He thought this was an appropriate place to find some clarity in the continual controversy between the Department of Natural Resources permits requirements and permission.
3. He would like to have some thought process put into this if they are going to declare fifty foot buffer zones throughout the State on everything that has an ordinary high water mark as defined by the DNR.

He thought those were topics that were appropriate to discuss.

President Preiner stated another issue she would like brought up is the idea that they are taking all this land off the property tax rolls and what is it really going to cost the State of Minnesota to put fifty foot buffers.

Manager Wagamon wondered why they needed to go to the fifty foot buffer when they do not enforce the existing sixteen foot buffer. Why don’t they enforce the law they already have.
President Preiner thought this should be discussed further at a Board Workshop.

**Motion by Manager Waller, seconded by President Preiner to move this item to Items Requiring Board Action. Motion carried 3-0.**

**Motion by Manager Wagamon, seconded by Waller, to authorize staff to submit the following questions listed in the memorandum and items as discussed to MAWD Executive Director Ray Bohn regarding the governor's buffer framework. Motion carried 3-0.**

4. **Staff Report**
Permit Coordinator/Wetland Specialist Nick Tomczik stated the District and Houston Engineering has submitted the draft MBI to the ACOE for comments before it is released to the Internal Review Team (IRT) for comments. They are not releasing the drafts of those documents to Mr. Hair or others and want to make sure they are finalized before there are too many drafts out there. Once the MBI is approved they will be distributed.

5. **March Calendar**
No comments.

6. **Manager's Update**
District Administrator Belfiori reminded the Board of the MAWD reception and Breakfast on March 11th and 12th.

**ADJOURNMENT**
*Motion by Manager Wagamon, seconded by Manager Waller, to adjourn the meeting at 10:10 a.m. Motion carried 3-0.*