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, 1st Vice-Pres. Barbara Haake, 2nd Vice-Pres. John Waller, Treasurer Steven Wagamon and Secretary Michael Bradley.

Absent: None.

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Technician Samantha Berger, Technician/Inspector Terrence Chastan-Davis, Communications and Outreach 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: Steve Salzl, Mark Lambert, Paul Thomas.

SETTING OF THE AGENDA
Motion by Manager Haake, seconded by Manager Waller to approve the agenda as presented. Motion carried 5-0.

PRESENTATION: 2017 EXEMPLARY PERMITTEE APPLICANT RECOGNITION.
Communications and Outreach Coordinator Beth Carreño thanked Technician/Inspector Terrence Chastan-Davis, for working with the permittees on this project and forwarding this nomination.

Technician/Inspector Terrence Chastan-Davis recognized Steve Salzl (Job Superintendent) with Lumber One, Avon Inc and Mark W. Lambert (Permittee) with Summit Commons, LLC for their best practices during the 2017 construction of Arbor Ridge Apartments in Forest Lake, MN. The recognition was for exemplary responsiveness and commitment to best practices during the
permitting process and a commitment to water quality. He noted that the construction took place during 2017 and that he nominated the two on January 2, 2018, for their efforts. The nomination stated that Mr. Salzl was proactive in his efforts for permit compliance and use of best management practices, was attentive to inspection notes, and was responsive to any concerns.

President Preiner thanked Mr. Salzl and Mr. Lambert for their work and presented them with a plaque. Mr. Lambert addressed the board and staff on behalf of both men, “We appreciate the recognition...You’ve got a great team here, and it’s been a pleasure to work with you guys.”

**READING OF THE MINUTES AND THEIR APPROVAL**

Minutes of the March 20, 2018 Board of Managers Special Meeting. *Motion by Manager Wagamon, seconded by Manager Waller to approve the minutes as presented. Motion carried 4-0-1, Manager Haake abstained due to absence from meeting.*

Minutes of the March 20, 2018 Board Strategic Direction Process Workshop. *Motion by Manager Wagamon, seconded by Manager Waller to approve the minutes as presented. Motion carried 4-0-1, Manager Haake abstained due to absence from meeting.*

Minutes of the March 28, 2018 Board of Managers Meeting. *Motion by Manager Wagamon, seconded by Manager Bradley to approve the minutes as presented. Motion carried 4-0-1, Manager Haake abstained due to absence from meeting.*

**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:

**Table of Contents**

**Permit Applications Requiring Board Action**

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<th>No.</th>
<th>Applicant</th>
<th>Location</th>
<th>Plan Type</th>
<th>Recommendation</th>
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<td>TEGL/AREP Oakwood LP</td>
<td>Blaine</td>
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<td>CAPROC 17 items</td>
</tr>
<tr>
<td></td>
<td>Elmer C. Birney Family Trust</td>
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<td>Wetland Alteration Plan</td>
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<td>Gregory Biskey</td>
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<td>Land Development</td>
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<td>Street &amp; Utility Plan</td>
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<td>18-033</td>
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<td>White Bear Lake</td>
<td>Street &amp; Utility Plan</td>
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<td>18-034</td>
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<td>Street &amp; Utility Plan</td>
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Permit Coordinator/Wetland Specialist Nick Tomczik referred to page 21 of the agenda packet, item No. 2, second line and stated it should be changed to, “…18 do not match the HydroCAD model…”

Manager Waller referred to page 28 of the agenda packet and inquired what difference it makes what system they drain into if they are paying the general tax.

District Engineer Otterness responded this property straddles drainage into ACD 53-62 and ACD 10-22-32. The landowner has incurred water management district charge to both drainage systems and this property will be subject to any future water management district charges for repairs to the system.

Manager Haake noted this site consists of wetlands and areas of concern. She requested to know how the ponds will sufficiently be able to handle runoff before it goes into the storm sewer and areas of concern.

District Engineer Otterness responded they considered both meeting District rate requirements as well as the limited capacity in ACD 53-62. The applicant was required to capture a ten-year rainfall event for the additional impervious surface going to ACD 53-62, which is accomplished through infiltration basins and water reuse using irrigation.

District Technician Samantha Berger agreed there will be irrigation and infiltration. She referred to the table on page 24 of the agenda packet and pointed out the six different ponds, NURP requirements, and volume provided. In each case, excess treatment is being provided and the features are oversized. A lake will also be included which will provide an additional ponding area.

Permit Coordinator/Wetland Specialist Tomczik referred to the map page 30 of the agenda packet and reported on mitigation. He noted the area shaded in green will be part of the wetland management corridor and pointed out other areas of buffer and wetland restoration areas. There were impacts to the site in order to get the roads and homes in; the applicant has addressed the WCA sequencing.

Manager Haake commented this area was a prominent place to put in sod fields and this looks like it would have been a complicated project. She inquired about freeboard on the new housing, if they will have basements, and who will care for the sediment ponds.

Permit Coordinator/Wetland Specialist Tomczik pointed out neighboring sod fields in the area on the map. He stated they require a two-foot freeboard on the new homes. The City of Blaine is working with the applicant to address the maintenance on these facilities and the obligation is either recorded on the parcel or an agreement with the City by way of a programmatic agreement.

Manager Bradley inquired if the City will be responsible for maintaining the irrigation system.
Permit Applicant Paul Thomas, Excelsior Group and land developer for the project, responded the irrigation will be maintained and owned by the homeowner’s association (HOA). It will irrigate public land and the common area around the villas. They will irrigate part of the outlot as part of the development agreement with the City. He noted they do this in most projects and it will be paid for by them. It is good stewardship of the land and helps to meet some requirements. He encouraged the Board to have staff develop a credit process to include in the future.

Manager Bradley stated they are working with the Department of Health and State government not to over regulate this practice.

Manager Waller noted they do have a credit program for this service.

District Administrative Phil Belfiori responded they are working with several cities on opportunities for reutilizing reuse systems and developing a comprehensive stormwater plan. They do have processes in place that allows them to use this toward future projects and they are currently working with several cities in this way. They hope this will allow private developers to work with the City and capitalize on it if available.

It was moved by Manager Waller, seconded by Manager Haake to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations for permit 17-068, 18-013, 18-033, 18-034, and 18-035 dated April 2, 3, & 4, 2018. 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.

No comments.

ADDITIONAL ITEMS REQUIRING BOARD ACTION

1. Consider Water Quality Grant Program Applications.
   a. W18-01, Birchwood Village Swale.

   District Technician Berger reported this project proposes the rehabilitation of a swale on a village owned parcel which conveys water into White Bear Lake. They will widen the swale, expand the existing sump area, and rehab the vegetation. The swale receives runoff from an 8.8-acre catchment that is largely impervious. This project was identified in the Southeast White Bear Lake Sub-Watershed Assessment (SWA) which was completed by the Washington Conservation District. The total project cost is $7,660, and the applicant’s cost-share request is $5,323. The CAC questioned the ditch check since
the SWA noted that a ditch check is not feasible. However, the contractor recommended the ditch check the WCD agreed it would act as a choke point to slow the water before discharging into White Bear Lake. The CAC also questioned if a swale was an improvement. The WCD noted that widening the swale and introducing appropriate vegetation will help eliminate the existing channelization and provide added filtration. The CAC and staff recommend approval of this request.

Manager Haake inquired about the length of the swale and noted she would rather see it meandering in order to slow it down.

District Technician Berger responded she did not know the exact length, but it is a significant. The riprap sump is at the beginning, the swale drops four feet and is three to four feet wide and has a curve near the end.

District Engineer Otterness stated based on the contractor’s bid, the swale is 85 feet long.

Manager Waller stated the drop is small and Birchwood is an old and frugal community with not much room. It is significant that they have submitted this project application.

**Motion by Manager Waller seconded by Manager Bradley, to approve RCWD Water Quality Grant Program Contract W18-01 for the Birchwood Village Swale Restoration project, up to $5,750.25 and not to exceed 75% of eligible project expenses, in accordance with established program guidelines. Motion carried 5-0.**

District Administrator Belfiori stated they are looking forward to working with the communities in the SWA and they have around 20 or 30 identified projects.

b. R18-06, Hansohn Shoreline Stabilization.

District Technician Samantha Berger reported this project proposes to restore approximately 92 linear feet of shoreline located of Karth Lake in Arden Hills. It includes the removal of an existing retaining wall, installation of 92 linear feet of rock at the toe slope, 2,350 square feet of buffer with an erosion control blanket. The total project cost is $18,254 and the applicant’s cost-share request is $7,500. The CAC considered this project at a recent meeting and discussed “bounce” on a lake and how grant percentages were determined. The CAC and staff recommend approval of this request.

Manager Waller commented the bounce in the lake exceeds the first level of the retaining wall and goes up to the second level. The wall is deteriorating, and the proposed project is reasonable.

Manager Haake inquired if this lake is used by motor boats.

District Technician Berger stated she did not believe motor boats are allowed on the lake.
Motion by Manager Haake seconded by Manager Wagamon, to approve RCWD Water Quality Grant Program Contract R18-06 for the Hansohn Shoreline Stabilization, up to $7,500 and not to exceed 50% of eligible project expenses, in accordance with established program guideline. Motion carried 5-0.

District Administrator Phil Belfiori directed the Board to page 77 of the agenda packet. He reported on March 27, 2018, the District received the Financial Audit, dated December 31, 2017 and concludes with the following two letters to the District: “Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards” and “Minnesota Legal Compliance Report.”

District Administrator Belfiori reported the Report on Internal Control identified that the auditors did not identify any deficiencies in internal control that they considered to be a material weakness. It also identifies that the results of tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

He also stated the Report of Minnesota Legal Compliance states that nothing came to the attention of the auditors that caused them to believe that the RCWD failed to comply with the provision of the Minnesota Legal Compliance Audit Guide for Political Subdivisions.

District Administrator Belfiori recognized Manager Wagamon for his leadership as Treasurer, as well as Office Manager Theresa Stasica, and Project Managers Kyle Axtell and Matt Kocian for their work with the audit.

Manager Wagamon commented staff did a great job and continues to have a great record.

Motion by Manager Wagamon seconded by Manager Haake, moves to accept and authorize the filing of the Rice Creek Watershed District 2017 Annual Financial Report and Audit. Motion carried 5-0.

District Administrator Phil Belfiori referred to page 79 of the agenda packet, which shows Houston Engineering’s (HEI) task order 2018-09 for Washington County Judicial Ditch 2 (WJD 2) Branches 1 and 2. He reported staff recommends approval of the task order, which includes the following services:

- Design of channel repairs
- Quote/bid documents for the preferred contractor
- Observation services
4. **Consider HEI Task Order for Anoka-Washington Judicial Ditch 3 Repair Report.**

District Administrator Phil Belfiori referred to page 85 of the agenda packet. He reported in 2015, the Board approved a historical review memo for Anoka -Washington Judicial Ditch 3 (JD 3). Based on Board input and the recently discussed prioritization process, he requested consideration of Houston Engineering’s (HEI) task order 2018-10.

He reported the professional services includes completion of a repair report for portions of the Anoka-Washington Judicial Ditch (JD 3) public drainage system upstream of Interstate 35E, including the Main Trunk and Branches 1, 3, and 4. It will also include the completion of a drone survey, determination of potential public waters, WCA wetland impacts and preparation of a report summarizing benefits and cost for a full repair to JD 3 upstream of I-35E to the ACSIC profile. Staff recommends approval of HEI task order 2018-10.

Manager Waller noted this is a highly developable area in Hugo. This project is timely and is similar to the project they just passed that includes several hundred new homes.

**Motion by Manager Wagamon, seconded by Manager Bradley, to approve the Houston Engineering request for services with a total cost of $57,800 as defined in attached HEI memo dated April 4, 2018 and authorize the Board President to execute the document. Motion carried 5-0.**

5. **Consider Check Register dated April 11, 2018, in the amount of $99,451.34 prepared by Redpath and Company.**

**Motion by Manager Wagamon, seconded by Manager Haake, to approve check register dated April 11, 2018, in the amount of $99,451.34, prepared by Redpath and Company. Motion carried 5-0.**

**ITEMS FOR DISCUSSION AND INFORMATION**

1. **District Engineer Update and Timeline.**

   District Administrator Belfiori announced the following noticed meetings:
   - Metro MAWD – Tuesday, April 10
   - Strategic Planning Meeting at District offices – April 23
- Historic Review Public Information meeting at New Brighton Community Center – April 23
- Advisory Committee Meeting – May 2
- Ground Water – May 4

Manager Bradley inquired if there will be a special workshop on May 21.

After discussion, the Managers agreed to hold a special workshop meeting on May 21 at 1:00 p.m. at the District offices.

Manager Bradley noted they are doing increasingly good work in the southeast corner of White Bear Lake and suggested staff find a way to let the residents know that.

Manager Haake inquired if White Bear has a lake association that charges a fee to take care of the lake.

Manager Bradley responded he is not sure. They are starting to do more projects and it provides an opportunity to let taxpayers know they are involved.

President Preiner noted these projects are being done due to the residents and City participation.

Manager Waller explained the White Bear Lake Conservation District is a different organization than a lake association. White Bear Lake does not have a lake association, but they pay into the conservation district of the lake. Bald Eagle Lake brought a petition to the Board for a water management district charge/special assessment, but they have not received a petition from the lake owners of White Bear Lake.

Manager Haake announced a meeting regarding the White Bear Lake settlement will take place on May 4 at 9:00 a.m. at the Ramsey County Public Works building in the Marsden Room. She read from the newspaper a report that the proposed buffer law allows counties and watershed districts to propose a $500 fine per parcel to those who do not establish buffers to protect the waterways from runoff and pollution. A second penalty option was proposed to allow higher fines for non-compliance based on the total linear feet of the waterway along the parcel. More than 98 percent of the farmers with land and borders on public waters are in compliance. She also announced that Capital Region is going to have a meeting on May 8 at 6:00 p.m. at Macalester Plymouth Church to talk about calendar gardening. Metro Blooms will have upcoming meetings on Weather Resilient Yards and Installing Turf Alternates and she suggested these be posted on the website.

Manager Bradley noted he is in the five-miles radius that can no longer water and it will have a direct impact on his lawn. He suggested they consider working with another
conservation district to put on a seminar to discuss other alternatives for people affected by this.

Manager Waller stated this was discussed at the Advisory Committee meeting and conversation has already been started on this issue.

Manager Haake commented fescue grass is good in these types of conditions.

District Administrator Belfiori noted Metro Blooms/Blue Thumb had a presentation on their website to help land owners better understand water resistant plants.

President Preiner stated the District does not need to be duplicating workshops if there is already good information available.

2. Managers Update.

None.

ADJOURNMENT

Motion by Manager Haake, seconded by Manager Wagamon, to adjourn the meeting at 10:02 a.m. Motion carried 5-0.