Regular Meeting of the RCWD Board of Managers
Wednesday, July 24, 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: Interim District Administrator Nick Tomczik, District Technician Lauren Sampedro, Project Manager Kyle Axtell, Office Manager Theresa Stasica.

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

Visitors: None.

Setting of the Agenda
Interim District Administrator Tomczik stated that staff would suggest adding #1, 2020 Budget Update, under Items for Discussion and Information, based on Board direction from the July 22, 2019 workshop.

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 July 8, 2019 Workshop. Motion by Manager Bradley Wagamon, seconded by Manager Haake, to approve the minutes as presented. Motion carried 5-0.

Minutes of the July 10, 2019 Board of Managers Meeting.
Motion by Manager Bradley, seconded by Manager Haake, to approve the minutes as presented.
Manager Waller stated that he believes the portion of the minutes on page 3, between lines 82 and 87, specifically lines 86 and 87 is lacking the specific points he shared for why he voted as he did. He stated that he thinks his reasons are relevant and important to the discussion.

President Preiner stated that his reasons can be inserted and the Board can vote on them at the next meeting.

Manager Haake asked if Manager Waller had written out his points.

Manager Waller stated that he does have his comments in writing for insertion in the minutes.

Motion by Manager Haake, seconded by Manager Bradley to table the minutes of July 10, 2019 regular meeting to allow for full comments made by Manager Waller to be included. Motion carried 4-0-1 (Manager Wagamon abstained due to absence).

Minutes of the July 10, 2019 Workshop. Motion by Manager Bradley, seconded by Manager Haake, to approve the minutes as presented. Motion carried 4-0-1 (Manager Wagamon abstained due to absence).

**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 Haake, seconded by Manager Wagamon, to approve the Consent Agenda item for permits 19-054 and 19-061 as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations dated July 12 & 17, 2019, subject to CAPROC requirements contained in the Findings and Recommendations. 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.

ITEMS REQUIRING BOARD ACTION

1. Consider Board Calendar Revision.
   Interim Administrator Tomczik stated that at the last workshop meeting there was discussion on adjusting the meeting dates in the month of November 2019 and those discussion points have been included in an updated calendar for Board consideration and action.

   Motion by Manager Wagamon, seconded by Haake, to approve rescheduling their November 12, 2019 workshop to 1-3 p.m. Friday, November 1, 2019, at the RCWD office and their November 13, 2019 regular meeting to 9 a.m. Monday, November 4, 2019, at the Shoreview Council Chambers. Staff will change the Board’s official calendar and complete the proper noticing. Motion carried 5-0.

2 Consider Revised 2019 Water Quality Grant Program Documents.
   District Technician Lauren Sampedro explained that the 2019 Water Quality Grant Program documents have been revised consistent with the Board’s direction at the July 8, 2019 workshop meeting. She stated that the documents have been revised with assistance from legal counsel and the intent is for these documents to replace the documents that were previously approved by the Board on January 23, 2019. She noted that these documents will be for all new projects going forward except the projects that are currently at or have already passed the design step of the process.

   Motion by Manager Haake, seconded by Manager Bradley, to approve the revised Water Quality Grant Program Application and Contract and Program Guidelines documents as presented, and authorize staff to implement the revised documents, post on the District website, and disburse to the SWCDs and public. Motion carried 5-0.

Manager Bradley explained that this decision authorized the Board to pay the contractors directly rather than requiring the owners of the property to pay them and then be reimbursed. He stated that this new process will be a simpler process for the clients.

3. Consider Check Register dated July 24, 2019, in the amount of $308,368.91 prepared by Redpath and Company.

   Motion by Manager Wagamon, seconded by Manager Bradley, to approve check register July 24, 2019, in the amount of $308,368.91, prepared by Redpath and Company. Motion carried 5-0.
ITEMS FOR DISCUSSION AND INFORMATION

1. **2020 Budget item.**

Interim Administrator Tomczik explained that at the July 22, 2019, the Board had a number of items that they asked staff to do and noted that Office Manager Stasica was distributing copies of the updated information regarding the budget. He stated that he wanted to review the updated items with the Board seeking Board consensus. He stated that if the Board agrees, then the intent would be to notice the public hearing that is required before the budget can be adopted.

Interim Administrator Tomczik stated that the Board at the past budget meeting requested staff to set a budget trajectory that would keep the fund balance within the policy limits through the rotation of the Water Management Plan (WMP) years. He stated that to do so staff adjusted the anticipated future WMP spending timeframes and amounts to later in the ten year period, reduced project total spending and also made definitive aggregate project sum allocations to key years which results in the budget being consistent with the policy for the fund balance.

Interim Administrator Tomczik stated that staff has also reduced some funding in the current 2020 budget in areas where staff thought there would be some flexibility. He noted that the rent increase of $12,000 was not reflected in the prior version of the budget and has been included in this revised version. He explained that the Anoka Chain of Lakes WMP shows a reduction of $50,000.

Project Manager Axtell explained that there were funds that were planning for the possibility of an alum treatment on Centerville Lake in the future. He stated that the District still has seed money to conduct a study if needed. He noted that the other funds are generally for implementation of the TMDLs. He stated that this was an area that they felt could be carved back a little bit because they did not know what projects are specifically in mind for these funds.

Interim Administrator Tomczik stated that there is a $25,000 reduction for the Middle Rice Creek Management project. He stated that they would still like to maintain some seed money should the partners come to the Board and ask for any studies. He stated that Stormwater Management Cost Share has a reduction of $200,000.

Project Manager Axtell explained that this fund was formerly the Urban Stormwater Remediation Cost Share program. He noted that historically, this program has been at approximately $300,000. He stated that the initial plan was to bump it up to $500,000 in the coming years given some of the restrictions and aspirations in the next planning cycle, however staff is proposing that it remain at the $300,000 for the coming year.

Manager Waller stated that this does not appear to be decreasing the budget from the year before but just decreasing the estimated budget that was discussed earlier in the
year. He stated that he thinks this is an important clarification for the public to be aware of because it is just not moving forward as aggressively with budget increases.

Interim Administrator Tomczik stated that he agreed this was true. He, however, added the caveat that this is a bit of apples to oranges between the past budget line items and the current budget going into the WMP. He reiterated that the reductions that he is stating are simply changes from the last budget for 2020 that the Board had previously reviewed.

Manager Waller stated that he feels it is important to distinguish between the conversations about the budgets between the ten-year plan and the next year. He stated that this distinction is fairly easy to see on paper but may not be as easily discernable from discussions.

Manager Bradley stated that early on in the process there is a possibility for BWSR to double last year’s grant money that is available which would essentially replace the money that the Board is talking about taking out of the budget.

President Preiner asked if the BWSR money would really be replacing the money in the budget.

Manager Bradley stated that it would augment the money that the Board is taking out.

Interim Administrator Tomczik stated that the next reductions are for $50,000 from the Southwest Urban Lakes Implementation and $50,000 from the Clear Lake WMP.

Project Manager Axtell noted that this is similar to Golden Lake and Silver Lake as far as implementation areas in our CIP. He noted that in the new watershed plan there are not large amounts of funds in those project areas. He stated that the District has spent a lot of money in the Clear Lake area in the last decade so this really just represents the District taking a break there but noted that there is still funding identified in the 2020 WMP for Clear Lake.

Interim Administrator Tomczik stated that the funding level does allow staff to respond in some way should someone come to the District and there is not full project level funding proposed. He stated that this will allow staff to say that the District is anticipating funding for upcoming years because the District is planning for these potential future activities.

Manager Waller asked if he was trying to say that staff has put a marker in the long term WMP.
Interim Administrator Tomczik agreed that this was correct. He stated that the Board has things that they want to accomplish for the citizens in the District all of which cannot be accomplished in a single year, so they have been spread out and the hope is that eventually they will be accomplished. He stated that there is a proposed reduction of $55,000 in Stormwater Master Planning and a reduction of $60,000 for Ditch and Creek Maintenance RCD-4 repair. He clarified that this did not mean that the District’s intention was to do nothing, but that it likely would be further in the future than 2020. He stated that the next proposed reduction is $25,000 for Lake and Stream Management, Curly-Leaf Pondweed Management. He explained that the total proposed reductions are at $503,000 from the previous preliminary budget that the Board had reviewed and noted again that this number included the $12,000 rent increase.

President Preiner asked if the District had received the signed rental information back.

Interim Administrator Tomczik stated that they have received a response and are working out the final details of the lease prior to signature.

Interim Administrator Tomczik stated that the only other thing to discuss is the public notice document found on the last page of the packet that would be published in the papers detailing the public hearing information. He stated that there did not need to be a formal motion if there was consensus of the Board for the stated changes and to publish the public hearing information.

There was a consensus of the Board for the budget changes and to schedule the public hearing on August 28, 2019 and publish the appropriate notifications.

Manager Haake suggested that the Board keep the budget packet information for the public hearing, so additional copies do not have to be made.

Manager Bradley stated that he wanted to acknowledge staff’s efforts to get these budget revisions made in such a timely fashion.

2. **District Engineer Update and Timeline.**
No comments.

3. **Managers Update.**
Interim Administrator Tomczik stated that he is hoping for good open discussion with the Board as we move through this transition process and encouraged them to call him with questions or concerns. He stated that it is helpful to him if there is a concern about staff duties and obligations that they are undertaking on behalf of the Board that managers contact him so he can assist in managing staff productivity. He noted the importance of everyone being on the same page and that it be kept consistent with the Board’s
direction. He stated that he is open to getting this communication via e-mail as long as everyone is cognizant of the open meeting laws.

President Preiner confirmed that Interim Administrator Tomczik was asking that the Board go through him and then he will go to the staff.

Interim Administrator Tomczik stated that is correct and if staff is taking on a task that is consistent with Board action, he would like to know if there is a concern and believes that it will help everyone stay on the same page.

Manager Wagamon stated that he thought this was already the rule.

Interim Administrator Tomczik stated that he does not believe that this is an adopted policy of the Board but feels that it is certainly a good practice and believed consistent with the past administrator’s request. He stated that he would like communication basically to come from the Board, to him, and then to staff.

Interim Administrator Tomczik noted that the calendar in the packet was obsolete but the Board was provided with a new up to date version that has handed out prior to this meeting. He noted that the Special Board Meeting on August 7, 2019 at 9:00 is where the Board will talk about the WMP and its noting and will be held at the District office and not the Shoreview Council chambers.

President Preiner stated that at the August 12, 2019 workshop meeting the Board will also get instruction about the new remote participation system and how it can be used.

Manager Waller stated that he attended the Forest Lake planning session and noted that while it did not get very technical it was an interesting meeting to watch the process.

President Preiner noted that this was in relation to the five year strategic plan and feels the time to meet with them regarding some of the technical details of water issues and things that pertain to the District is later in the process.

Manager Haake stated that the job opening for the District Administrator has been officially published.

**ADJOURNMENT**

*Motion by Manager Haake, seconded by Manager Wagamon, to adjourn the meeting at 9:29 a.m. Motion carried 5-0.*