ROLL CALL
Absent: None.
Consultants: District Engineer Mark Deutschman, Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners.
Visitors: None.

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

SETTING OF THE AGENDA
District Administrator Belfiori added item 8 under Action: Consider noticing proposed changes to By-Laws related to election of officers. Number 3 under Discussion: Kris Wenner CAC Resignation.

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

READING OF THE MINUTES AND THEIR APPROVAL
Minutes of the August 26, 2014, Board of Managers Regular Meeting.
Manager Haake requested a workshop item be added for BMP maintenance obligations as discussed in the minutes under action item #5.

Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.
CONSENT AGENDA

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:

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PERMIT APPLICATIONS REQUIRING BOARD ACTION

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<td>Culver Repair</td>
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Manager Waller stated this was by Pine Tree Lake and the drainage map provided indicated the drainage system was private. However, he believed the drainage system might not be private and requested further investigation if this was a part of the public drainage system or not. District Administrator Belfiori stated he understood the public drainage system stopped just short of the turn to the east.

Manager Waller believed the public system went all of the way up County Road 7.

Manager Haake asked if this would hold the permit up or could it still be investigated. Manager Waller responded it did not hold the permit approval up, but he would like further research regarding the drainage system.

Motion by Manager Haake, 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 September 3, 2014. 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.

There were no comments made at Open Mike.

ITEMS REQUIRING BOARD ACTION

1. Consider 2015 Preliminary Budget and Levy Certification (Phil Belfiori)

Administrator Belfiori explained the 2015 general fund and plan implementations budget totaled $5,798,717 and a levy of 0.048 percent of taxable market value, not to exceed $250,000.00 be certified to the Counties and levied upon all taxable property in the District. He stated a levy of $4,050,000 is to be certified to the Counties and levied upon all taxable property in the District. He stated there would be no increase in property tax levy from 2014.

Motion by Manager Wagamon, seconded by Manager Ogata to approve Resolution 2014-28, Resolution to Adopt 2015 Budget and Adopt 2015 Tax Levies.

Manager Waller stated he would be voting against the levy this year for the reasons stated at the public hearing, but in addition, this was an actual tax increase for Washington County. He stated more money will be paid in taxes from Washington County. He stated the District has not taken the steps to become more proficient by
encouraging the Cities to take over the permitting program. He believed he was paying twice for the same services, which was a change this year. He stated he did not support this year’s budget as he did not believe the Board worked as hard this year as in the past on the budget.

ROLL CALL:
Manager Waller — Nay
Manager Haake — Aye
Manager Ogata — Aye
Manager Wagamon — Aye
President Preiner — Aye

Motion carried 4-1, Manager Waller opposed.

2. Consider Bald Eagle Lake Water Management District – Certification of charges to counties – Decision/Resolution (Phil Belfiori)
District Administrator Belfiori explained this management district had an estimated cost of $58,000, which was the estimated expenditures.

Motion by Manager Haake, seconded by Manager Ogata, to approve Resolution 2014-29, Certification of Charges Bald Eagle Lake Water Management District.

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

Motion carried 5-0.

3. Consider Approval to Release Amendment of Watershed Management Plan for 45-day Review (Phil Belfiori)
District Administrator Belfiori requested the Board’s consideration for the proposed minor amendments to the District’s Watershed Plan (WMP). He noted this was giving detail or variation to the RCWD’s existing capital improvement projects (CIP) already defined in the approved CIP Plan. The rationale and need related to the proposed minor amendments including added detailed language to the following existing capital improvement projects within the CIP: the Southwest Urban Lakes CIP project, the Bald Eagle Lake TMDL implementation project, and the Peltier/Centerville and Chain of Lakes TMDL implementation project. He indicated the minor amendment also included detailed language related to the District’s existing Comprehensive Wetland Protection and Management Plans per the Board’s recently District Rule amendments, additional general guideline language related to the proposed project prioritization framework, and clarification to language in Appendix G related to the RCWD’s existing Urban Stormwater Remediation cost-share program.

Motion by Manager Ogata, seconded by Manager Wagamon, to approve the release the amendments of the Watershed Management Plan for a 45-day review. Motion carried 5-0.
4. Consider Mirror Pond Project Task Order for Feasibility and Concept Refinement (Phil Belfiori)
District Administrator Belfiori stated this was for a feasibility and concept refinement for the Mirror Pond project. He stated this project did similar activities as the Hanson Park project including project feasibility work, refinement of a concept design, and following completion of the conceptual design plans, the task order included joint coordination meetings. He indicated the projects are expected to require the execution of five phases over a four plus year period beginning in mid-2014.

Motion by Manager Ogata, seconded by Manager Haake, to approve the Houston Engineering request for services with a total cost of $47,400 as defined in the attached HE! Task Order 2014-31 dated August 27, 2014 and authorize the Board President to execute the document. Motion carried 5-0.

5. Consider Water Quality BMP Cost-Share Applications (Kyle Axtell)
   a. R14-03: Jeff and Cheryl Magnuson, Raingarden (Lake Johanna)
Water Resource Specialist Axtell explained this cost share was for a 420 square foot raingarden north of Lake Johanna, which drained to the lake. He stated this would collect runoff from their property and the street. He stated the project had already been built prior to funding approval because the landowner felt pressured by their neighbor, which he did not know all of the details of. He stated the raingarden was functioning well. He recommended the Board approve the cost-share application and the CAC had also approved the application.

Motion by Manager Ogata, seconded by Manager Wagamon, to approve RCWD Water Quality BMP Cost-Share Contract R14-03 for Jeff & Cheryl Magnuson’s raingarden project, up to $2,427.30, not to exceed 50% of eligible project expenses, in accordance with established program guidelines. Friendly amendment by Manager Haake to the motion that they approve the cost-share contract R14-03 for Jeff & Cheryl Magnuson because of the urgency the Magnuson’s felt had to be implemented due to runoff from their property onto others and they did not find that they could comply with the District’s time schedule, cost-share funds up to $2,427.30, not to exceed 50% of eligible project expenses, in accordance with established program guidelines, seconded by Manager Wagamon.
Managers Ogata and Wagamon accepted the amendment to the motion.

Friendly amended carried 5-0.

Motion carried 5-0.

b. RCWD 14-04: Renie Abraham, Raingarden (Middle Rice Creek)
Water Resource Specialist Axtell explained this cost share was for a conversion of a 300 square foot Mounds View infiltration basin into a formal, planted raingarden. He indicated the raingarden was part of a City effort to reconstruct all of its streets and is required by a RCWD permit. He noted because the City was completing the majority of the work, only the plan materials, mulch and labor to install them were eligible expenses. He indicated the total project estimate was $1,327.00 and the landowner had submitted an application to encumber $663.50 in cost-share funding for this project, not to exceed 50% of eligible project expenses.

Motion by Manager Ogata, seconded by Manager Haake, to approve RCWD Water Quality BMP Cost-Share Contract RCWD14-04 for Renie Abraham’s raingarden project, up to $663.50, not to exceed 50% of eligible program expenses, in accordance with established program guidelines. Motion carried 5-0.
c. **W14-01: Edward & Nancy Marah, Lakeshore Restoration (Clear Lake)**

Water Resource Specialist Axtell explained this was a 150 linear foot shoreline stabilization and restoration adjacent to Clear Lake in Forest Lake. He indicated the landowner had obtained two quotes for the project and had submitted an application to encumber up to $5,000 in cost-share funding, not to exceed 50% of eligible project expenses. He noted the request had been adjusted lower to $4,800 to reflect 50% of the low contractor estimate. He stated the CAC and staff had recommended approval.

**Motion by Manager Haake, seconded by Manager Waller, to approve RCWD Water Quality BMP Cost-Share Contract W14-01 for Edward & Nancy Marah’s lakeshore restoration project, up to $4,800.00, not to exceed 50% of eligible project expenses, in accordance with established program guidelines. Motion carried 5-0.**


d. **W14-02: Chris & Jody Wilker, Lakeshore Restoration (Bald Eagle Lake)**

Water Resource Specialist Axtell explained this project proposed restoration of a native shoreline buffer adjacent to Bald Eagle Lake in the City of Hugo. He noted the shoreline was in pretty good shape from an erosion standpoint and this project was primarily aimed at reestablishing a better lakeshore buffer and reducing phosphorus load through the elimination of large swaths of mowed turf grass adjacent to the lake. He stated the project cost estimate was $11,250 and the landowner had submitted an application to encumber up to $5,000 in cost-share funding for the project, not to exceed 50% of eligible project expenses. He stated staff recommended and the CAC approved the cost-share.

**Motion by Manager Haake, seconded by Manager Waller, to approve RCWD Water Quality BMP Cost-Share Contract W14-02 for Chris & Jody Wilker’s lakeshore buffer project, up to $5,000.00, not to exceed 50% of eligible project expenses, in accordance with established program guidelines. Motion carried 5-0.**

6. **Consider Extension of City of Fridley USWR Cost-Share Agreement (Kyle Axtell)**

Water Resource Specialist Axtell stated the City of Fridley had entered into an Urban Stormwater Remediation Program cost-share agreement with the District on December 17, 2012, which was to provide $12,100 toward a series of raingardens, and a bioswale aimed at reducing runoff volume and nutrient loading to East Moore Lake. He pointed out the original project concept had been discarded due to poor soils in the proposed raingarden area and the location of the proposed bioswale did not have enough depth to groundwater to support the project. He stated the City had been working with the District staff to develop other project concepts in or near East Moore Lake Park to provide water quality benefits similar to the original proposal and had requested the District provide a grant agreement extension through December 31, 2015 to allow for completion of a project in this area.

**Motion by Manager Waller, seconded by Manager Haake, to amend the 2012 Urban Stormwater Remediation Program cost-share agreement between the Rice Creek Watershed District and the City of Fridley by changing its expiration date to December 31, 2015. Motion carried 5-0.**

7. **Consider Check Register dated 9/10/2014, in the amount of $97,730.79 prepared by Redpath and Company.**

**Motion by Manager Wagamon, seconded by Manager Haake, to approve check register dated 9/10/2014, in the amount of $97,730.79, prepared by Redpath and Company. Motion carried 5-0.**

8. **Consider Noticing Proposed Changes to By-Laws Related to Election of Officers**

District Administrator Belfiori stated it this was being brought forth to the Board as a consensus from their recent Board workshop. He stated it would be appropriate noticing the changes.
Manager Ogata stated that from his reading of the current bylaws it was not clear if they needed a majority vote or did they need a 4/5ths vote. Manager Haake believed this was just stating what the By-Laws were right now. District Attorney Smith stated the language seemed to be inconsistent and the Board should consider a super majority for amending the By-Laws. District Administrator Belfiori noted this related to Article 5.

Manager Waller stated he did not recall saying at any meeting that he was going to make a motion at today's meeting to change the By-Laws. President Preiner stated he had said he wanted the vote on the record and that was the reason it was on today's agenda.

Manager Ogata stated if there was no motion to consider then they can just proceed with the agenda. President Preiner agreed and believed there must have been some miscommunication.

**Motion by Manager Haake, seconded by Manager Ogata, to change Article 11, Section 1, by a majority of Rice Creek Watershed District Managers upon 30-day notice.**

Manager Waller stated he would rather see a super majority.

**ROLL CALL:**

Manager Waller — Nay
Manager Haake — Nay
Manager Ogata — Aye
Manager Wagamon — Aye
President Preiner — Nay

Motion Failed 2-3.

**Motion by Manager Haake, to change Article 11, Section 1, by a 3/5ths vote of Rice Creek Watershed District Managers upon 30-day notice.**

Manager Waller noted this motion would mean two Managers could approve the change if only three managers were in attendance.

Manager Ogata asked if the language could state that any vote would require 3 votes and not 2 votes.

District Attorney Smith stated the language could be amended to state that any changes would require the vote of three managers in favor.

**Motion by Manager Haake to change Article 11, Section 1, by 3 out of the five members.**

Manager Ogata pointed out that the District Attorney had stated the language was incompatible and so they did not know if it was 3/5ths or a majority at this point.

President Preiner recommended the language be clarified by the District Attorney and they address this at a future meeting or workshop.

**Motions died for lack of a second.**
ITEMS FOR DISCUSSION AND INFORMATION

1. Engineer's Report and Timeline
   District Engineer Deutschman updated the Board on upcoming projects.
   
   Permit Coordinator/Wetland Specialist Nick Tomczik noted that the Anoka County CSAH 21 project which was discussed at the workshop for potentially being on this meeting, was not ready for Board consideration. The District Engineer at this time could not recommend project technically compliant with the rules which was consistent with past board resolution.

2. Kris Wenner CAC Resignation
   District Administrator Belfiori stated Kris Wenner had recently contacted the office giving her resignation to the CAC due to a change in jobs and she would not be able to attend the meetings. He stated the President would be sending a letter thanking her for her service and volunteerism. The Board thanked her for her service.

3. Manager's Update
   There were no comments.

ADJOURNMENT

Motion by Manager Ogata, seconded by Manager Waller, to adjourn the meeting at 9:49 a.m. Motion carried 5-0.