REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, May 8, 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, 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, District Technician Lauren Sampedro, Lake and Stream Specialist Matt Kocian, Office Manager Theresa Stasica.

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

Visitors: Jon Knutson.

SETTING OF THE AGENDA
Administrator Phil Belfiori requested action item #4: Consider Findings and Order Related to a Drainage Petition to Establish a Lateral to Anoka County Ditch 10-22-32 be pulled from today’s agenda.

Motion by Manager Haake, seconded by Manager Waller, to approve the agenda as amended. Motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the April 24, 2019 Board of Managers Meeting.
Motion by Wagamon, seconded by Manager Bradley, to approve the minutes as presented. Motion carried 5-0.
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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<td>19-030</td>
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<td>Roseville</td>
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Permit Coordinator/Wetland Specialist Tomczik noted that staff have no adjustment to the packet permit application engineer reports. He stated that a representative for Permit 19-030 is present if the Board has any questions.

Manager Haake stated that her only comment is in relation to Permit 19-030, they will remove everything so it will be something to go take a look at when it is completed with all the impervious surface.

It was moved by Manager Bradley seconded by Manager Wagamon, to approve the Consent Agenda item for permits 19-001 and 19-030 as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations dated May 1, 2019. 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.

President Preiner announced that she would be stepping down for the first agenda item.

ITEMS REQUIRING BOARD ACTION


   Permit Coordinator/Wetland Specialist Tomczik noted that this item would generally be included on the Consent Agenda; however, it involves one of the managers.

   Manager Bradley stated that the report states that the project requires annual reporting and monitoring for a minimum of 5 years. He asked if this would be reported to the RCWD or to BWSR.
Permit Coordinator/Wetland Specialist Tomczik stated that it would be reported to RCWD as the LGU.

Manager Bradley expressed his concern and confusion that this would mean the RCWD was managing a wetland bank and credits.

Permit Coordinator/Wetland Specialist Tomczik stated that this does not mean the RCWD would be managing a wetland bank and credits but is merely the body that reviews the monitoring reports by the applicant’s team.

Manager Bradley stated that this appears as though it will cost the RCWD engineering fees.

Permit Coordinator/Wetland Specialist Tomczik stated that it would be similar to other permits being handled as part of the normal daily staff duties.

Manager Waller stated that last year, District Engineer Otterness had made a presentation with some areas of wetland banking and asked where this 40-acre parcel fits into that recommendation.

District Engineer Otterness stated that he did not make a recommendation to this Board with regard to this wetland banking site, and he wasn’t sure he understood the question because he is not sure which 40-acre parcel Manager Waller is inquiring about.

Permit Coordinator/Wetland Specialist Tomczik stated that he wasn’t sure he understood the question either. He asked if Manager Waller was asking which 40-acre parcel was involved in the Districts communication with landowners and the inquiry of willing landowners for potential wetland banking sites.

Manager Waller stated that he was asking if this 40-acre parcel was within the 125 acre that was previously recommended by District Engineer Otterness.

Permit Coordinator/Wetland Specialist Tomczik stated that he does not know the answer, but could investigate it very quickly and report back to the Board.

Manager Waller stated that he would like to know the answer.

Manager Haake stated that if there has been a change, perhaps the Board should consider this item at a future date.

Permit Coordinator/Wetland Specialist Tomczik stated that there has not been a change. The inquiry to the landowners was simply to see who may be interested in developing a
Manager Bradley stated that his recollection was that the only property that the District sought to investigate for this purpose was property that the District already owned.

The Board discussed the surrounding land areas.

Manager Haake asked what this will cost RCWD.

Permit Coordinator/Wetland Specialist Tomczik stated that the cost would be the typical costs for any application that comes before the District and clarified that there is no express, definitive cost that takes place outside of the ordinary.

It was moved by Manager Bradley, seconded by Manager Wagamon, to approve the Consent Agenda item for permit 18-112 as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations dated May 1, 2019. Motion carried 4-0.

President Preiner returned to the meeting.

2. Consider Lower Rice Creek Restoration Project Access Agreement.
Lake and Stream Specialist Matt Kocian explained that this work has been happening for about a month. He noted that the access agreement creates very few burdens for the District. He noted that BWSR likes to see access agreements in the early stages of the project however that means that the specific plans and specs and access routes have not yet been determined. He stated that this means that the District needs to have a certain level of trust with Fridley and Anoka County because of the timing of the access agreement. Both the City of Fridley and Anoka County have been excellent partners on this project.

Motion by Manager Haake, seconded by Manager Waller, to authorize the Administrator to execute the Access Agreement between the Rice Creek Watershed District, the City of Fridley, and Anoka County, with non-material changes on advice of counsel. Motion carried 5-0.

3. Consider City of Forest Lake Local Water Plan.
District Technician Lauren Sampedro stated that the City of Forest Lake submitted their revised Local Water Plan on May 1, 2019 which is consistent with the District’s Watershed Management Plan and State requirements. She noted that the City added some new language to their water resource issues section. She reviewed the language that was added on JD5 and JD2. Staff finds that the level of detail is adequate to address the
comments from the April 24th Board meeting and staff recommends approval of the 
Forest Lake Local Water Plan.

Manager Waller thanked District Technician Sampedro and Administrator Belfiori for 
getting this additional language added because he feels it is very important.

*Motion by Manager Waller, seconded by Manager Haake, to adopt Resolution 2019-11: 
Approving Forest Lake Local Water Management Plan.*

THEREFORE, BE IT RESOLVED that the RCWD Board of Managers hereby approves the City 
of Forest Lake’s local water management plan, as submitted on May 1, 2019.

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

*Motion carried 5-0.*

District Technician Sampedro noted that 20 Local Water Plans have been approved so 
there are only 8 left to be completed.

4. Consider Check Register dated May 8, 2019, in the amount of $39,188.11 prepared by 
Redpath and Company.

*Motion by Manager Wagamon, seconded by Manager Bradley, to approve check 
register dated May 8, 2019, in the amount of $39,188.11, prepared by Redpath and 
Company. Motion carried 5-0.*

**ITEMS FOR DISCUSSION AND INFORMATION**

1. Engineers Report and Timeline.

No discussion.

2. Managers Update.

No updates.

**ADJOURNMENT**

*Motion by Manager Haake, seconded by Manager Waller, to adjourn the meeting at 9:24 a.m. 
Motion carried 5-0.*