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## RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, April 26, 2023, 9:00 a.m.

Shoreview City Hall Council Chambers  
4600 North Victoria Street, Shoreview, Minnesota

or via Zoom Meeting:

<https://us06web.zoom.us/j/89882321662?pwd=YThVdW03ams5cDJ6SitlODYraDRuZz09>

Meeting ID: 898 8232 1662

Passcode: 332590

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 898 8232 1662

Passcode: 332590

## Agenda

**CALL TO ORDER**

**ROLL CALL**

**SETTING OF THE AGENDA**

**APPROVAL OF MINUTES: APRIL 10, 2023 WORKSHOP; APRIL 12, 2023 REGULAR MEETING; AND APRIL 17, 2023 SPECIAL WORKSHOP**

**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

No.	Applicant	Location	Plan Type	Recommendation
22-116	City of Columbia Heights	Columbia Heights	Final Site Drainage Plan Street & Utility Plan	CAPROC 4 items
23-009	City of Lino Lakes US Home, LLC (dba Lennar)	Lino Lakes	Final Site Drainage Plan	CAPROC 3 items

*It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated April 18, 2023.*

**Houston Engineering, Inc. Task Orders**

<b>Date</b>	<b>Number</b>	<b>Title</b>	<b>Amount</b>
4/3/2023	2023-004	2023 District Wide Modeling Program Annual Updates	\$22,500
4/10/2023	2023-005	Ramsey County Ditch 1 Historic Review and Technical Information for Public Drainage Proceedings	\$27,500
4/19/2023	2023-006	Permit Program Compliance Audit	\$27,500

*It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_, to approve the consent agenda as outlined in the above Table of Contents.*

## **PUBLIC MEETING: ANOKA COUNTY DITCH 10-22-32 EVALUATION OF MAINTENANCE ALTERNATIVES**

### **OPEN MIC/PUBLIC COMMENT**

*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.*

### **ITEMS REQUIRING BOARD ACTION**

1. Aquatic Plant Survey Services (Matt Kocian)
2. 2023 Curlyleaf Pondweed Management (Matt Kocian)
3. Employee Handbook (Nick Tomczik)
4. Anoka Washington Judicial Ditch 3 Branch 1, 2 ,4 Bid Consideration (Ashlee Ricci)
5. Check Register Dated April 26, 2023, in the Amount of \$318,936.21 Prepared by Redpath and Company

### **ITEMS FOR DISCUSSION AND INFORMATION**

1. Columbus Letter of Request for Wetland Credits Based Upon October 15, 2009 Memorandum of Understanding (Nick Tomczik)
2. Staff Reports
3. May Calendar
4. Administrator Updates
5. Manager's Update

**APPROVAL OF MINUTES: APRIL 10, 2023 WORKSHOP; APRIL  
12, 2023 REGULAR MEETING; AND APRIL 17, 2023  
SPECIAL WORKSHOP**

# Draft

For Consideration of Approval at the April 26, 2023 Board Meeting.  
Use these minutes only for reference until that time.

## RCWD BOARD OF MANAGERS WORKSHOP

Monday, April 10, 2023

Rice Creek Watershed District Conference Room  
4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota  
and

Meeting also conducted by alternative means  
(teleconference or video-teleconference) from remote locations

1 The Board convened the workshop at 1:00 p.m.

2 Attendance: Board members Mike Bradley, John Waller, Jess Robertson, Marcie Weinandt, Steve  
3 Wagamon

4 Absent:

5 Staff: Administrator Nick Tomczik, Public Drainage Inspectors Ashlee Ricci and Tom Schmidt, Office  
6 Manager Theresa Stasica

7 Consultants: Ellen Hinrichs (video-conference)- Career Enhancement Options, Inc., District Attorney  
8 Chuck Holtman (video-conference)-Smith Partners; District Engineers Chris Otterness & Joe Lewis -  
9 Houston Engineering (HEI)

10 Visitors: none

11

### 12 **Employee Handbook**

13 The Board reviewed the draft employee handbook with Administrator Tomczik and the District Human  
14 Resources consultant Hinrichs. The draft handbook included the Board's March 6<sup>th</sup> workshop revisions.  
15 The Board will revisit the Juneteenth Holiday under section 8.1 when they consider their 2024 calendar.  
16 The Board by consensus agreed to the following revisions and directed staff to add the Employee Handbook  
17 to their April 26, 2023 meeting agenda for consideration.

18 2.2\_ Delete first sentence of the second paragraph and combine both paragraphs and format.

19 5.1\_ 2<sup>nd</sup> paragraph, 3<sup>rd</sup> sentence remove "to have."

20 6.4\_ 4<sup>th</sup> paragraph, delete "for the first offense" from the end of paragraph.

### 21 **RCWD Manager Bylaws**

22 The Board reviewed the bylaws. The Board by consensus agreed to 3 changes (highlighted):

23 1\_ Article VII. Meetings of RCWD Board of Managers; Section 8. Meeting Format; (d) If a manager has a  
24 personal interest in a matter, as defined in Section 9-10, that comes before the RCWD Board of  
25 Managers, the manager shall not vote on said issue.

26 2 & 3\_ Article VIII. Parliamentary Authority; Section 1. Parliamentary Authority: Robert's Rules of Order  
27 Newly Revised (Tenth Edition) shall govern guide RCWD's meetings in all cases to which they are  
28 applicable and in which they are not inconsistent with these By-Laws and/or any special rules of order  
29 RCWD may adopt.

30

District Attorney Holtman informed the Board that managers must be provided a 30-day notice of the bylaw changes. The workshop minutes will serve as the Board's 30-day notice. The bylaw changes will be considered at the Board's May 24, 2023 meeting.

The Board took a 5-minute break.

### **District Facilities Evaluation and Management**

Staff and District Engineer's Otterness and Lewis began their presentation.

The Zoom connection was lost for a few minutes due to computer problems; there were no Zoom participants prior to losing connection or after reconnecting. The presentation began before zoom was restarted.

District Engineers Lewis and Otterness presented their evaluation framework and evaluation of management alternatives for the following district facilities:

35W Wetland Treatment Area

Bethel North

Floral Park Berm and Outlet

Highway 10 & 694 Outlet

Rondeau Lake Outlet Channel

Long Lake Sediment Basin

The Board agreed with the framework for consideration of District facility management (appendix A) and the technical memo's overall recommendations. The Board directed Staff and District Engineers to engage the landowners in informational meetings for each listed district facility and discuss roles and responsibilities related to the recommended management approaches. Information will be brought back to the Board from these meetings to discuss any steps needed for the upcoming Watershed Management Plan update and before any actions will be taken.

The Zoom connection was lost for a few minutes at the end of the presentation; there were no Zoom participants prior to losing connection.

### **Administrator Updates**

Administrator Tomczik updates:

- Special Board Workshop April 17, 2023 10:00 a.m. at the District office, the agenda is the review of District obligations and its approach as public drainage authority.
- The District and Board have received a letter from the City of Columbus's attorney regarding wetland credits. Staff will engage Attorney Kolb and invite the City and its representatives to meet with the Board during its April 26<sup>th</sup> Board meeting to discuss the City request.
- The District continues to review with Houston Engineering and Smith Partners the Trost/Metro Shooting settlement to affirm implementation.
- Will Roach has accepted the Watershed Technician/Inspector position.
- Mitch Sommers, Technical Field Assistant, resigned, the District will look to refill this position.

- 72       • Abigail Tekiela has accepted the Program Support position and will start on May 22.
- 73       • The District has received 11 resumes for the Project Program Manager position. Interviews will be
- 74       set in the near future.
- 75
- 76   The workshop was adjourned at 3:45 p.m.

# DRAFT

For Consideration of Approval at the April 26, 2023 Board Meeting.  
Use these minutes only for reference until that time.

## REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, April 12, 2023

Shoreview City Hall Council Chambers  
4600 North Victoria Street, Shoreview, Minnesota  
and

Meeting also conducted by alternative means  
(teleconference or video-teleconference) from remote locations

## Minutes

### CALL TO ORDER

President Michael Bradley called the meeting to order, a quorum being present, at 9:00 a.m.

### ROLL CALL

Present: President Michael Bradley, 1<sup>st</sup> Vice-Pres. John Waller, 2<sup>nd</sup> Vice-Pres. Steve Wagamon,  
Treasurer Marcie Weinandt, Secretary Jess Robertson

Absent: None

Staff Present: District Administrator Nick Tomczik, Permit Coordinator/Wetland Specialist Patrick Hughes,  
Communications and Outreach Coordinator Kendra Sommerfeld (via video conference),  
Public Drainage Inspectors Ashlee Ricci and Tom Schmidt, and Office Manager Theresa  
Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); District Engineer  
Adam Nies from Houston Engineering, Inc. (HEI); District Attorney Louis Smith (from Smith  
Partners

Visitors: None

### SETTING OF THE AGENDA

Administrator Tomczik requested a new action item #4, Office Cubicle Project.

***Motion by Manager Weinandt, seconded by Manager Wagamon, to approve the agenda as revised.  
Motion carried 5-0.***

### READING OF THE MINUTES AND THEIR APPROVAL

***Minutes of the March 22, 2023 Board of Managers Regular Meeting. Motion by Manager Wagamon,  
seconded by Manager Robertson, to approve the minutes as presented. Motion carried 5-0.***

## 36 **CONSENT AGENDA**

37 The following items will be acted upon without discussion in accordance with the staff recommendation and  
38 associated documentation unless a Manager or another interested person requests opportunity for discussion:

### 39 **Table of Contents-Permit Applications Requiring Board Action**

40 No.	Applicant	Location	Plan Type	Recommendation
41 23-012	City of New Brighton	New Brighton	Final Site Drainage Plan	CAPROC 4 items
42				
43 23-013	State of Minnesota	Blaine	Final Site Drainage Plan	CAPROC 7 items
44	Department of Administration		Flood Alteration	

45  
46 *It was moved by Manager Weinandt and seconded by Manager Waller, to approve the consent agenda*  
47 *as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and*  
48 *Recommendations, dated April 4, 2023. Motion carried 5-0.*

## 49 **OPEN MIC/PUBLIC COMMENT**

50 None.

## 51 **ITEMS REQUIRING BOARD ACTION**

### 52 **1. Anoka County Ditch (ACD) 10-22-32 Petition-Engineer's Report**

53 Public Drainage Inspector Schmidt stated that at the March 22, 2023 meeting, the Board had  
54 adopted Resolution 2023-05, accepting the petition to add drainage area to ACD 10-22-32 and  
55 appointing the District Engineer to investigate. He noted that the report has been completed, so  
56 the next step would be to schedule a public hearing and explained that staff was suggesting that it  
57 be held on May 10, 2023.

58  
59 Adam Nies, Houston Engineering, introduced himself.

60  
61 District Engineer Otterness explained that District Engineer Nies had begun taking over the primary  
62 role on leading the drainage projects in the Districts. He stated that he has been the project  
63 manager for the JD-3 repairs that are coming up soon.

64  
65 District Engineer Nies gave an overview of the report on the ACD 10-22-32 Branch 3 petition for  
66 outlet of additional lands. He reviewed the site location, proposed change in drainage area,  
67 capacity of the system, mitigating site run-off, proposed infiltration basins, and permitting. He  
68 explained that the proposed outlet will not impair the utility of Branch 3 so staff is recommending  
69 the Board adopt the findings and order authorization of the outlet of additional lands to ACD-10-22-  
70 32, Branch 3. He reviewed the recommended outlet fee and the additional fee for related costs  
71 incurred by the District for administration of this petition.

72  
73 President Bradley asked if the District was working on conjunction with Coon Creek.

District Engineer Otterness explained that through the petition the District worked with Coon Creek. He noted that Coon Creek does not have an interest in trying to retain the extra water going onto their watershed.

***Motion by Manager Wagamon, seconded by Manager Waller, to accept the engineers report and to direct staff to schedule and notice a public hearing on May 10th, 2023, during the regular board meeting. Motion carried 5-0.***

## **2. 2022 RCWD Financial Report - Audit (Nick Tomczik)**

District Administrator Tomczik explained that annually, the District is to complete a financial report and audit. He stated that was completed and prepared by Redpath and Company for the year ending December 31, 2022. He noted that the report had been sent to the State Auditor's office and the Board of Water and Soil Resources. He stated that the Report on Internal Controls did not identify any deficiencies that they would consider a material weakness and the Report on Minnesota Legal Compliance had nothing come to their attention they would cause them to believe that the District failed to comply with the provisions. He explained that the individuals from Redpath and Company who completed the reports are independent of those individuals who are involved in the day to day operations of the District.

Manager Wagamon expressed his appreciation to staff for their hard work because they once again were able to achieve a clean audit. He noted that he sat in on the audit this year, but Manager Weinandt, as the Treasurer, was the lead on that process.

Manager Weinandt made note of the comment in the report about the gun club and the recommendation to indicate a difference in the liability. She stated that there was also some adjustment to the Long Lake sediment basin. She stated that she is very pleased with Redpath and how they presented the information.

***Motion by Manager Weinandt, seconded by Manager Bradley, to accept and authorize the filing of the Rice Creek Watershed District 2022 Annual Financial Report and Audit Motion carried 5-0.***

## **3. RCWD Annual Report**

Communications and Outreach Coordinator Sommerfeld presented the draft 2022 RCWD Annual Report. She noted that it followed previous years formatting and explained that she would welcome feedback from the Board.

President Bradley noted that he found the draft 2022 Annual Report quite readable.

Manager Weinandt asked how this report would be used and asked if it would be reviewed later today during the City/County Partner meeting.

District Administrator Tomczik explained that this was not on the agenda for the City/County Partner meeting, but the Annual Report would be placed on the District's website.

Manager Wagamon stated that he wanted to echo the comments made by President Bradley that this report was very readable. He noted that he felt that it had quite a bit of information in it and was laid out very nicely.

Manager Weinandt asked if this was something that was usually shared with the District's counties or cities and if staff would somehow give them a heads up that it is available on the website. She stated that she feels that there is a lot of good information in the report and would hope that Outreach and Communications Coordinator Sommerfeld takes this opportunity to push some of this information out rather than just waiting for it to be discovered.

District Administrator Tomczik stated that staff can do that and noted that he did not think there was anything wrong with sharing the successes and plans of the District. He suggested that it be sent out to the various County Administrators.

Manager Waller stated that he also thought the report was very nice and agreed that it was a positive change from past reports. He stated that he liked seeing the picture of the District staff as well as the other photographs and elements of color that were included.

***Motion by Manager Weinandt, seconded by Manager Wagamon, to approve the 2022 Annual Report with any necessary formatting and non-substantive changes and authorize submission to the Board of Water and Soil Resources and other required recipients by the deadline. Motion carried 5-0.***

**4. Office Space – Cubicles Project**

District Administrator Tomczik stated that he had distributed a hand out prior to the meeting for this item. He explained that in October of 2022 the Board reviewed an organizational chart identifying some future needs of the District. He noted that new staff positions will require appropriate work spaces for these individuals and reviewed the quotes that were received.

***Motion by Manager Bradley, seconded by Manager Weinandt, to approve office space cubicle project, not to exceed \$14,000, authorizing the District Administrator to enter individual quotes. Motion carried 5-0.***

**5. US Sitework, Inc. Partial Pay Request #4 Anoka County Ditch (ACD) 53-62 Main Trunk Repair Project**

Public Drainage Inspector Ricci gave an overview of the Partial Pay Request #4 for work on ACD 53-62 in Circle Pines and Blaine. She noted that tree removal and excavation has been completed from 35 to Lexington which is what is included in this request.

*Motion by Manager Weinandt, seconded by Manager Waller, to approve US Sitework, Inc.'s pay request #4 as submitted and certified by the District Engineer and directs staff to issue a payment in the amount of \$20,737.31. Motion carried 5-0.*

**6. Check Register Dated April 12, 2023, in the Amount of \$107,276.00 Prepared by Redpath and Company**

*Motion by Manager Weinandt, seconded by Manager Waller, to approve check register dated April 12, 2023, in the Amount of \$107,276.00 as prepared by Redpath and Company. Motion carried 5-0.*

**ITEMS FOR DISCUSSION AND INFORMATION**

**1. Anoka County Ditch (ACD) 53-62 Main Trunk Repair Change Order and Project Update**

Public Drainage Inspector Ricci gave a brief update on the change order that was issued for ACD 53-62. She explained that US Site work has requested an extension to the original completion date of July 2, 2023 because of site conditions throughout this past winter. She stated staff is recommending that they keep the substantial completion date of July 2, 2023 and extend the final completion date to October 1, 2023.

Manager Waller stated that he would reiterate the importance of working closely with Circle Pines City staff because they will be diligent in their observation of the work. Public drainage inspector Ricci confirmed that staff have worked closely with the City and will continue to do so.

Additionally, Public Drainage Inspector Ricci noted that the contractor was aware they need to give City staff advanced notice to have city staff present before completing work on any of the city outfalls.

District Administrator Tomczik stated that District staff routinely meets with the contractor and the city, on site. He noted that he believes a good place to view the site may be from behind Fleet Farm.

Public Drainage Inspector Ricci stated that easier access to the site may be from Blaine's Centennial Green Park because there is a trail located in the park where you could walk right up to the ditch.

**2. District Engineer Update and Timeline**

District Engineer Otterness stated noted earlier that JD-3 plans and specs were being bid out and that the bid will close on April 14, 2023.

**3. Administrator Updates**

District Administrator Tomczik noted that Mr. Abel Green has accepted the position of Technical Field Assistant and will start next week. He reminded the Board that the City/County Partner meeting will be later today at 1:00 p.m.

198  
199 President Bradley asked if an agenda had been sent out for that meeting.  
200

201 Office Manager Stasica explained that the notice had been sent out and the agenda was available  
202 on the website.  
203

204 District Administrator Tomczik stated that the meeting will be held at the New Brighton Community  
205 Center at 400 Tenth Street NW.  
206

207 Manager Robertson stated that she would be unable to attend the meeting.  
208

209 Permit Coordinator/Wetland Specialist Hughes read aloud the proposed agenda that was available  
210 on the District's website.  
211

212 **4. Managers Update**

213 Manager Waller attended the Washington County Consortium meeting where the 3M settlement  
214 was discussed. He stated that he spoke by phone earlier today with Commissioner Miron who will  
215 be unable to attend the City/County Partner meeting later today due to a family emergency. He  
216 stated that he also spoke via phone to Birchwood Councilmember McCarthy who shared with him  
217 that they are getting ready to sign the MOA following review by their new engineers. He suggested  
218 that the Board consider appearing at city council meetings when things like this progress or grants  
219 are awarded.  
220

221 Manager Weinandt reminded the Board that on April 18, 2023 there is an in person meeting of the  
222 Metro Watersheds.  
223

224 Manager Wagamon attended the CAC meeting and noted that he thinks there is a really nice mix of  
225 people serving on that committee.  
226

227 President Bradley stated that earlier this winter, he and District Administrator Tomczik tried to meet  
228 with Senator Marty and Senator Kunesh to support the District's interest in getting funding for  
229 projects. He stated that they were busy and did not have time to meet with them but a  
230 representative from one of their offices contacted them later and told that they were very  
231 interested for next year. He stated that they will start pursuing this with more concentrated effort  
232 in November with the hopes that they may sponsor a bill.  
233

234 Manager Robertson noted that she would strongly suggest that the District reach out to Senator  
235 Michael Kreun because he has a background with the Coon Creek Watershed, so he would  
236 understand the need and what language may need to be in the proposed bill.  
237

238 **ADJOURNMENT**

239 ***Motion by Manager Wagamon, seconded by Manager Waller, to adjourn the meeting at 9:54 a.m.***

240 ***Motion carried 5-0.***

241

# Draft

For Consideration of Approval at the April 26, 2023 Board Meeting.  
Use these minutes only for reference until that time.

## RCWD BOARD OF MANAGERS SPECIAL WORKSHOP

Monday, April 17, 2023

Rice Creek Watershed District Conference Room  
4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota  
and

Meeting also conducted by alternative means  
(teleconference or video-teleconference) from remote locations

1 The Board convened the workshop at 10:00 a.m.

2 Attendance: Board members Mike Bradley, John Waller, Jess Robertson, Marcie Weinandt, Steve  
3 Wagamon

4 Absent:

5 Staff: Administrator Nick Tomczik; Public Drainage Inspectors Ashlee Ricci and Tom Schmidt, Technical  
6 Field Assistant Abel Green; Office Manager Theresa Stasica (video-conference)

7 Consultants: District Attorney Louis Smith (video-conference)-Smith Partners; District Engineer Chris  
8 Otterness-Houston Engineering (HEI); Attorney John Kolb-Rinke Noonan

9 Visitors: Washington County Commissioner Fran Miron, Perry Wagamon, City of Columbus Council  
10 Member Janet Hegland  
11

12

### 13 **Review of District obligations and its approach as public drainage authority**

14 District consultants and staff gave a presentation to the Board regarding the history of RCWD public  
15 drainage system management, and its evolution toward current management policy. The presentation  
16 included: County Management 1890-1973, RCWD early years 1973-2000, Resource Management Plans  
17 2000-2007, transitional period 2007-2011, systematic management period 2011-current, District's public  
18 drainage system cost allocation policy, repair (reconstruction) approach and typical repair process,  
19 approach for selection of repair, maintenance, and landowner engagement policy.

20

21 The workshop was adjourned at 12:36 p.m.  
22

## 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

No.	Applicant	Location	Plan Type	Recommendation
22-116	City of Columbia Heights	Columbia Heights	Final Site Drainage Plan Street & Utility Plan	CAPROC 4 items
23-009	City of Lino Lakes US Home, LLC (dba Lennar)	Lino Lakes	Final Site Drainage Plan	CAPROC 3 items

*It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated April 18, 2023.*

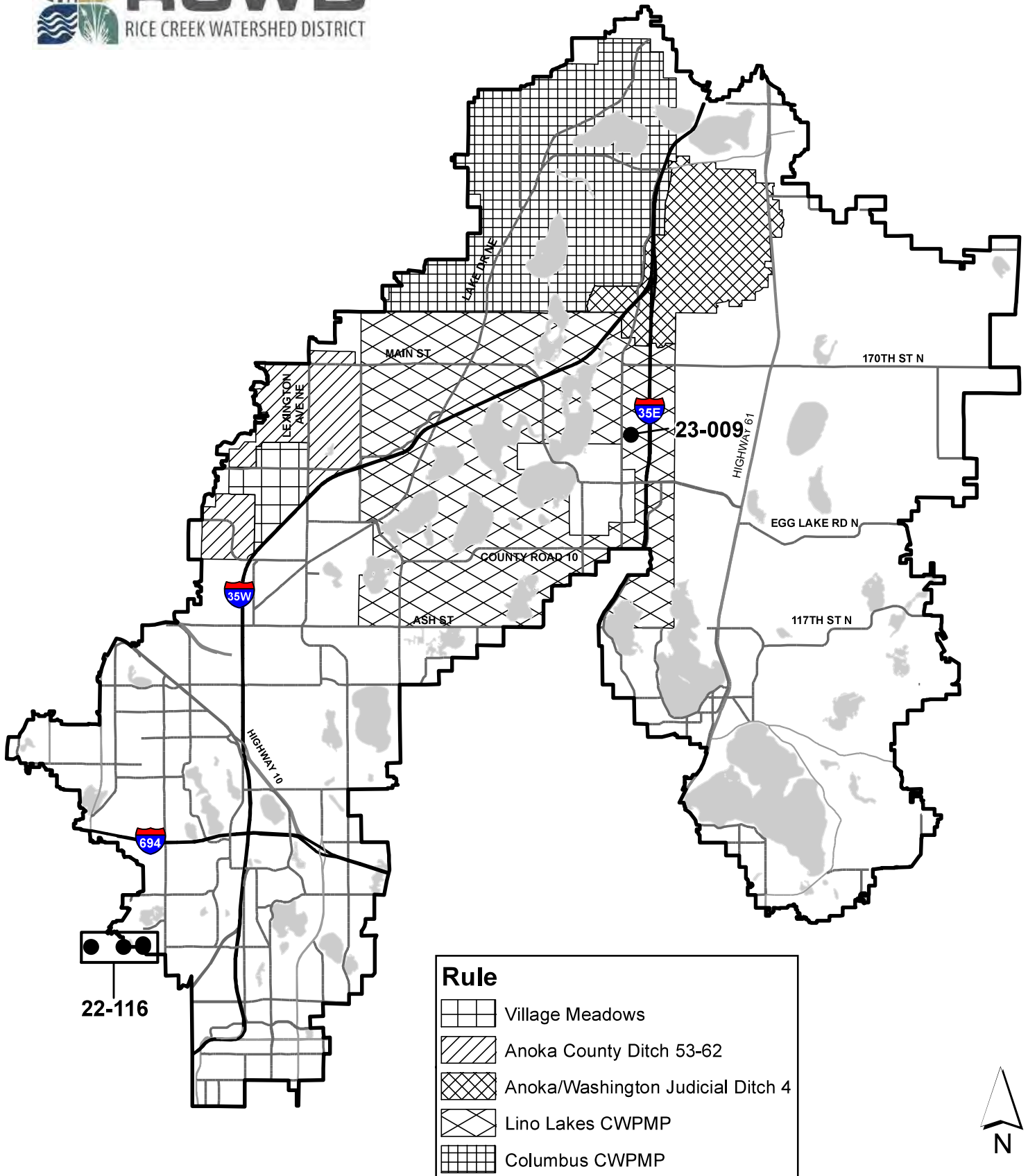
**RICE CREEK WATERSHED DISTRICT  
CONSENT AGENDA**

**April 26, 2023**

It was moved by \_\_\_\_\_ and seconded by  
\_\_\_\_\_ to Approve, Conditionally Approve Pending Receipt  
Of Changes, or Deny, the Permit Application noted in the following Table of Contents, in  
accordance with the District Engineer's Findings and Recommendations, as contained in  
the Engineer's Findings and Recommendations, as contained in the Engineer's Reports  
dated April 18, 2023.

**TABLE OF CONTENTS**

<b>Permit Application Number</b>	<b><u>Applicant</u></b>	<b>Page</b>	<b>Recommendation</b>
	Permit Location Map	16	
22-116	City of Columbia Heights	17	CAPROC
23-009	City of Lino Lakes US Home, LC (dba Lennar)	23	CAPROC





WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

22-116

Permit Application Name:

37<sup>th</sup> Avenue Reconstruction

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Applicant/Landowner:

City of Columbia Heights  
Attn: Sulmaan Khan  
637 38<sup>th</sup> Ave NE  
Columbia Heights, MN 55421  
Ph: 763-706-3700  
skhan@columbiaheightsmn.gov

Permit Contact:

Short Elliot Hendrickson Inc.  
Attn: Shane Geraghty  
3535 Vadnais Center Drive  
St. Paul, MN 55110  
Ph: 701-212-5314  
sgeraghty@sehinc.com

Stantec  
Attn: Tyler Johnson  
733 Marquette Avenue STE 1000  
Minneapolis, MN 55402  
Ph: 612-712-2065  
tyler.johnson@stantec.com

City of Minneapolis  
Attn: Lisa Goddard  
250 South 4th St. Room 300  
Minneapolis, MN 55415  
Ph: 612-673-2096  
lisa.goddard@minneapolismn.gov

City of Columbia Heights  
Attn: Kevin Hansen  
637 38<sup>th</sup> Ave NE  
Columbia Heights, MN 55421  
khansen@columbiaheightsmn.gov

Project Name: 37<sup>th</sup> Avenue Reconstruction

Purpose: FSD – Final Site Drainage, S&UC – Street & Utility Plan; The cities of Minneapolis and Columbia Heights will reconstruct part of 37<sup>th</sup> Avenue Street. Project goals are to narrow 37<sup>th</sup> Ave, enhance pedestrian experience, and improve aging pavement and infrastructure.

Site Size: 5,230 lineal feet / 9.8 ± acres of disturbed area; existing and proposed impervious areas are 2.12 ± acres and 1.53± acres, respectively.

Location: 37<sup>th</sup> Avenue from Central Avenue to Stinson Boulevard, Columbia Heights, MN

T-R-S: SE ¼, Section 36, T30N, R24W

District Rule: C, D

---

Recommendation: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items:

Conditions to be Met Before Permit Issuance:

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
  - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures
  - (h) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).

Administrative

2. Submit the permit application with the signature of the successful bidder to the District.
3. Email one final, signed full-sized pdf of the construction plan set or indicate if the 12-13-2022 set is final. Include a list of changes that have been made since approval by the RCWD Board.
4. A public permittee may meet the perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District. Applicant to ensure specific maintenance requirements for the planters are incorporated A draft document should be submitted to the District for consideration prior to execution. (The agreement process requires submittal of the final original signed agreement to the District. If the applicant needs an original of the signed agreement, then two endorsed final agreements should be submitted.)

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. Provide an as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) to the District for verification of compliance with the approved plans.

Exhibits:

1. Final plan set with Addenda containing 399 sheets dated 12-13-2022 and received 3-17-2023. Addenda dated 3-8-2023.
2. Permit application, dated 3-17-2023 and received 3-17-2023.
3. Updated Memo, dated 4-17-2023 and received 4-17-2023, containing project narrative and RCWD Volume Retention Requirements.
4. Updated Stormwater Calculations, dated 3-28-2023 and received 3-28-2023, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions.
5. Stormwater Calculations, dated 3-17-2023 and received 3-17-2023, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions.
6. Geotechnical Data Report for 37<sup>th</sup> Ave NE (Central to Stinson), dated 1-29-2021 and received 3-23-2023.
7. Review file 20-234R

Findings:

1. Description – The project proposes to reconstruct part of 37th Avenue starting in 2023. Project goals are to narrow 37th Ave, enhance pedestrian experience, and improve aging pavement and infrastructure within Minneapolis and Columbia Heights. The RCWD legal boundary lies ambiguously within the right-of-way of 37th Avenue. The RCWD is regulating within the hydrologic boundary within Columbia Heights and defers to the other jurisdiction(s) for the remainder of the project. The project will decrease the impervious area from 2.12± acres to 1.53± acres within the RCWD regulated area and disturb 9.80± acres overall on the whole site. The project stormwater is conveyed along the corridor through various high and low points. The RCWD portion of the site drains to Hart Lake, which is the Resource of Concern. The applicant is a public entity and therefore is not charged an application fee.
2. Stormwater – The applicant is proposing the BMPs as described below for the project:

Proposed BMP Description	Location	Pretreatment	Volume provided	EOF
Planter CR12	Northeast corner of 37 <sup>th</sup> Ave and 37 <sup>th</sup> PI intersection	Energy Dissipator	309± cubic feet below the outlet	956.20
Rain Garden CR16	Northwest corner of 37 <sup>th</sup> Ave and 37 <sup>th</sup> PI intersection	Energy Dissipator	2,197± cubic feet below the outlet	954.20

Soils on site are primarily clay sands (HSG D) soils. Thus, infiltration is not considered feasible and filtration is acceptable to meet the water quality requirement. Per Rule C.6(c)(1), the Water Quality requirement is 0.5-inches over the reconstructed area for public linear project (1.53± acres) for a total requirement of 2,786 ± cubic feet. The applicant has provided 2,506 cubic feet of treatment within the RCWD hydraulic boundary, which is the maximum extent feasible.

Adequate pre-treatment has been provided with the Energy Dissipator. Drawdown is expected within 48-hours using an appropriate rate of 1.6 inches per hour. 16-inches of sand has been provided above the drain tile for the planter CR2 & CR 12. 24-inches of sand/compost mix has been provided above the drain tile for the Rain Garden CR16. The HSG D soils will provide adequate separation. Additional TSS removal is not practicable. The applicant has met all the Water Quality requirements of Rule C.6 and the design criteria of Rule C.9(c).

The project is located within the Flood Management Zone, however the C.7(c). rate reduction requirement does not apply to public linear projects. The applicant has not submitted hydrologic modeling for the 2-year 10, year or 100-year event. Since there is a net decrease in impervious area and the existing stormwater flow patterns and other parameters have not changed, flow will be equal or less than existing conditions, demonstrating compliance with Rule C.7.

The applicant has complied with the freeboard requirements of Rule C.9(g).

3. Wetlands – There are no wetlands located within the project area.
4. Floodplain – The site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, sediment control log, inlet protection and permanent turf reestablishment. The project disturbs more than 1 acre; an NPDES permit is required. The SWPPP is located on plan sheets 58,59 & 60. The information listed under the Rule D – Erosion and Sediment Control section above must be submitted. Otherwise, the project co

mples with RCWD Rule D requirements. The project is within 1 mile of Silver Lake which is impaired for nutrients.

6. Regional Conveyances – Rule G is not applicable.
7. Public Drainage Systems – Rule I is not applicable.
8. Documenting Easements and Maintenance Obligations – Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities.
9. Previous Permit Information – No previous permit information was found for this site.

I assisted in the preparation of this report under the supervision of the District Engineer.



04/18/2023

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Belle Reeve, EIT

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.



04/18/2023

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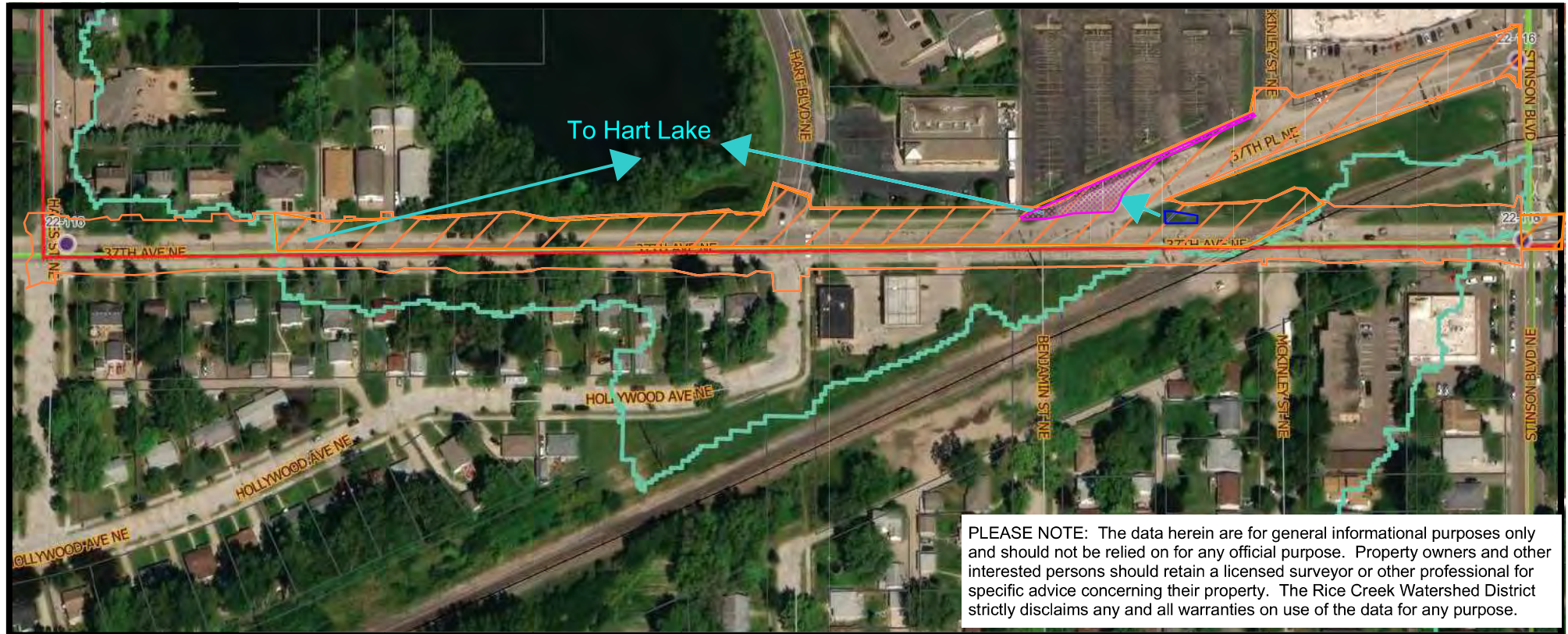
Katherine MacDonald, MN Reg. No 44590



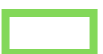

## Legend

-  District Boundary
-  Project Location
-  Regulated Area
-  City Boundary
-  RCWD Hydraulic Boundary





## Legend

- |  |   |   |   |
|--|---|---|---|
|  Regulated Area |  District Boundary |  City Boundary |  RCWD Hydraulic Boundary |
|  Rain Garden    |  Project Location  |  Planter Box  |  Drainage Arrow          |





WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

23-009

Permit Application Name:

Watermark Park

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Applicant/Landowner:

City of Lino Lakes  
Attn: Michael Grochala  
600 Town Center Parkway  
Lino Lakes, MN 55014  
Ph: 651-982-2427  
mgrochala@linolakes.us

US Home, LLC (dba Lennar)  
Attn: Joe Jablonski  
16305 36<sup>th</sup> Ave N, Suite 600  
Plymouth, MN 55446  
Ph: 952-249-3014  
josh.metzer@lennar.com

Permit Contact:

City of Lino Lakes  
Attn: Diane Hankee  
600 Town Center Parkway  
Lino Lakes, MN 55014  
Ph: 651-982-2430  
dhankee@linolakes.us

WSB Engineering  
Attn: Henry Meeker  
701 Xenia Ave S Suite 300  
Golden Valley, MN 55416  
Ph: 612-258-8157  
hmeeker@wsbeng.com

Project Name: Watermark Park

Purpose: FSD – Final Site Drainage; Construction of a City Park, and HOA Amenity Center, including public and private parking lots.

Site Size: Two parcels totaling 6.1± acres / 2.45 ± acres of disturbed area; existing and proposed impervious areas are 0 ± acres and 0.69 ± acres, respectively.

Location: Watermark development, east of Watermark Way and Forest Lane intersection, Lino Lakes

T-R-S: NW ¼, Section 13, T31N, R22W

District Rule: C, D

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Recommendation: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Conditions to be Met Before Permit Issuance:

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:

- (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.

Administrative

- 2. Submit the permit application with the signature of the successful bidder to the District.
- 3. Email one final, signed full-sized pdf of the construction plan set. Include a list of changes that have been made since approval by the RCWD Board. Ensure the datum is labeled.

Stipulations: None

Exhibits:

1. Watermark Amenity Center plan set containing 9 sheets, dated 12-7-2022 and received 3-22-2023
2. Watermark Park plan set containing 13 sheets, dated 1-19-2023 and received 2-16-2023.
3. Permit application, dated 2-16-2023 and received 2-16-2023.
4. Permit application, dated 4-14-2023 and received 4-14-2023.
5. Stormwater Calculations, dated 3-21-2023 and received 3-21-2023, containing HydroCAD report for the 100 year snowmelt event and the 2-year, 10-year, and 100-year rainfall events for proposed conditions.
6. Updated narrative dated 3-20-2023 and received 3-20-2023.
7. Narrative dated 2-16-2023 and received 2-16-2023.
8. Impervious totals document dated 3-20-2023 and received 3-20-2023.
9. Permit 20-115.

Findings:

1. Description – The project proposes to construct a city park, an amenity center, and associated parking on two parcels totaling 6.1± acres located in the Watermark development in Lino Lakes. The City of Lino Lakes owns the park property while US homes owns the amenity center. The project will disturb 2.45± acres overall and add an additional 15,750± square feet of regulated impervious surface (excluding exempted trails) to the park parcel and add 14,485± square feet of impervious surface to the amenity center parcel. All drainage from the site will flow to an existing stormwater pond and then to the outlet constructed under the Lino Lakes Comprehensive Stormwater Management Plan (CSMP) to Peltier Lake, the Resource of Concern. A \$3,000 application fee for a Rule C permit creating less than 5 acres of new and/or reconstructed impervious surface was charged for the amenity center which will remain privately owned.
2. Stormwater – The applicant is utilizing the existing BMP as described below for the project:

BMP Description	Location	NURP requirement	Volume provided	EOF
Pond 10	Western property line	2.248± acre feet	14.574± acre feet below the outlet	904.2

Soils on site are primarily clay sands (HSG D) soils. Thus, infiltration is not considered feasible and NURP ponds are acceptable to meet the water quality requirement. Per Rule C.6(c)(1), the Water Quality requirement is 2.2-inches over the new/reconstructed area, however NURP sizing criteria governs.

The pond is still under construction by U.S. Homes under permit 20-115 and is under an acceptable maintenance obligation. The pond sizing, and outlets and overflows are consistent with the design criteria of Rule C.9(d). The applicant has treated 89% of the project area. Additional TSS removal is not practicable. The applicant has met all the Water Quality requirements of Rule C.6 and the design criteria of Rule C.9(d).

The project is part of the Lino Lakes Comprehensive Stormwater Management Plan (CSMP) area. The project area was previously accounted for under permit 20-115, thus no change is proposed to the outlet control structure and the project will not increase the water elevation. The project meets the criteria of the CSMP and resolution 2018-17.

Point of Discharge	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
West (City Outlet)	15.1	13.5	25.1	29.9	36.9	37.2
Watermark aggregate Totals	35.6	15.4	71.0	34.1	159.9	46.5

The project is not located within the Flood Management Zone. The increase in rate to the City outlet is not expected to cause an adverse impact. The Watermark development in aggregate remains in compliance with the rate control requirements of Rule C.7.

The applicant has complied with the freeboard requirements of Rule C.9(g).

3. Wetlands – There are no wetlands located within the project area.
4. Floodplain – The site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, rock construction entrance and inlet protection. The project disturbs more than 1 acre; an NPDES permit is required and submitted under the permit ID C00066034. The SWPPP is located on plan sheets L1.2-L1.4 of the Watermark Park plans. The project complies with RCWD Rule D requirements. The project is within 1 mile of Peltier Lake which is impaired for nutrients.
6. Regional Conveyances – Rule G is not applicable.
7. Public Drainage Systems – Rule I is not applicable.
8. Documenting Easements and Maintenance Obligations – An acceptable maintenance obligation has been received. No easements are required for the project
9. Previous Permit Information – 16-019, 17-042, 18-046, 19-105, 20-115 all pertaining to the Watermark development and the Lino Lakes CSMP.

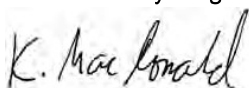
I assisted in the preparation of this report under the supervision of the District Engineer.



04/18/2023

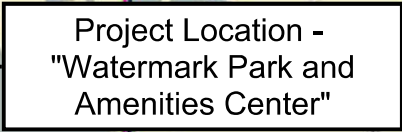
Griffin McComas, EIT

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.



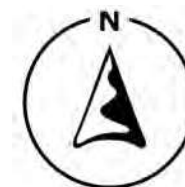
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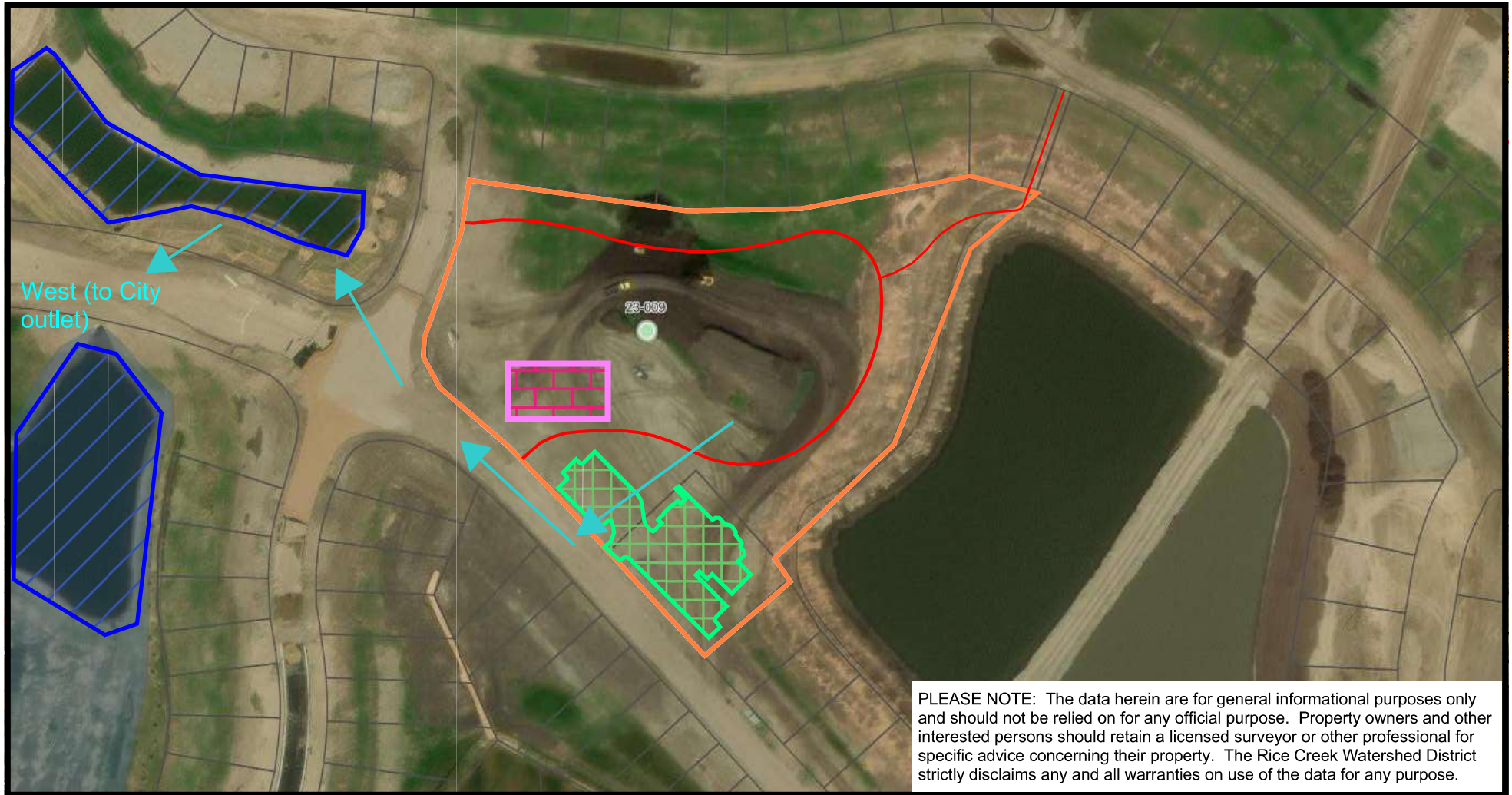
Katherine MacDonald, MN Reg. No 44590



 Lino Lakes CWPMP
  Project Location
  Public Waterway

 Public Ditch - Open Channel
  Public Ditch - Tile
  Private Ditch





## Legend



Amenity Center and Parking Lot



Trail



Basketball and Pickleball Courts



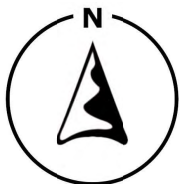
Project Location



Pond 10



Drainage Arrow



## Houston Engineering, Inc. Task Orders

Date	Number	Title	Amount
4/3/2023	2023-004	2023 District Wide Modeling Program Annual Updates	\$22,500
4/10/2023	2023-005	Ramsey County Ditch 1 Historic Review and Technical Information for Public Drainage Proceedings	\$27,500
4/19/2023	2023-006	Permit Program Compliance Audit	\$27,500

*It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_, to approve the consent agenda as outlined in the above Table of Contents.*

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Nick Tomczik, Administrator  
**Subject:** Houston Engineering Task Order 2023-004 – 2023 District Wide Modeling Program Annual Updates

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### **Introduction**

Rice Creek Watershed District maintains a District Wide Modeling Program (DWMP). Annually, the District maintains the DWMP, this is that task order.

### **Background**

The District DWMP is a foundational tool in the completion of District work. The District annually maintains the RCWD's products focused primarily on maintaining information needed by the hydrology and hydraulic models. The DWMP maintenance debugs issues and maintains accuracy of the tool.

### **Staff Recommendation**

Staff support the maintenance and updates to the DWMP.

### **Proposed Board Action**

Motion to approve and authorize board President to sign Houston Engineering Task Order 2023 – 004, 2023 District wide modeling program annual updates.

### **Attachment**

Houston Engineering Task Order 2023 – 004

**Task Order No. 2023-004**  
**Rice Creek Watershed District****2023 District Wide Modeling Program Annual Updates****RCWD Administrative Information:**

RCWD Account Name and Number: RCWD 35-04 DWMP Annual Updates

Houston Engineering Project No: R005555-0339

**Task Order Purpose:**

The purpose of this task order is to provide maintenance of the RCWD's products developed through the District Wide Modeling Program (DWMP) for the 2023 calendar year. These products were originally completed in 2011 and updated annually since then, including a major update in 2019/2020 completed in conjunction with the DNR and FEMA. The products include a variety of GIS data, input data, and results from hydrology, hydraulic, and water quality models. This task order is focused primarily on maintaining information needed by the hydrology and hydraulic models. Tasks will be performed per the RCWD District Wide Model Update Procedure (see Attachment A).

**Professional Services Rendered:**

HEI intends to provide the following professional services during the completion of this Task Order:

1. Permit staff (both HEI and RCWD) are responsible for identifying changes to subwatershed boundaries, public drainage systems, and road and bridge structures authorized by a RCWD permit. A set of field in the permit database (MS4Front) is used to flag permits that include these changes. Annually specific information on these permits is to be provided to Bret Zimmerman.
2. HEI staff are responsible for identifying changes to subwatershed boundaries, public drainage systems, and road and bridge structures resulting from projects completed by the District Engineer.
3. RCWD staff are responsible for identifying changes to subwatershed boundaries, public drainage systems, and road and bridge structures, authorized through a District funded project or as completed by other consultants.

**Task Order No. 2023-004  
Rice Creek Watershed District****2023 District Wide Modeling Program Annual Updates**

4. Cities with Level 2 permitting authority are responsible for identifying changes to regional stormwater management not requiring an RCWD permit.
5. Changes identified by RCWD & HEI staff and Level 2 cities will be logged in a spreadsheet and accumulated for revision. This spreadsheet will be located in the Model Library. Actual model modifications will occur as part of future model use. Subwatershed boundary changes will be reviewed to determine whether they materially affect the current model.
6. The models will be executed and remapping will occur to reflect subwatershed boundary changes and changes to structures.
7. Throughout the year, model de-bugging is required. Additional detail may be added to the model(s) to facilitate permit analysis which required de-bugging and confirmation of results throughout the model. In some instances, this time is more appropriate to be considered model maintenance than pre-permit application assistance.
8. While Task 1 includes soliciting staff for changes to incorporate into the models, there are several known changes that occurred in prior to 2023 that will be incorporated. The known changes include:
  - Updating culvert in JD 3
  - Updates for the Watermark area that we have obtained As-Built drawings on ACD 55 and ACD 72
  - Update ACD 10-22-32 model based on work completed as part of Task order 2022-013
  - Incorporate modeling data from outside developed models (Shenandoah Park).
  - Incorporating new modeling and mapping from the Centerville 21<sup>st</sup> Ave LOMR
  - Incorporating new modeling and mapping from the Hansen Park LOMR
  - Two catchment revisions to update boundary

**Professional Services Rendered:**

The deliverables for this Task Order consist of a maintained Model Library, updates to model output data on the District's GIS web applications, and a brief memorandum documenting the maintenance.

**Task Order No. 2023-004**  
**Rice Creek Watershed District****2023 District Wide Modeling Program Annual Updates****Schedule and Compensation:**

In the past years, HEI invoicing for DWMP annual maintenance ranged from \$4,800 to \$35,700. This cost was related primarily to Tasks 1 through 7 noted above. To accommodate the scope in Tasks 1 through 8, HEI recommends that the RCWD budget the amount of **\$22,500** for engineering services described within this Task Order.

HEI will notify the RCWD should this amount be exceeded for authorization to proceed. Services will be performed as need from January 1, 2023, thru December 31, 2023. An update to the DWMP, including re-publishing floodplain mapping and flood elevations to the District's GIS viewers and preparation of a summary memorandum, will be completed by **7/1/2023**. These services will be billed on a time and material basis per the standard rates described by the latest contract amendment. RCWD will only be charged for actual time worked up to the not-to-exceed amount.

**Assumptions:**

The estimated compensation for the execution of the tasks identified within the "Professional Services Rendered" section of this Task Order is based upon the following assumptions:

1. Information relative to subwatershed boundary changes and structures obtained from permit reviews completed by the RCWD will be forwarded to the District Engineer.
2. Modeling will require approximately 12 hours of debugging resulting from issues brought forward by District staff or permit applicants.
3. Remapping of the RCWD Floodplain related to new topographic LiDAR data will occur in 2024, if new LiDAR data is available.

**SIGNATURES:**

The services described by this Task Order are being provided in accordance with the Professional Services Agreement between the Rice Creek Watershed District and Houston Engineering dated May 14<sup>th</sup>, 2008, as amended and extended. This **Task Order** shall be effective



## SCOPE OF SERVICES



### Task Order No. 2023-004 Rice Creek Watershed District

#### 2023 District Wide Modeling Program Annual Updates

**March 1, 2023**, as authorized by the signatures of representatives of the Rice Creek Watershed District and Houston Engineering, Inc.

#### Rice Creek Watershed District

By: \_\_\_\_\_

Name: Michael Bradley

Title: President

Date: \_\_\_\_\_

#### Houston Engineering, Inc.

By: 

Name: Chris Otterness, P.E.

Title: District Engineer

Date: April 3, 2023

## ATTACHMENT A

### RCWD District Wide Model Update Procedure

The following is an outline for a working policy for updating the DWMP products

#### General Policies

1. Working copies of the model will be kept in “working copy” folder in the District Wide Modeling Library
2. All work done according to RCWD standards.
3. “Official” models will be model kept in District Wide Modeling Library
4. Only “Official” District Wide Modeling Products will be distributed external to the District
  - a. A fully-executed license agreement must be received prior to distribution of model files
  - b. Model results and GIS data do not require a license agreement prior to distribution
5. Prior to the working model becoming the “official” model, will go through internal QA / QC
  - a. Check “calibration” (e.g., if Rice Creek chain of lakes check against frequency analysis)
  - b. Use tolerance to assess magnitude of change (e.g.,  $\pm 0.25$  feet)
    - i. Tolerance would have to be cumulative through time
    - ii. If more than tolerance make sure work is double checked

#### Schedule of Updates

1. Working Models will continue to be updated throughout the year, as necessary / needed.
2. “Official” District Wide Modeling Products will be updated at the following schedule:
  - a. Official Hydraulic Models (HEC-RAS & SWMM):
    - i. Once per year for model changes that affect peak flood elevations 0.5’ or less
    - ii. Immediately following QA/QC review for model changes that affect peak flood elevations more than 0.5’
  - b. Official floodplain polygons:
    - i. Update once per year for drainage systems with “major” change
    - ii. Update entire watershed polygon once every three years
  - c. Lake frequency analysis
    - i. Update lake level analysis within 2 years of the occurrence of a highest-known-exceedance event on a given lake
    - ii. Update frequency analysis every 5 years for lakes with a record 30 years or less
    - iii. Update all frequency analyses every 10 years
  - d. Official water quality (P8) models
    - i. Update once per year for drainage system with a “major” change (likely a substantial change in storage e.g. Hansen Park)
    - ii. Update every five years for drainage system under substantial development

#### Procedure for Annual Updates

1. District Engineer will prepare a task order each January for annual model updates. The schedule for the update will be indicated within the task order.

## ATTACHMENT A

2. Modeling Lead will email RCWD permit staff lead, HEI permit staff lead, HEI project staff, and Level 2 municipalities (those taking on administration of RCWD rules) to obtain data that may potentially be added to the model. The email will specify the following:
  - i. when the annual update is planned to occur,
  - ii. information needed (see “Data Requested Annually” below),
  - iii. to whom and by when the information is to be provided,
  - iv. a request to specify any items requiring additional review by modeling staff
3. Modeling Lead shall anticipate a one-month response period for receipt of data. However, reminders should be provided two weeks following the initial request, and weekly thereafter until a response is received.
4. Completed Official Modeling Products shall be republished as follows:
  - a. Modeling Lead shall complete brief descriptions of the model names and purpose within the Model File Description Table; and
  - b. Updating the Model Status Table, documenting when changes were made and by who,
  - c. Subwatershed boundary changes and structure changes **shall be provided to GIS Lead** for uploading to RCWD Viewers,
  - d. Updated detailed nodes, approximate nodes, and cross sections is to be published in the RCWD GIS viewers,
  - e. 100-yr floodplain mapping, completed during projects, is to be published in the RCWD GIS viewers, both public and internal. **(project staff provide info to GIS Lead).**

### **Data Requested Annually for Purposes of District Wide Model Update**

- Known changes in the RCWD hydrologic boundary (> 5 acres) resulting from flow redirection
- Change in location, size or geometry of crossings of public drainage systems and named watercourses (i.e. Rice Creek, Hardwood Creek, Clearwater Creek)
- Modifications to public drainage systems
- Regional BMPs
- Permits known to affect RCWD mapped floodplains by more than 0.1’ vertically
- Newly surveyed / resurveyed structures along public drainage systems, or along any system conveying runoff from greater than 100 acres
- Newly created detailed models (must be in XP-SWMM format using RCWD standards)  
(Note: Permits that meet any of these criteria should be indicated as such in the “Modifications” section of the Review Status tab in the RCWD Permit Database)

### **Format of Data (provided in a spreadsheet)**

- General Location
- Description of Work (include scale of project i.e. acreage)
- Type (from categories above)
- Permit number (if applicable)
- Status as of December 31 (permitted but not built, under construction, completed)
- Public Drainage System (if applicable)

**ATTACHMENT B  
ESTIMATED BUDGET  
DISTRICT WIDE MODEL UPDATE - 2023**

Date Prepared: 4/3/2023

Date Revised:

Prepared by: Bret Z.

Checked by: Chris O.

**Total Estimated Labor \$ 22,500.00**

**Total Estimated Expenses \$ -**

**Total Estimated Fee \$ 22,500.00**

TASK DESCRIPTION	Engineer 10	Engineer 9	Engineer 5	GIS Analyst 1	Total	
	Chris O.	Bret Z.	Rachel G.	Kayla B.	Hours	Dollars
	7	48	80	4	139	
Total Labor Hours ==>	7	48	80	4	139	
Total Labor Dollars ==>	\$ 1,358.00	\$ 8,880.00	\$ 11,920.00	\$ 380.00		\$ 22,538.00
<b>Project Name</b>	7	48	80	4	139	\$ 22,538.00
<b>Model Updates (physical changes)<sup>1</sup></b>	2	19	62	0	83	\$ 13,141.00
Solicit information from HEI and RCWD staff and Level 2 cities	2	4				
Organize received information and determine updates as needed		6	2			
Significant model updates in 3 system (assumes approx. 6 hours each)		4	18			
Minor updates in 2 systems (assumes approx. 4 hours each)		1	8			
Catchment Boundary revisions for 2 locations (assumes approx. 3 hours each)			6			
SWMM model simulations and extracting results		2	20			
Update HEC-DSS files from SWMM and re-run HEC-RAS		2	8			
<b>Update Floodplain Mapping</b>	0	3	12	0	15	\$ 2,343.00
Revisions to mapping cross sections (4 revisions)		1	4			
Remap 100-year as necessary <sup>2</sup>		2	8			
<b>Update Viewer and Model Library</b>	0	2	4	4	10	\$ 1,346.00
Update modeling nodes/xs/floodplain as necessary		2	4	4		
<b>Yearly Model Quality Control</b>	0	12	0	0	12	\$ 2,220.00
Address modeling issues brought up throughout the year by applicants or staff <sup>3</sup>		12				
<b>Project Coordination and Management</b>	4	8	2	0	14	\$ 2,554.00
Correspondence with RCWD Staff	2	4				
Internal meetings / coordination	2	4	2			
<b>Prepare Memo Documenting Updates</b>	1	4	0	0	5	\$ 934.00
Tech memo preparation - list of updates	1	4				

**Total Estimated Labor \$ 22,500.00**

**Total Estimated Expenses \$ -**

**Total Estimated Cost \$ 22,500.00**

**Assumptions:**

[1] Known updates are listed below. Additional updates may be required after soliciting staff

[2] Floodplain will be remapped where the new regulatory elevation is greater than 0.1' different than the current mapped elevation.

[3] Assumes large "debugging" issues brought up during permit analysis will be considered permit assistance

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Tom Schmidt, Public Drainage Inspector  
**Subject:** Houston Engineering, Inc. (HEI) Task Order No. 2023-005, Ramsey County  
Ditch 1 Historical Review

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### **Introduction**

Staff is seeking Board approval of HEI Task Order No. 2023-005 to complete a Historical Review Memorandum for Ramsey County Ditch 1 (RCD 1).

### **Background**

The District has been systematically investigating and utilizing the records re-establishment process to determine the As-Constructed and Subsequently Improved Condition (ACSIC) of its public drainage systems. The ACSIC is utilized in defining the extent of repair and maintenance work on public drainage systems, and RCD 1 is the final system to be completed. HEI has developed a Task Order for this work, which is being presented today for Board consideration.

### **Staff Recommendation**

Staff recommends proceeding with the HEI Task Order.

### **Proposed Motion**

Manager \_\_\_\_\_ moves to authorize the Board President to execute HEI Task Order 2023-05 to complete a Historical Review Memorandum for RCD 1 for an amount of \$27,500.00.

### **Attachment**

HEI Task Order 2023-05



## SCOPE OF SERVICES



### Task Order No. 2023-005 Rice Creek Watershed District

### Ramsey County Ditch 1 Historical Review and Technical Information for Public Drainage Proceedings

#### RCWD Administrative Information:

RCWD Account Name and Number: Repair Reports 80-03

Houston Engineering Project No.: R005555-0345

#### Task Order Purpose:

The project purpose is to complete a Historical Review Memorandum for the Ramsey County Ditch 1 (RCD 1) public drainage system which describes the As-Constructed and Subsequently Improved Condition. In addition to providing a timeline of events leading to the current physical condition of the public drainage system, the work completed and the memorandum prepared will evaluate and establish the profile (grade), geometry and conveyance capacity of the As-Constructed and Subsequently Improved Condition and serve as a tool for evaluating future maintenance and repair requests.

#### Professional Services Rendered:

HEI intends to provide the following professional services during the completion of this Task Order:

- Review historic records and use these records to develop a chronology of documented and undocumented modifications to the public drainage system;
- Establish engineering stationing for the system as a locational reference;
- Complete field survey to collect open channel profile elevations and locations of the St. Paul Water Utility Pipeline;
- Complete soil borings and/or probes as a basis for determining the grade of the As-Constructed and Subsequently Improved Condition;
- Use the existing records to establish the historic elevations, grades and alignment of the features of the public drainage system;
- Coordinate the development of technical information with District staff and legal counsel. Consider and incorporate legal comments into the final work products.
- Update the District's GIS data layers to reflect the determined alignment of the As-Constructed and Subsequently Improved Condition, following issuance of a Findings and Order;

**Task Order No. 2023-005**  
**Rice Creek Watershed District****Ramsey County Ditch 1**  
**Historical Review and Technical Information for Public Drainage Proceedings**

- Prepare a draft and a final “Historical Review Memorandum” which includes information about the establishment and modification of the public drainage system and its components; describes the open channel alignment, geometry (including profile and cross-section), and right of way for the public drainage system (including public laterals) which match the function of the As-Constructed and Subsequently Improved Condition; and identifies drainage related issues;
- Complete a meeting with MnDNR to discuss the draft findings of the Historical Review Memorandum, and coordinate with the DNR regarding file information for #62-059; and
- Conduct a public information meeting and a public hearing and coordinate project activities.

**Deliverables:**

The deliverables for the Task Order consist of:

- Draft and Final Historical Review Memoranda;
- Meeting with MnDNR; and
- Presentation at a board workshop, public informational meeting and a public hearing.

**Schedule and Compensation:**

The draft historical review memorandum will be completed no later than December 31, 2023. HEI will perform the professional services identified above on a time and materials basis up to an amount of **\$27,500**. HEI shall not exceed this amount for the completion of this work without prior authorization from the Rice Creek Watershed District. **Attachment A** provides a summary of the probable cost per task. HEI reserves the right to move dollars across tasks, while remaining within / below the total amount identified by this Agreement.

**Assumptions:**

The estimated compensation for the execution of the tasks identified within the “Professional Services Rendered” section of this Task Order is based upon the following assumptions:



## SCOPE OF SERVICES



### Task Order No. 2023-005 Rice Creek Watershed District

#### Ramsey County Ditch 1 Historical Review and Technical Information for Public Drainage Proceedings

1. The as-constructed and subsequently improved profiles for RCD 1 have not been determined. HEI will utilize available survey data, soil borings, and available historical drainage system records to determine a datum conversion for correlating historic design profiles to a modern sea-level datum (assuming historic design profiles are available). HEI will use this information to develop engineering drawings for use in the historical review memorandum.
2. RCD 1 is approximately 1.1 miles in length, as indicated in the MS4Front viewer.
3. There will be one revision to the Historical Review Memorandum to incorporate RCWD staff and legal counsel comments.

#### SIGNATURES:

The services described by this Task Order are being provided in accordance with the Professional Services Agreement between the Rice Creek Watershed District and Houston Engineering dated May 14, 2008, as amended and extended. This **Task Order** shall be effective **April 10, 2023** as authorized by the signatures of representatives of the Rice Creek Watershed District and Houston Engineering, Inc.

#### Rice Creek Watershed District

By: \_\_\_\_\_

Name: Michael Bradley

Title: President

Date: \_\_\_\_\_

#### Houston Engineering, Inc.

By: Chris Otterness

Name: Chris Otterness, P.E.

Title: District Engineer

Date: April 10, 2023

Attachment A  
**ESTIMATED BUDGET**  
**RCD 1 HISTORICAL REVIEW MEMORANDUM**



Rates ==>     \$194       \$176       \$127       \$188       \$95       \$140       \$87

Date Prepared: April 5, 2023  
Date Revised:  
Prepared by: A. Nies  
Checked by: C. Otterness

Total Estimated Labor                **\$27,127**  
Total Estimated Expenses           **\$448**  
Total Estimated Budget              **\$27,575**

TASK DESCRIPTION	Engineer 10	Engineer 8	Engineer 2	Two-Person Field Crew/ Land Surveyor	GIS Analyst 1	Technician 7	Project Assistant 3	Total	
	CO	AN	CC	JM	KB	KL	MS	Hours	Dollars
Total Labor Hours ==>	20	58	65	8	8	18	0	177	
Total Labor Dollars ==>	\$3,880	\$10,208	\$8,255	\$1,504	\$760	\$2,520	\$0	\$27,127	
<b>RCD 1 HISTORICAL REVIEW MEMORANDUM</b>	20	58	65	8	8	18	0	177	\$27,127
<b>Task 1 - Historical Review Memorandum</b>	6	24	59	8	8	18	0	123	\$17,665
<b>Historic Documentations and Field Data: Collection, Assessment, &amp; Processing</b>	0	10	22	8	0	2	0	42	\$6,338
Review previous documentation related to system		3	6						
Determine components and alignments of public system		1	3						
Field survey of open channels and soil borings		3	2	8		1			
Establish ditch stationing for subsequent use in describing system		1	4			1			
Coordination with St. Paul Water Utility		1	1						
Draft timeline of establishment, repairs, abandonments, and realignments		1	6						
<b>Analysis</b>	2	3	8	0	0	16	0	29	\$4,172
Establish As-Constructed and Subsequently Improved profile	1	1	6						
Provide engineering drawings of As-Constructed and Subsequently Improved Profile	1	2	2			16			
<b>Report</b>	4	11	29	0	8	0	0	52	\$7,155
Mapping of historical and current system		1	3		6				
Complete draft report and recommendations	2	6	20						
Review comments from the RCWD		1							
Finalize the memorandum incorporating RCWD comments	2	3	6		2				
<b>Task 2 -Public Meetings and Project Coordination</b>	14	34	6	0	0	0	0	54	\$9,462
<b>Project Coordination</b>	8	20	6	0	0	0	0	34	\$5,834
Correspondence with District staff	4	6							
Preparation for and presentation at RCWD Board Workshop	1	6							
Meet with Mn/DNR and coordination	2	4	2						
Internal meetings/coordination	1	4	4						
<b>Public Informational meeting</b>	4	6	0	0	0	0	0	10	\$1,832
Prepare meeting presentation	1	2							
Attend public info meeting	3	4							
<b>Public Hearing</b>	2	8	0	0	0	0	0	10	\$1,796
Correspondence / coordination with legal staff	1	3							
Preparation for and presentation at public hearing	1	5							

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Patrick Hughes, Permit Coordinator/Wetland Specialist  
**Subject:** Houston Engineering Task Order 2023-06 - Permit Program Compliance Audit

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### **Introduction**

RCWD with Houston Engineering completes a regular permit program compliance audit for those communities within the District that have adopted regulations consistent with RCWD standards.

### **Background**

Three municipalities within RCWD have become “Level 2” communities through approval of their Local Water Management Plans (LWMP) and subsequent Memorandum of Understanding (MOU). The City of Hugo has been a Level 2 community since 2004, Circle Pines since 2016, and most recently, Mounds View in the fall of 2021. Consistent with LWMP approvals and MOUs, these communities have adopted local ordinances that incorporate the regulatory standards of RCWD Rules C (stormwater management), D (sediment and erosion control), E (floodplain alteration), and F (wetland alteration). RCWD does not issue permits for these rules within each respective municipality. However, RCWD does retain the right to monitor the permitting activity of these communities through an audit of the permitting program. This will be the first permit program compliance audit since RCWD’s latest rule change (effective 01/01/2021) and will also be the first compliance audit for the City of Mounds View.

The permit program compliance audit will include review both by RCWD staff and the District Engineer. Houston Engineering will assist in reviewing two permits from the City of Hugo, one permit from the City of Circle Pines, and one permit from the City of Mounds View. An engineer’s report will be completed for each permit with a summary of the reviewer’s findings. After completing the reviews, RCWD and Houston Engineering will set up a meeting to discuss our findings with each of the cities to review the results and provide recommendations, if any. Houston Engineering has provided a task order for the scope of services with an amount not to exceed \$27,500.

### **Staff Recommendation**

Staff is recommending that the Board of Managers approve the Houston Engineering Task Order No. 2023-006 for staff and engineer to proceed with the 2023 Permit Program Compliance Audit for the cities of Circle Pines, Hugo, and Mounds View.

### **Request for Board Consensus OR Proposed Motion**

Manager \_\_\_\_\_ moves to approve the Houston Engineering Task Order No. 2023-006, authorizing the board President to sign, seconded by Manager \_\_\_\_\_.

### **Attachments**

- Houston Engineering Task Order No. 2023-006



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## SCOPE OF SERVICES

**Task Order No. 2023-006**  
**Rice Creek Watershed District**



### **2023 Permit Program Compliance Audit of Level 2 Cities**

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#### **RCWD Administrative Information:**

Account No.: 70-03

Account Name: Permit Review, Inspection, and Coordination Program

**Houston Engineering Project No.:** R005555-0104.023

#### **Task Order Purpose:**

The project purpose is to provide a compliance audit of the administration of the Rice Creek Watershed District (RCWD) Rules by the Level 2 cities of Hugo, Circle Pines, and Mounds View. The scope of the compliance audit includes independently reviewing the permit files and determining whether HEI would have reached the same findings, permit conditions and permit decisions if the RCWD were the permitting authority. The reviews of the audited projects will be conducted utilizing the January 1, 2021 Board Adopted rules, which were in place at the time of the permit applications.

#### **Professional Services Rendered:**

HEI will provide the following professional services during the completion of this Task Order:

1. Compliance audit for the Hugo permits, including:
  - Complete an independent review of the two (2) permit applications that were selected by RCWD, to verify compliance with the current RCWD Rules.
  - Provide an engineer's report (ER) with an audit process summary and the detailed review of each applicable rule section.
  - Complete a meeting with District and City staff to review the results of the audit.
2. Compliance audit for Circle Pines permits, including:
  - Complete an independent review of the one (1) permit application that was selected by RCWD, to verify compliance with the current RCWD Rules.
  - Provide an engineer's report (ER) with an of the audit process summary and the detailed review of each applicable rule section.
  - Complete a meeting with District and City staff to review the results of the audit.



## SCOPE OF SERVICES

Task Order No. 2023-006  
Rice Creek Watershed District



### 2023 Permit Program Compliance Audit of Level 2 Cities

3. Compliance audit for Mounds View permits, including:
  - Complete an independent review of the one (1) permit application that was selected by RCWD, to verify compliance with the current RCWD Rules.
  - Provide an engineer's report (ER) with an of the audit process summary and the detailed review of each applicable rule section.
  - Complete a meeting with District and City staff to review the results of the audit.

#### Deliverables:

The task order deliverables for each city consist of:

- An engineering report for each completed selected permit.
- A meeting with each City to discuss the results of the audit of their program administration.

#### Schedule and Compensation:

The level of effort for completing permit review can vary greatly depending on many factors such as the complexity of the proposed project, completeness of the records and submittal and number of standards which apply to the permit. The level of effort and estimated fee provided in this task order is based upon the historical average permit audit review hours. HEI estimates the effort required for the services described in this task order at an amount of **\$27,500**. For the audits, this includes approximately 45 hours/application for review of four (4) permit applications, and meeting time with the Cities (3 meetings). HEI shall not exceed this amount for the completion of this work without prior authorization from the Rice Creek Watershed District. The schedule for submittal of the deliverables is as directed by the RCWD.

#### Assumptions:

The estimated compensation for the execution of the tasks identified within the "Professional Services Rendered" section of this Task Order is based upon the following assumptions:

1. RCWD will make a one-time request to the Cities for complete permit file information prior to the start of the audit. Missing or incomplete information will be noted in the technical review but will not be further investigated through the Cities.
2. The estimated level of effort and fee is based upon an historical average of review hours.



## SCOPE OF SERVICES

Task Order No. 2023-006  
Rice Creek Watershed District



### 2023 Permit Program Compliance Audit of Level 2 Cities

#### SIGNATURES:

The services described by this Task Order are being provided in accordance with the Professional Services Agreement between the Rice Creek Watershed District and Houston Engineering dated May 14, 2008, as amended and extended. This **Task Order** shall be effective **April 26, 2023** as authorized by the signatures of representatives of the Rice Creek Watershed District and Houston Engineering, Inc.

#### Rice Creek Watershed District

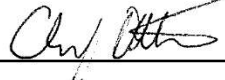
By: \_\_\_\_\_

Name: Michael Bradley

Title: President

Date: \_\_\_\_\_

#### Houston Engineering, Inc.

By: 

Name: Chris Otterness

Title: District Engineer

Date: April 19, 2023

**PUBLIC MEETING: ANOKA COUNTY DITCH 10-22-32**  
**EVALUATION OF MAINTENANCE ALTERNATIVES**



St. Paul Pioneer Press newspaper April 5, 12, and 19, 2023

Life newspaper on April 14, 2023

Forest Lake Times newspaper on April 13, 2023

RCWD postcard notice to the owners of property within the sub watershed of ACD 10-22-32, mailed April 5, 2023

RCWD notice mailed to Cities of Blaine, Columbus and Lino Lakes; Anoka County; Anoka County Engineer, Anoka Conservation District mailed April 4, 2023

District website & email noticing April 4, 2023

District posted at office April 4, 2023

RCWD notice mailed to DNR, BWSR, MnDot, and ACOE April 4, 2023

## **Anoka County Ditch 10-22-32 Public Information Meeting**

PLEASE TAKE NOTICE that the Rice Creek Watershed District (RCWD) Board of Managers will hold a public information meeting on the management approach for the portion of Anoka County Ditch 10-22-32 north of Pine Street on Wednesday, April 26, 2023, at 9:00 a.m. in the Shoreview City Hall Council Chambers, 4600 Victoria St N, Shoreview, MN 55126. Public participation using interactive technology will also be possible using Zoom. Please contact Theresa Stasica at [tstasica@ricecreek.org](mailto:tstasica@ricecreek.org) for instructions. District staff and the engineer will give a short presentation on recommended maintenance alternatives, followed by an opportunity for public questions/comments and input on managing the drainage system. A Draft Engineer's Technical Memorandum, Anoka County Ditch 10-22-32 Evaluation of Maintenance Alternatives dated December 16, 2022, can be viewed on the District's website: [www.ricecreek.org](http://www.ricecreek.org) under Public Drainage or at the District office at 4325 Pheasant Ridge Dr. NE, Suite# 611. Comments and questions on the management of the drainage system can be provided in person at the meeting or sent by email (preferred) to Tom Schmidt at [tschmidt@ricecreek.org](mailto:tschmidt@ricecreek.org) or by phone: at 763-398-3076 or by mail to the address above.

Time: Apr 26, 2023 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/89882321662?pwd=YThVdW03ams5cDJ6SitlODYraDRuZz09>

Meeting ID: 898 8232 1662

Passcode: 332590

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 898 8232 1662

Passcode: 332590

4325 Pheasant Ridge Drive NE #611 | Blaine, MN 55449 | T: 763-398-3070 | F: 763-398-3088 | [www.ricecreek.org](http://www.ricecreek.org)

**BOARD OF  
MANAGERS**

**Jess Robertson**  
Anoka County

**Steven P. Wagamon**  
Anoka County

**Michael J. Bradley**  
Ramsey County

**Marcie Weinandt**  
Ramsey County

**John J. Waller**  
Washington County

# Technical Memorandum

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**To:** Nick Tomczik; Rice Creek Watershed District Administrator  
**From:** Bret Zimmerman, PE  
Cait Caswell, EIT  
**Through:** Chris Otterness, PE  
**CC:** Tom Schmidt, RCWD  
Ashlee Ricci, RCWD  
**Subject:** Anoka County Ditch 10-22-32 Evaluation of Maintenance Alternatives  
**Date:** January 23, 2023  
**Project:** 5555-0321

## INTRODUCTION

The purpose of this project is to evaluate potential alternatives to restore drainage capacity to a portion of Anoka County Ditch (ACD) 10-22-32, specifically those portions of the Main Trunk upstream (north) of Pine Street (see **Figure 1**). In 2021, the Rice Creek Watershed District (RCWD) completed a review of the As-Constructed and Subsequently Improved Condition (ACSIC) of ACD 10-22-32 north of Pine Street, which culminated in a reestablishment of the public drainage system record per Minnesota Statue 103E. The ACSIC review and associated survey indicated that three road crossings utilize culverts higher than the ACSIC grade. In addition, a pipeline managed by Flint Hills Resources / Minnesota Pipeline is just below the ACSIC grade (creating maintenance challenges), and another pipeline managed by Northern Natural Gas is a location of chronic beaver activity.

Per the RCWD drainage management flowchart, observed isolated deficiencies in capacity along the public drainage systems are addressed through evaluation of minor maintenance alternatives. To understand the benefit, cost, and feasibility of maintenance approaches, HEI evaluated several maintenance alternatives for restoring drainage capacity in this location. These alternatives were modeled, with peak water levels compared at critical locations along the drainage system. This report will summarize these results, along with performance, cost, and regulation considerations, and provide a recommendation for maintenance.

## ALTERNATIVES AND MODELING

### *Modeling Approach*

The analysis was performed using XPSWMM (v. 2019.1.3) hydrologic modeling software. All models used the Curve-Number (CN) hydrologic theory, which estimates runoff volumes based on the combination of rainfall input, soil type, and land use at any given location. Hydrologic parameters in all alternatives remain identical, so any changes are directly related to the changes in elevation and/or capacity of drainage system components. The modeling completed for this analysis is short-duration based analysis according to the 24-hour storm. As with all of the District's hydrology/hydraulics models, it does not account for subsurface flow through soil or other long-term hydrologic changes.

### *Alternative 1 – Existing Conditions*

The existing conditions model assumes ACSIC grade in the ditch (including at the two pipeline crossings that have shallow cover) and that culverts are at elevations taken during recent survey in 2020 and 2021. This model was created as a baseline to compare the effectiveness/value of all other alternatives. Note that “existing conditions” along ACD 10-22-32 have changed substantially in the last 10 years as repairs and minor maintenance have been completed along the entire drainage system.

### *Alternative 2 – Pre-pipeline Hump Cleanout*

The pre-pipeline hump cleanout model assumes ACSIC grade in the ditch, culverts at surveyed elevations, and a 2.5-foot-tall hump in the ditch to represent a beaver dam that existed at the Northern Natural Gas pipeline prior to the 2021 maintenance completed at this location by the RCWD. The field crossing culvert at station 275+03, the northernmost culvert, was also modeled at the size and elevation it was prior to the 2021 maintenance activity. This model was created to evaluate the hydraulic impact of this recent maintenance effort with respect to other alternatives.

### *Alternative 3 – Permitted Grade*

The permitted grade model assumes ACSIC grade in the ditch and lowers Pine Street to ACSIC grade. The culverts at 137th Ave are both lowered to the permitted grade established in the 2015 DNR Public Waters Work Permit. All other crossings remain at their surveyed elevations, including Jodrell Street. This alternative is intended to represent the maximum maintenance to ACD 10-22-32 that can be completed without additional regulatory approvals from the DNR.

### *Alternative 4 – Full ACSIC*

The full ACSIC model assumes ACSIC grade in the ditch and lowers the Pine Street, 137<sup>th</sup> Ave and Jodrell Street culverts to ACSIC grade. All other crossings remain at their surveyed elevations. This is intended to represent a full restoration of drainage system capacity to ACD 10-22-32 to the ACSIC.

### *Alternative 5 – Full ACSIC with Additional Capacity*

The full ACSIC with additional capacity model assumes ACSIC grade in the ditch, lowers the Pine Street, 137<sup>th</sup> Ave and Jodrell Street culverts to ACSIC grade and adds an additional 24-inch HDPE culvert at all crossings. The purpose of this alternative is to evaluate whether increasing size/number of culvert crossings under any of the roadways will significantly change peak flooding elevations.

## RESULTS

Modeling results for each of the five alternatives are provided in **Tables 1 and 2** for the 2-year rainfall (2.7 inches) and 10-year rainfall (4.1 inches), respectively. Peak water surface elevations are reported at seven different locations, each of which is upstream of an existing culvert crossing (see **Figure 1**).

From the modeling results, we can derive the following conclusions:

- The recent maintenance completed in 2021 drastically lowered peak water surface elevations upstream of the Northern Natural Gas pipeline crossing (up to 2-feet). No other maintenance on the public drainage system has the ability to significantly lower peak water surface elevations in this location.
- Lowering the culvert at Pine Street will substantially lower peak water levels on lands between 137<sup>th</sup> Ave and Pine Street (up to 1.3 feet)
- Lowering the 137<sup>th</sup> Ave. culvert to the previously permitted grade (Alternative 3) will reduce the peak water surface elevation by 0.3-0.4 feet between 137<sup>th</sup> Ave. and Jodrell Street and by 0.1 – 0.2 feet just upstream of Jodrell Street. Although this decrease will not substantially affect/enhance adjacent land use, lowering these culverts does provide a nominal increase in capacity and the cost is relatively low.
- Lowering the 137<sup>th</sup> Ave. culverts and Jodrell Street culverts to the ACSIC grade will further lower peak elevations from 137<sup>th</sup> Ave to just upstream of Jodrell Street by 0.4-0.7 feet (compared to the Permitted Grade alternative). The benefit of this lowering of peak water elevation is relatively minimal, for a couple of reasons:
  - The decrease in peak water surface elevation extends only to approximately the Northern Natural Gas pipeline crossing. Upstream of the pipeline, these modifications have no discernable effect.
  - The land adjacent to the portion of the ditch affected by the Full ACSIC alternative consists of wetlands. The modeled peak flood events rise up out of the banks of the ditch, but not significantly higher than the grade variations within the wetland. As such, the difference in flood extent in this location for any alternative cannot be discerned when mapped. Further, the flooded areas (most of which are public waters) will remain wetlands under all alternatives due to the high water table in the area and lateral inflows. Therefore, there does not appear to be any significant flood extent change or land use value provided by this alternative
- Increasing the number or size of culverts under any of the crossings has no significant effect on peak flood elevations.

**Table 1 – Peak water surface elevations during a 2-year rainfall event**

2 year	Location 1 Sta. 275+03 Field Crossing		Location 2 Sta. 264+79 Field Crossing		Location 3 Sta. 230+16 Jodrell St		Location 4 Sta. 216+00 137 <sup>th</sup> Ave <sup>[1]</sup>		Location 5 Sta. 204+54 Field Crossing		Location 6 Sta. 190+65 Field Crossing		Location 7 Sta. 185+90 Pine St	
	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>
Alt 1. Existing Conditions	901.0	---	900.8	---	900.4	---	900.3	---	899.5	---	899.5	---	899.5	---
Alt 2. Pre-pipeline Hump Cleanout	902.6	1.6	902.6	1.8	900.4	0.0	900.3	0.0	899.5	0.0	899.5	0.0	899.5	0.0
Alt 3. Permitted Grade	901.0	0.0	900.8	0.0	900.2	-0.2	899.9	-0.4	899.2	-0.3	898.9	-0.6	898.3	-1.2
Alt 4. Full ACSIC	901.0	0.0	900.8	0.0	899.5	-0.9	899.3	-1.0	899.3	-0.2	898.9	-0.6	898.3	-1.2
Alt 5. Full ACSIC with Additional Capacity	900.9	-0.1	900.8	0.0	899.5	-0.9	899.3	-1.0	899.2	-0.3	898.7	-0.8	898.2	-1.3

**Table 2 – Peak water surface elevations during a 10-year rainfall event**

10 year	Location 1 Sta. 275+03 Field Crossing		Location 2 Sta. 264+79 Field Crossing		Location 3 Sta. 230+16 Jodrell St		Location 4 Sta. 216+00 137 <sup>th</sup> Ave <sup>[1]</sup>		Location 5 Sta. 204+54 Field Crossing		Location 6 Sta. 190+65 Field Crossing		Location 7 Sta. 185+90 Pine St	
	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>	WSE <sup>[2]</sup>	Diff. <sup>[3]</sup>
Alt 1. Existing Conditions	902.1	---	901.7	---	900.8	---	900.6	---	900.1	---	900.0	---	900.0	---
Alt 2. Pre-pipeline Hump Cleanout	904.1	2.0	903.0	1.3	900.8	0.0	900.6	0.0	900.0	-0.1	900.0	0.0	899.9	-0.1
Alt 3. Permitted Grade	902.1	0.0	901.7	0.0	900.7	-0.1	900.3	-0.3	899.5	-0.6	899.5	-0.5	898.9	-1.1
Alt 4. Full ACSIC	902.1	0.0	901.7	0.0	900.2	-0.6	899.9	-0.7	899.9	-0.2	899.6	-0.4	899.0	-1.0
Alt 5. Full ACSIC with Additional Capacity	901.8	-0.3	901.7	0.0	900.2	-0.6	899.7	-0.9	899.7	-0.4	899.5	-0.5	899.2	-0.8

[1] Permitted Grade at 137<sup>th</sup> Ave is 899.60

[2] Peak Water Surface Elevation Upstream of Crossing

[3] Change Relative to Existing Conditions

## RECOMMENDATION

Based on the analysis, the maintenance activities on ACD 10-22-32 providing the greatest impact to drainage system capacity are the continued maintenance of grades at the two pipeline crossings and the lowering of the Pine Street culvert. The RCWD should continue to monitor and maintain the open channel regularly and take actions to control the beaver populations, particularly at the two pipeline crossings. We recommend the RCWD proceed with repairs to lower the culvert under Pine Street. This will require a review of potential wetland impacts under the Wetland Conservation Act and may require a mitigation plan. This will also require coordination with the Cities of Columbus and Lino Lakes as joint road authorities.

Additionally, the culverts under 137th Ave should be lowered to the previously permitted elevation. Although the incremental decrease in water surface elevation is relatively small, there is minimal cost and regulatory engagement required to complete this action.

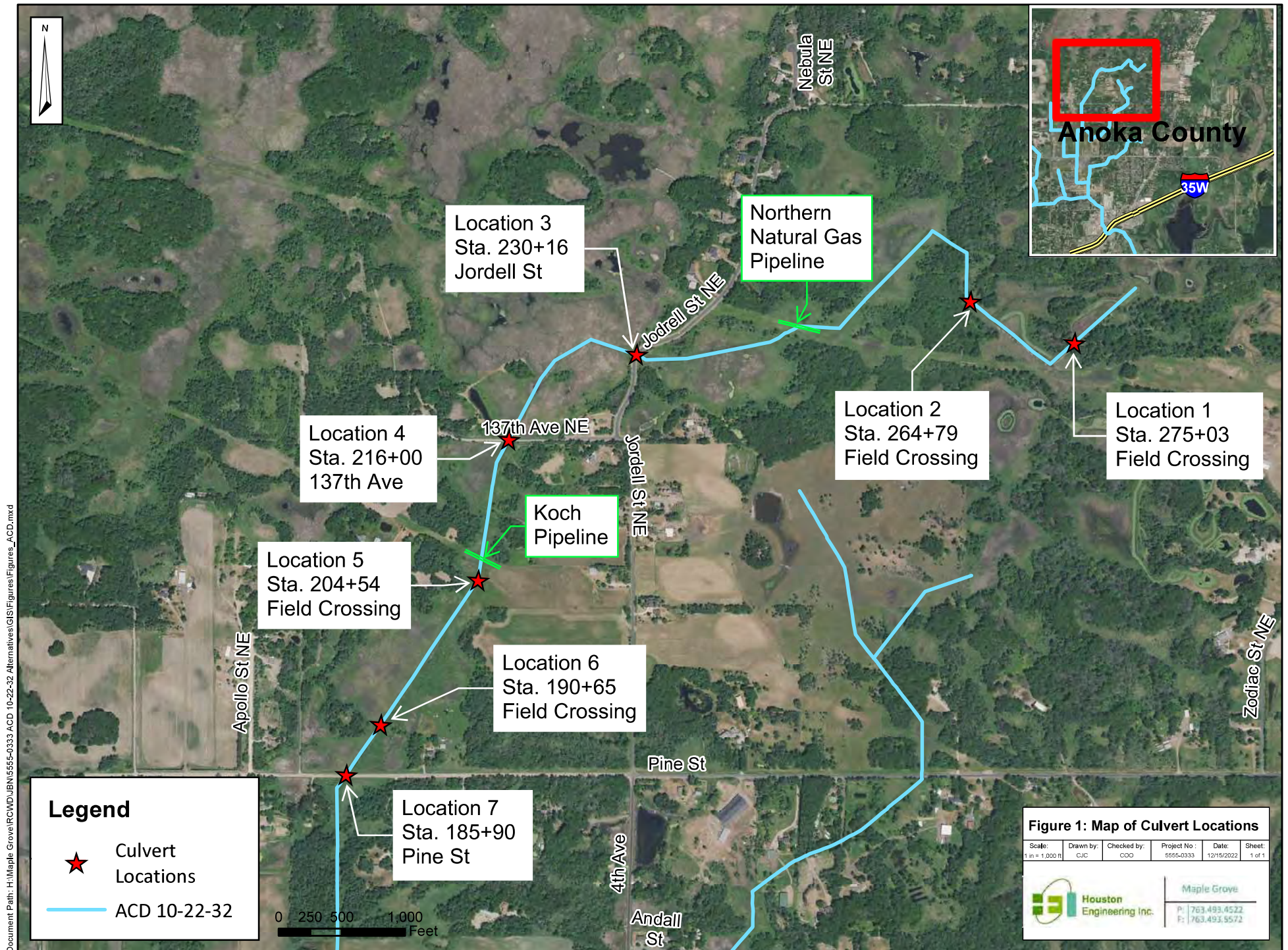
The analysis revealed no significant benefit or necessity of lowering 137th Ave and Jodrell Street culverts to ACSIC grade. Lowering these culverts to ACSIC grade would have no measurable reduction in flooding extent and will not affect the landowner's ability to modify their use of this land. Construction cost for lowering the Jodrell Street culvert would be substantially greater than any of the other maintenance activities, and feasibility and cost of obtaining regulatory approval from the DNR is uncertain.

The two pipeline crossings of the upper portion of ACD 10-22-32 (Flint Hills Resources pipeline between Pine Street and 137<sup>th</sup> Ave. and Northern Natural Gas pipeline east of Jodrell Street) are both lower than the as-constructed grade of ACD 10-22-32. Though they do not project into the ditch bottom, they have historically impacted maintenance of the public drainage system in multiple ways:

1. Cleanout of the ACD 10-22-32 ditch over each pipeline location has at times been disallowed by pipeline representatives citing pipeline safety guidelines. However, recent cleanout over the Northern Natural Gas pipeline crossing occurred successfully under the authorization and observation of pipeline representatives.
2. Work scheduling in these locations is subject to the availability of pipeline representatives to be onsite. This has delayed the initiation of work in these areas by weeks or even months, and has prevented timely response to observed deficiencies.
3. The elevated hump/berm providing cover over the pipeline on either side of the ditch creates an attractive location for beaver damming efforts. This requires more frequent inspection and maintenance than other portions of the District's public drainage systems.

The preferred solution to these maintenance issues is the lowering of the pipeline. However, due to the significant expense and impact of lowering a pipeline, and given that the pipelines in these locations are not projecting into the original ditch bottom, other near term solutions should be pursued. We recommend continued engagement with the pipeline companies to clarify process, responsibilities, and timeframes when addressing needed maintenance at these and other pipeline crossings in the RCWD.

# ACD 10-22-32 Alternatives



Written correspondence received by the District on the ACD 10-22-32 drainage system per meeting notice.

04 / 18 / 2023

Dear president, (Mike Bradley) and your fellow members on the board of managers of Rice Creek Watershed

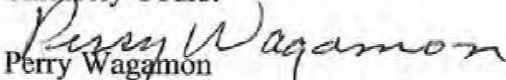
First I want to thank all of you for attending the informational meeting yesterday (04 / 17 / 2023), I thought it was very informational and well presented. Although it did not directly address the flooding problem that was created for me, I believe it was certainly a start to find a solution. So Thank You!

I am sure that you already know that I hired Sunde Engineering to review the solutions that were put forth by Houston Engineering, as a remedy for my flooding because I couldn't understand how any of them could possibly be a solution for me.

Just this morning I received a letter from them (Sunde Engineering) explaining the results of the research that they did and I am forwarding it to each of you. I am hoping that you will review and understand their opinions, if you have any questions or need any further information please contact me and I will do my best for answers.

At this point I want to sincerely thank you again for the time that you have spent and also the time that you will spend in the future on my flooding problem.  
I also want to say how I will appreciate how any help that you can me on my situation.

Sincerely Yours!

  
Perry Wagamon  
13640 Zodiac St. Lino Lakes Minn. 55014  
infoatwagamonfarms.com 651 270 5329

RECEIVED  
APR 18 2023  
Rice Creek  
Watershed District



Consulting Civil Engineers

RECEIVED

APR 18 2023

Rice Creek  
Watershed District

Kirsten Pauly, PE/PG, *Principal*  
Brian Mundstock, PE, *Principal*  
Mike Kettler, PE, *Principal*

April 18, 2023

Mr. Perry Wagamon  
13640 Zodiac Street  
Lino Lakes, MN 55014

Dear Mr. Wagamon,

1. At your request, I have reviewed the documents listed below in order to provide you with an opinion on the solutions being proposed by the Rice Creek Watershed District to remedy the current flooding of your 4 parcels of land west of Zodiac Street in Columbus, Minnesota. Your parcels constitute approximately 140 acres ("Wagamon Property").
  - Houston Engineering Draft Technical Memorandum dated January 4, 2022
  - Houston Engineering Technical Memorandum dated January 23, 2023
  - Rice Creek Watershed District Memorandum dated January 31, 2023
  - Department of Army Permit Letter to Carlos Avery Estates dated August 6, 2003
2. The goal of the Watershed District is to establish a recommendation on how to best restore the drainage capacity of the ditch, referred to by Anoka County as ditch 10-22-32. The restoration will in turn alleviate flooding on the Wagamon Property and neighboring parcels of land.
3. In reviewing the above materials, we are concerned that the analysis of flooding elevations with respect to the downstream Jodrell Street culvert crossing elevations was reviewed against the as-constructed and subsequently improved condition (ACSIC) of the ditch profile, which is higher than the ditch profile that existed prior to the construction of Jodrell Street as indicated in the profile drawings. There is no doubt the higher elevation of the current ditch contributed to higher water levels upstream of the ditch such as on the Wagamon Property and neighbor properties. To restore water levels to the condition that previously existed, we believe that the ditch profile needs to be part of the solution. We don't believe that the profile should have been raised as part of the adjacent road construction even if wetland mitigation were to be required as a result. Additionally, the culvert crossing on Jodrell Street and the soil correction that took place for the Jodrell Street construction as it crossed the ditch are wrong and have caused serious flooding problems for the Wagamon Property and neighboring properties.
4. When you built your home around 1982, the runoff from your property did not drain to the ditch. It was only as a result of the construction of Jodrell Street in 2003, in which the street acted as a dam for the surface water runoff that caused your previous drainage pattern to become altered and re-directed to the ditch. This is when you first experienced flooding.

Sunde Engineering, PLLC.

10830 Nesbitt Avenue South • Bloomington, Minnesota 55437-3100  
Phone: (952) 881-3344 • Fax: (952) 881-1913 • E-Mail: [info@sundecivil.com](mailto:info@sundecivil.com)

5. Exhibit A depicts a modified ditch profile that was changed by the Watershed Engineers to be higher than the elevation of the original ditch that dates back more than 100 years. Exhibit A also shows a cross-section of Jodrell Street thru the ditch. The culvert was constructed as part of the roadway crossing to pass runoff under the street. However, it was erroneously not placed at the bottom of the ditch profile, but rather approximately 3' above the bottom of the ditch making the ditch grade irrelevant as the water levels now are controlled by the elevated culvert height, which further increased the upstream flooding on the Wagamon Property and neighboring properties.
6. Poor soils were encountered under the proposed Jodrell Street alignment which necessitated significant soil correction during construction. Some 60' of compacted material was placed below the pavement section in order to stabilize the road. In addition to the surface water flooding, this action trapped the flow of groundwater and raised the water table higher on the Wagamon Property and neighboring properties causing severe damage to structures, septic systems, and the killing of hundreds of 50-60 year old oak trees and other valuable trees during freeze and thaw cycles due to saturated soils. These soils had not been saturated before the compacted material was installed under the new street.
7. Attached Exhibit B depicts a proposed culvert crossing Jodrell Street at the bottom of the ditch instead of 3' above it, which would considerably reduce high water levels behind it and the flooding on the Wagamon Property and neighboring properties.
8. Finally, in our opinion and as stated in Rice Creek Watershed District Stormwater Management Rule C the storm event for which flood protection should be established is the 24-hour, 100-year rainfall event (7.12"), and not simply rainfall events of 2-year and 10-year probabilities. The larger storm events will yield higher peak flood elevations and correctly change what an appropriate recommended solution to the flooding situation needs to be. It will require a larger, but necessary scope of work than what is being considered in the January 31, 2023 Memorandum. Proposed changes will be more in line with what we are outlining in Exhibit B. We would encourage the District's model to use this storm event to establish a better cost benefit recommendation.
9. In our opinion, we believe there is a solution (see paragraphs 7 and 8) that will eliminate flooding on the Wagamon Property and neighboring properties. That should be the goal even if the scope of work and permits needed to accomplish this has to broaden out from the analysis and options presented by the Watershed District in their January 31, 2023 Memorandum.

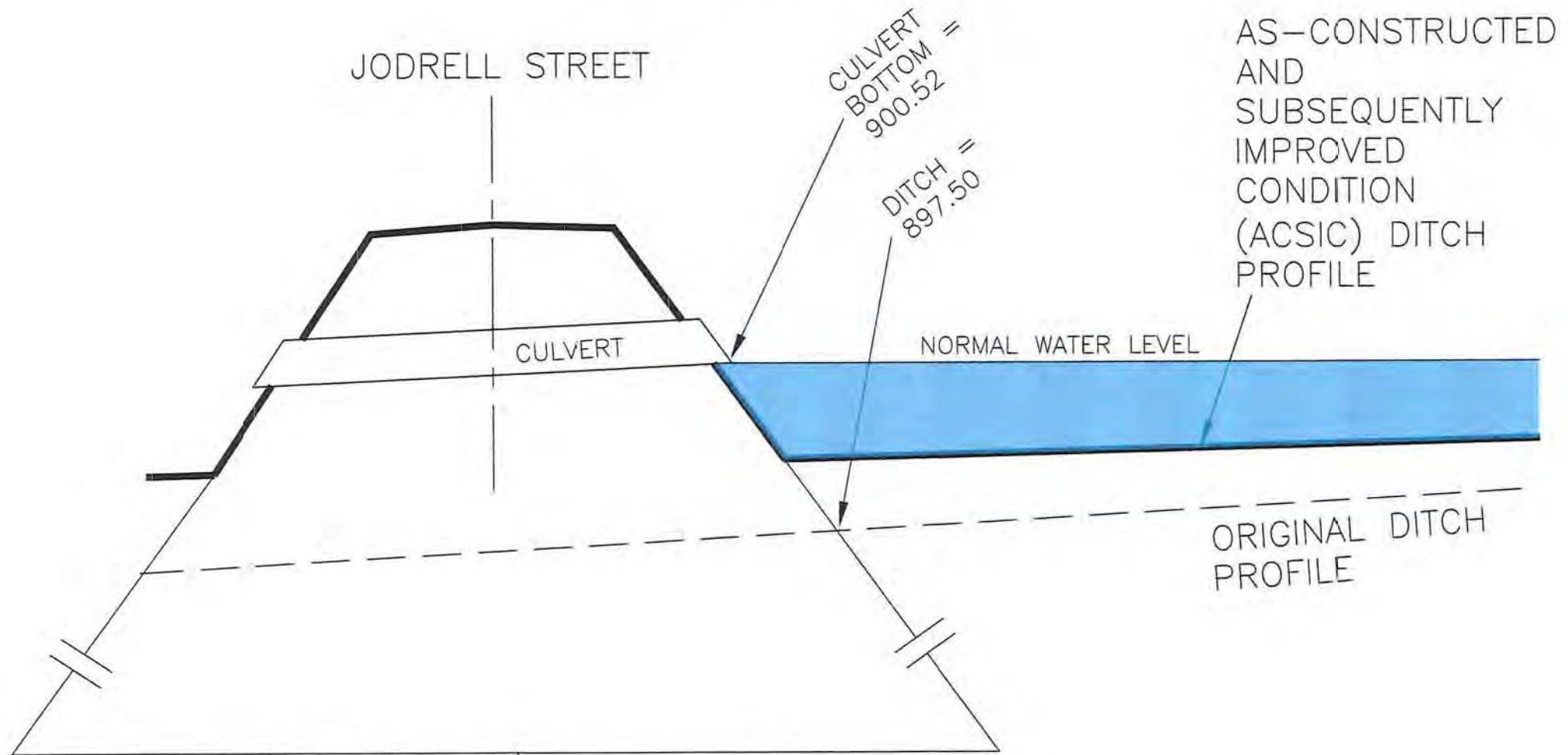
Sincerely,

SUNDE ENGINEERING, PLLC.



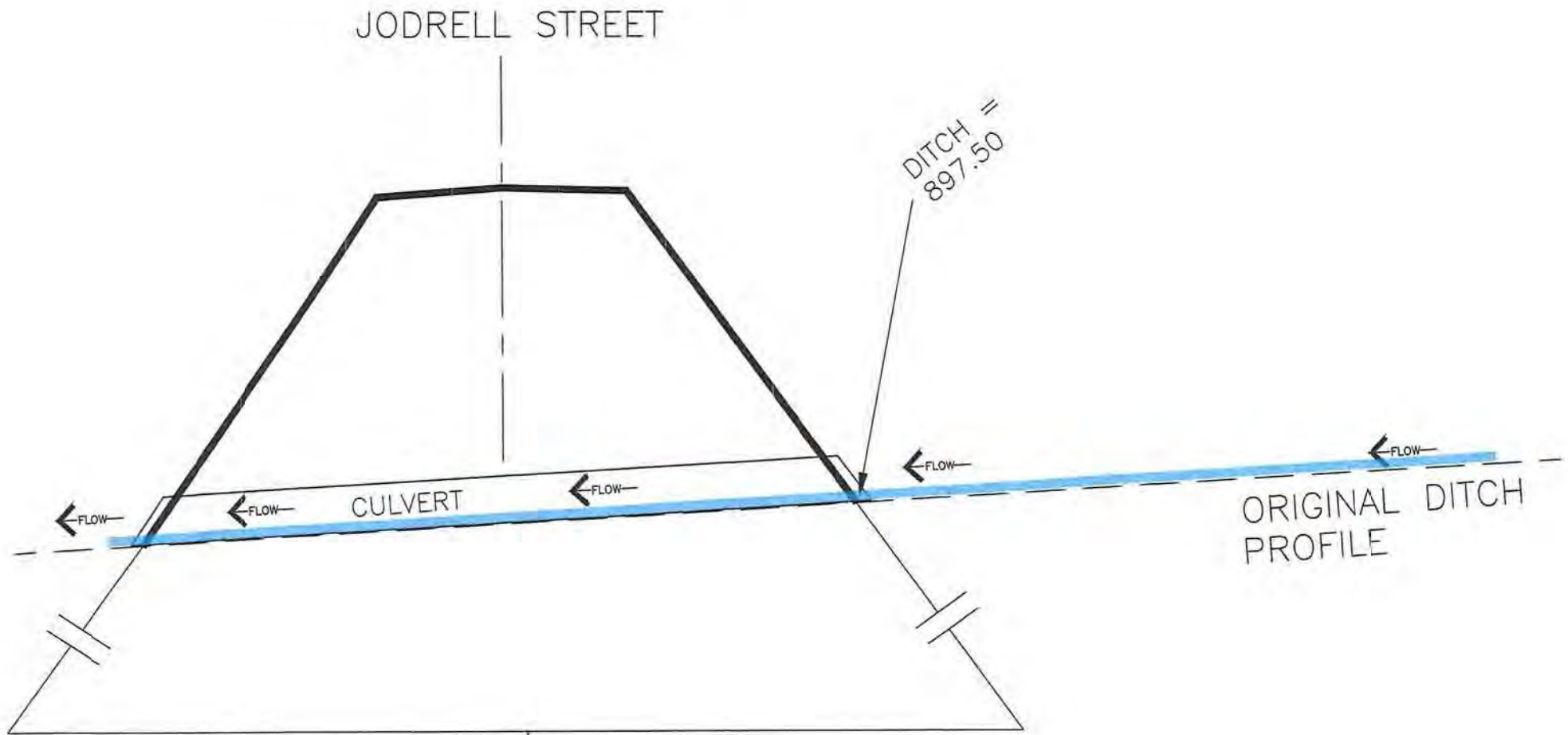
Mike Kettler, P.E.

# EXHIBIT A



60' COMPACTED FILL FOR SOIL CORRECTION TO CONSTRUCT ROAD. THIS FILL ALSO ACTS AS A DAM AS TO GROUNDWATER FLOW WHICH MEANS MORE FLOODING ON THE WAGAMON PROPERTY AND NEIGHBORING PROPERTIES.

# EXHIBIT B



60' COMPACTED FILL FOR SOIL CORRECTION TO CONSTRUCT ROAD. THIS FILL ALSO ACTS AS A DAM AS TO GROUNDWATER FLOW WHICH MEANS MORE FLOODING ON THE WAGAMON PROPERTY AND NEIGHBORING PROPERTIES.



Real People. Real Solutions.

7533 Sunwood Drive NW  
Suite 206  
Ramsey, MN 55303-5119

Ph: (763) 433-2851  
Fax: (763) 427-0833  
Bolton-Menk.com

April 19, 2023

Mr. Nick Tomczik  
Administrator  
Rice Creek Watershed District  
(Transmitted via Email)

RE: ACD 10-22-32  
City of Columbus  
BMI Project No.: OR1.129677

Dear Mr. Tomczik,

I represent the City of Columbus as their City Engineer. I have been asked to review information and history related to ACD 10-22-32 and provide the city's response to the Watershed District related to proposed improvements on this system.

In general, the Mayor and City Council, as well as city staff, are very supportive of maintenance and improvement activities on all the ditch systems within the city limits and those outside of the city that provide a positive drainage benefit to the city. Given its flat topography, effective drainage systems are critical to maintaining the integrity of existing residential and commercial properties as well as providing mechanisms for future development within the city.

In regard specifically to ACD 10-22-32, we are very supportive of improvements that provide relief to properties that have experienced high saturation levels over the past 20 years, due to numerous factors that are at play. The City also recognizes that the RCWD is the authority for this system and controls the decision-making process for any improvement. From a technical viewpoint, in my review of the alternatives that are laid out in Houston Engineering's Technical Memorandum dated January 23, 2023, I'm of the opinion that Alternative 4 would provide the maximum benefit to the city and its property owners.

Thank you for the opportunity for the city to weigh in on this project and we appreciate the District's efforts to keep us in the loop as your discussions move forward. Should you have any questions, please feel free to contact me at [Kevin.Bittner@Bolton-Menk.com](mailto:Kevin.Bittner@Bolton-Menk.com) or at 612-270-6926.

Sincerely,

**Bolton & Menk, Inc.**

**Kevin F. Bittner, P.E. (MN, ND, IA)**  
Columbus City Engineer

## **ITEMS REQUIRING BOARD ACTION**

1. Aquatic Plant Survey Services (Matt Kocian)

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Matt Kocian, Lake and Stream Program Manager  
**Subject:** 2023 Agreement for Aquatic Plant Survey Services

---

### Introduction

Seeking Board approval for 2023 aquatic plant survey services

### Background

The District regularly conducts aquatic plant surveys in lakes around the Watershed. These surveys serve many purposes:

- Mapping of aquatic invasive plants (i.e. curlyleaf pondweed and Eurasian watermilfoil) is required by DNR prior to issuance of permits for management.
- Mapping the extent and species richness of native plants is a valuable diagnostic tool for lake management. For example, low plant diversity and coverage can be indicative of a high carp abundance.
- Increases in native aquatic plant coverage and diversity are one of several monitoring metrics used to assess lake restoration projects. For example, following restoration efforts on Bald Eagle Lake, increases in plant diversity and maximum growth depth were documented.

Determining which lakes get aquatic plant surveys is an annual exercise; decision factors include budget, internal need (based on past or upcoming RCWD-led projects), lake association request, and agency partner cooperation.

Aquatic plant surveys are conducted by District staff, partner agencies (e.g. DNR and county conservation districts), and a consultant. For approximately the past 20 years, the District's consultant for these services is Steve McComas of Blue Water Science (BWS). Over the past 16 years (my tenure at the District), BWS has delivered these services on-time and on-budget every year. BWS has economical hourly rates. Examples of aquatic plant survey products are shown in **Figure 1**.

# MEMORANDUM

## Rice Creek Watershed District

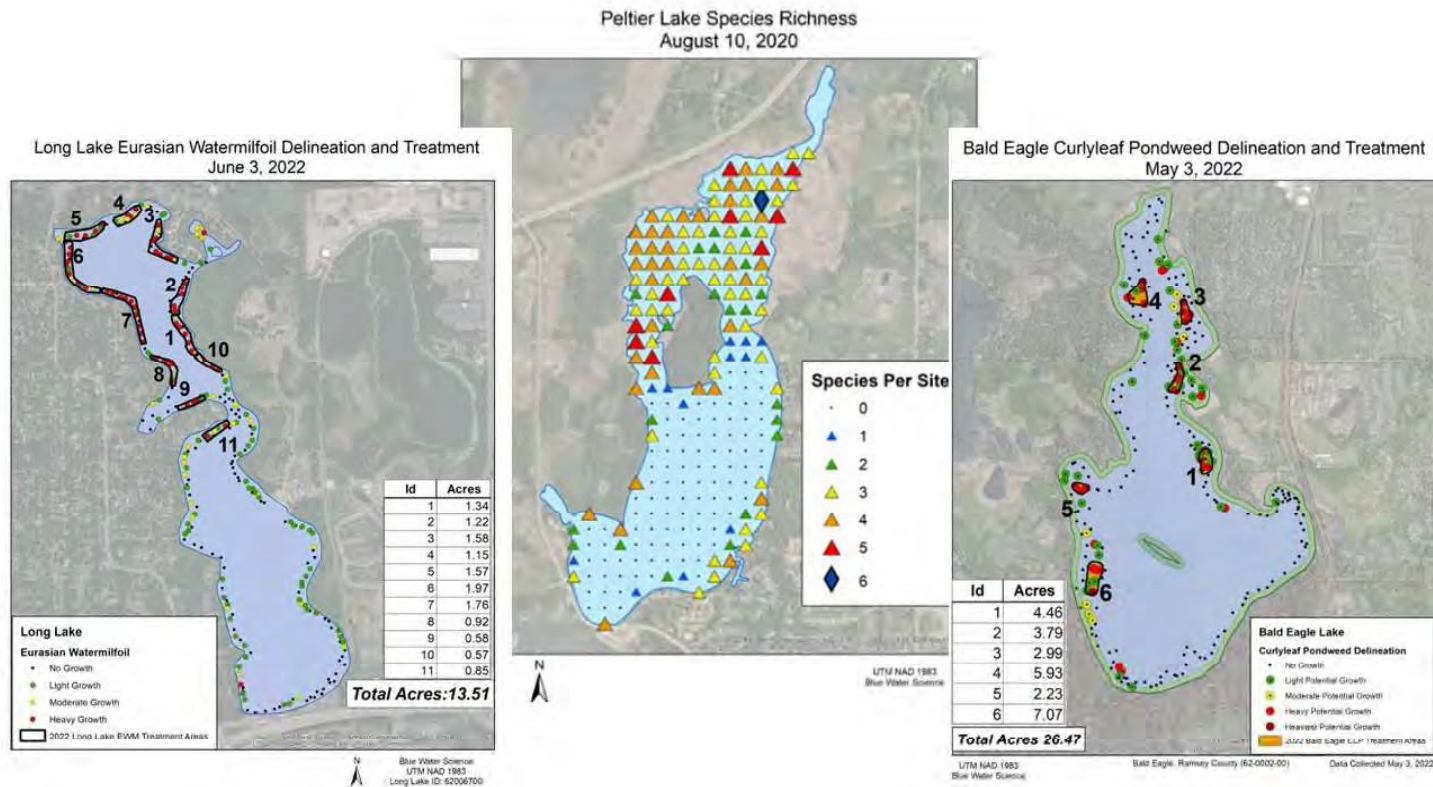


Figure 1 Example of aquatic plant survey products; LEFT: Eurasian watermilfoil delineation on Long Lake (New Brighton), CENTER: Point-intercept plant survey showing species richness on Peltier Lake, RIGHT: Curlyleaf pondweed delineation on Bald Eagle Lake

### Staff Recommendation

Staff recommend approving the attached quote for aquatic plant survey services with Blue Water Science. Staff annually plan for these services as a component of the District's program of lake and stream monitoring. Costs are included in the 2023 approved budget.

### Proposed Motion

Manager \_\_\_\_\_ moves to authorize the Administrator to enter into professional services agreement with Blue Water Science for aquatic plant surveys for an amount not to exceed \$24,500. The administrator is authorized to issue contract amendments for an amount not to exceed 10% of the contract price (\$2,450).

### Attachments

2023 Blue Water Science quote



## Q U O T E

### Aquatic Plant Surveys for 2023

Date: April 11, 2023

To: Rice Creek Watershed District  
From: Steve McComas, Blue Water Science

**Subject: Aquatic Plant Surveys for Rice Creek Watershed District**

#### **Bald Eagle Lake (1,047 ac) CLP Delineation and Early and Late Season Surveys**

\$1,400 Pre-herbicide curlyleaf delineation using a meandering survey and prepare maps.

\$1,700 Post herbicide curlyleaf assessment, EWM delineation, and aquatic plant transect survey.

\$1,700 Late summer aquatic plant survey using the line transect method.

Report Preparation: includes maps and write-up and review of past results.

Equipment: boat, photography, travel: included in survey costs

**Bald Eagle Lake Subtotal: \$4,800**

#### **Centerville Lake (474 ac) CLP Delineation**

\$1,300 CLP delineation using a meandering survey method, maps, and report.

**Centerville Lake Plant Survey Subtotal: \$1,300**

#### **Clear Lake (429 ac) CLP and EWM Delineation and Early and Late Summer PI Surveys**

\$1,100 CLP delineation using a meandering survey method and maps.

\$1,900 Post herbicide CLP assessment and aquatic plant survey using a point-intercept method with meander points for EWM observations (100 m grid).

\$1,900 Late summer aquatic plant survey using a point intercept method (100 m grid).

Report Preparation: includes maps and write-ups.

**Clear Lake Plant Survey Subtotal: \$4,900**

#### **Long Lake (New Brighton, MN)(173 ac) EWM Delineation and Late Season PI**

\$900 EWM delineation meandering survey and map of EWM delineation with shapefiles.

\$1,800 Late season point intercept survey and report that includes EWM delineation (100 m grid).

**Long Lake Plant Survey Subtotal: \$2,700**

**Peltier Lake (552 ac) CLP Delineation**

\$1,300 CLP delineation using a meandering survey method, maps, and report.

***Peltier Lake Plant Survey Subtotal: \$1,300***

**Reshanau Lake (336 ac) CLP Delineation and Late Season PI Surveys**

\$1,000 Pre-herbicide curlyleaf delineation using a meandering survey and maps.

\$1,900 Late summer aquatic plant survey using a point intercept method (100 m grid).

Report Preparation: includes maps and write-ups.

Equipment: boat, photography, travel: included in survey costs

***Reshanau Lake Subtotal: \$2,900***

**Rice Lake (Lino Lakes, MN)(358 ac) Late Season PI**

\$2,200 Late season PI survey, maps, and report (100 m grid).

***Rice Lake Plant Survey Subtotal: \$2,200***

**Silver Lake - West (71 ac) CLP Delineation**

\$1,000 CLP delineation using a meandering survey method, maps, and report.

***Silver Lake Plant Survey Subtotal: \$1,000***

**White Bear Lake (2,428 ac) Late Season PI**

\$3,400 Late summer aquatic plant survey using a point intercept method with 175 m grid, report included.

***White Bear Lake Plant Survey Subtotal: \$3,400***

**AQUATIC PLANT SURVEY QUOTE FOR ALL 2023 SURVEYS: \$24,500**

---

**AGREEMENT FOR SERVICES**

Accepted to perform tasks associated with Rice Creek Watershed District Aquatic Plant Surveys as outlined in this Letter by:

Signature: RCWD \_\_\_\_\_

Date \_\_\_\_\_

Thank you for this opportunity. A signed and returned copy of this letter is my authorization to proceed.

Cordially,  
Steve McComas  
Blue Water Science

## **ITEMS REQUIRING BOARD ACTION**

2. 2023 Curlyleaf Pondweed Management (Matt Kocian)

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Matt Kocian, Lake and Stream Program Manager  
**Subject:** 2023 Curlyleaf Pondweed Management

---

### Introduction

Seeking Board approval for 2023 curlyleaf pondweed management activities – vendor contracts and lake association cost-share agreements

### Background

Curlyleaf pondweed (*Potamogeton crispus*) is an invasive aquatic plant found in many Twin Cities Metro Area lakes. Curlyleaf has an unusual life cycle; unlike native aquatic plants, which grow early-summer through late-fall, curlyleaf *begins* growing late in autumn. It survives under the ice during the winter and grows rapidly after ice-out, often creating dense mats of vegetation. Around mid-summer the plant dies and decomposes, releasing accumulated phosphorus into the water column. The phosphorus contributes to algae growth and declines in water clarity. Additionally, the void in aquatic plants created by the mid-summer decline in curlyleaf further exacerbates algae blooms by exposing nutrient-rich lake sediments to resuspension, and by reducing habitat for algae-eating zooplankton. For this reason, the RCWD has actively managed curlyleaf using aquatic herbicides. Permanent control (i.e. eradication) is not possible. However, annual herbicide treatments are effective at reducing the impacts of curlyleaf pondweed.



The purpose of managing curlyleaf pondweed is 1) to improve water clarity, via the mechanisms described above, and 2) to promote the growth of healthy, native lake plants. Although the herbicide used to control curlyleaf is not selective, it is applied during the early-spring when only curlyleaf is growing. Therefore, only curlyleaf is affected; native plants are not harmed.

Managing curlyleaf pondweed is consistent with RCWD's Aquatic Invasive Species Policy, as well as RCWD's goals for protecting and improving water quality. The RCWD has partnered with lake associations for over 20 years to reduce the abundance of curlyleaf pondweed using aquatic herbicides. Lakes are selected for management based on need (a problem exists), and lake association desire and

## MEMORANDUM

### Rice Creek Watershed District



willingness to financially partner; costs are split 50/50 between the District and lake associations, after applicable DNR grants.

For 2023, District costs are *estimated* to be \$16,000. However, the District must pay upfront costs, prior to reimbursements from DNR grants and lake associations. Thus, we are asking the Board to approve total *estimated* costs of \$42,000. The District's 2023 budget for curlyleaf pondweed management is \$50,000.

#### Notes on cost:

- Quotes for curlyleaf pondweed treatment services are solicited from at least two vendors each year.
- The estimated 2023 costs are conservative. The actual 2023 costs will depend on early-season curlyleaf pondweed surveys and lake homeowner willingness to cost-share. It's very common for actual costs to be much lower than estimated costs. For example, the total *estimated costs* in 2020 were \$35,000, but the total *actual costs* were about \$18,300.
- Consistent with the RCWD Aquatic Invasive Species Policy, only large (> 1 acre), dense, and monotypic areas of curlyleaf pondweed are managed.
- As in past years, if curlyleaf pondweed is not found in sufficiently large and dense patches, or if lake homeowners do not wish to financially partner, treatment will not occur.
- As a policy, the District does not treat near-shore areas on lakes (within 150 feet); by DNR rule, treatment in these areas requires the permission of the landowner

#### Staff Recommendation

Staff recommend that the Board approve RCWD 2023 curlyleaf pondweed management activities and expenditures outlined in this memo.

#### Proposed Motions

1. Approve agreements with lake cooperators for cost sharing on curlyleaf pondweed treatments  
Manager \_\_\_\_\_ moves to authorize the Administrator to enter into cost-share agreements with lake associations for curlyleaf pondweed treatments in 2023.
2. Approve professional services contracts for curlyleaf pondweed treatments  
Manager \_\_\_\_\_ moves to authorize the Administrator to enter into professional services agreement with Lake Management, Inc. for herbicide treatment of curlyleaf pondweed with the total contract costs not to exceed \$42,000.

#### Attachments

- Example lake association cost-share agreement
- Quote from Lake Management, Inc.

**RICE CREEK WATERSHED DISTRICT  
REIMBURSEMENT AGREEMENT FOR  
2022 CLEAR LAKE CURLYLEAF PONDWEED CONTROL**

THIS AGREEMENT is made by the Clear Lake Association (Cooperators) and the Rice Creek Watershed District (District), a Minnesota Special Purpose Unit of Government with powers set forth at Minnesota Statutes 103B and 103D.

WHEREAS, the District intends to reduce internal phosphorus loading associated with the mid-summer die-off of invasive curlyleaf pondweed.

WHEREAS, the District intends to promote native aquatic plant growth by limiting competition from invasive curlyleaf pondweed.

WHEREAS, the District intends to apply an early-season EPA-approved aquatic herbicide to control the density of invasive curlyleaf pondweed (Project).

WHEREAS, the District and Cooperators desire to share, equally, the cost for the Project.

NOW, THEREFORE, in consideration of mutual promises set forth herein and other good and valuable consideration, the District and Cooperators agree as follows:

1. The District, in its discretion, may select, retain and pay a contractor for execution of the Project
2. The timing of the Project will depend on weather, lake water temperature, and DNR permit conditions. Any and all work will be completed no later than Jun 15, 2023.
3. The total cost of the Project will not exceed \$2,700.00. The actual cost of the Project will depend on the number of acres of curlyleaf pondweed identified in a *field delineation* conducted by the District. The field delineation will be conducted prior to the Project.
4. The District will provide the results of the field delineation to the Cooperators upon request.
5. The Cooperators will be jointly and severally responsible for reimbursement to the District for 50% of the total costs of executing the project, not to exceed \$400, in accordance with cost estimates provided in **Table 1** below:

**Table 1. Financial Responsibility for Project, Not-to-Exceed**

RESPONSIBLE PARTY	COST (\$)	% OF TOTAL
DNR Grant	0.00	XX
District	1350.00	50
Cooperators	1350.00	50
<b>TOTAL PROJECT COST</b> (not to exceed)	<b>2700.00</b>	<b>100</b>

6. If the actual **Total Project Cost** exceeds the estimate provided in **Table 1**, the District shall be responsible for any excess cost. If the actual **Total Project Cost** is less than the estimate provided in Table 1, the cost *not covered by the DNR grant* shall be split evenly (50% each) between the District and the Cooperators.
7. The District will invoice the Cooperators for their share of the cost; payment will be due to the District within 30 working days.
8. The District assumes the full and sole responsibility for coordinating the execution of the Project, including but not limited to obtaining permits as needed, retaining a contractor and coordinating the implementation schedule.
9. Each Cooperator agrees to hold harmless the District from all present and future claims that may arise from the Project.
10. The effective date of this agreement shall be the date it is executed by the Rice Creek Watershed District and Cooperators. This agreement will remain in effect for six (6) months after this Effective Date. Any modification or cancellation of this agreement shall be in writing and signed by all parties.
11. Any notice provided under this Agreement to the District will be sent by mail or email at the following addresses:  
  
Rice Creek Watershed District  
4325 Pheasant Ridge Drive NE #611  
Blaine, MN 55449  
mkocian@ricecreek.org
12. Any notice provided under this agreement to one or more of the Cooperators will be sent by mail or email the respective addresses listed below.

IN WITNESS WHEREOF, this Agreement is executed.

**RICE CREEK WATERSHED DISTRICT,**

---

Administrator

---

Date

**CLEAR LAKE ASSOCIATION**

---

Cooperator Name

---

Address

---

Cooperator Signature

---

Date

---

Cooperator Name

---

Address

---

Cooperator Signature

---

Date

---

Cooperator Name

---

Address

---

Cooperator Signature

---

Date

---

Cooperator Name

---

Address

---

Cooperator Signature

---

Date

# LAKE MANAGEMENT, INC.

Minnesota Operations

10400 185<sup>th</sup> Street North

Marine on St. Croix, MN 55047

(651) 433-3283 Phone

Fax # (651) 433-5316

Email: [info@lakemanagementinc.com](mailto:info@lakemanagementinc.com)

## PROPOSAL FOR AQUATIC NUISANCE MANAGEMENT PROGRAM 2023

### Submitted to:

Rice Creek Watershed District  
C/O Matt Kocian  
4325 Pheasant Ridge Dr NE  
Blaine, MN 55449

Date: April 18, 2023

Phone: (763) 398-3075

Email: [mkocian@ricecreek.org](mailto:mkocian@ricecreek.org)

Lake Management, Inc. proposes to furnish at its expense, all of the necessary materials, subject to state and federal regulations, equipment and labor as well as to direct and administer treatment as needed for the control of the excessive growth of curly-leaf pondweed in the water area described as follows:

2023 Curly-leaf Pondweed Control Program

Bald Eagle Lake (62-0002), Reshanau Lake (02-0009), Silver Lake (62-008)

Application of diquat at label max (2 gal/surface acre) for the control of curly-leaf pondweed.

Applications to occur when water temperatures are between 50 to 60 degrees.

Applications to follow all MN DNR permits and protocols. Includes all material, labor and signage.

RCWD to obtain necessary permits and provide LMI with GIS data.....\$179.00/acre

Please contact LMI for Endothall, Penoxsulam, or other product pricing.

In consideration of the goods and materials furnished, use of equipment and services rendered, payment is to be:

To Be Determined

Dollars (\$ TBD)

Terms: Net 30 days — Finance charge 1 ½% month

Questions about our program or special requests should be directed to: Mike O'Connell at (651) 433-3283.

Lake Management, Inc. will post such signs as may be required to restrict the use of treated water. It is the responsibility of the customer to remove the signs at the end of the restriction periods.

Lake Management, Inc. carries insurance for both liability and property damage and workers' compensation and will, upon request, confirm that coverage by certificates issued to the customer.

This proposal may be withdrawn by Lake Management, Inc. if not accepted within 30 days.

### ACCEPTANCE OF PROPOSAL

The above payment and conditions are satisfactory and are accepted. Lake Management, Inc. is authorized to conduct the management program described above. Payment will be made as indicated above. If you have any questions regarding the effectiveness of the treatment, please call us between the 14<sup>th</sup> and 18<sup>th</sup> day following treatment.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Representing \_\_\_\_\_

## **ITEMS REQUIRING BOARD ACTION**

3. Employee Handbook (Nick Tomczik)

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Nick Tomczik, Administrator  
**Subject:** Rice Creek Watershed District Employee Handbook

---

### Introduction

The District has been working to update its employee handbook. The next step in the process is for the Board to adopt the employee handbook.

### Background

An employee handbook is a tool providing a framework of policies from which all members of the District will address routine matters as well as provide policy for situations that *may* never happen. The goal of the handbook is to provide clarity of what staff expect from the District and what the District expects from staff.

The Board at its April 10<sup>th</sup> workshop reviewed the board directed adjustments to the employee handbook. The Board by consensus agreed to the following additional revisions and directed staff to add the Employee Handbook to their April 26, 2023 meeting agenda for consideration.

2.2\_ Delete first sentence of the second paragraph and combine both paragraphs and format.

5.1\_ 2<sup>nd</sup> paragraph, 3<sup>rd</sup> sentence remove "to have."

6.4\_ 4<sup>th</sup> paragraph, delete "for the first offense" from the end of paragraph.

### Staff Recommendation

Staff recommends proceeding with adoption of the employee handbook.

### Proposed Motion

Manager \_\_\_\_\_ moves adoption of the Rice Creek Watershed District employee handbook.

### Attachment

Rice Creek Watershed District Employee Handbook

# **Rice Creek Watershed District Employee Handbook**



**Adopted DATE**



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## 2 INTRODUCTION

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### 2.1 WELCOME

Welcome to Rice Creek Watershed District (District)! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of the opportunities to enhance your career and further the District's goals. With your active involvement, creativity, and support, the District will continue to serve its constituents and enhance water quality and address flood control. We sincerely hope you will take pride in being an important part of the District's success.

This Handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible staff. Employees should familiarize themselves with the contents of the Employee Handbook as soon as possible, as it will answer many questions about employment with the District.

The Board has delegated human resources administration to the District Administrator ("Administrator"). The Administrator will develop, as necessary, all forms, practices, procedures, and instructions for the proper administration of the Handbook. All employees will receive a copy of the Handbook as part of the hiring process.

Except where this Handbook explicitly reserves a decision to the Board, or where it would be contrary to state or federal law, all human resources judgments and decisions on behalf of the District will be made by the Administrator.

If at any time during your employment you have a question concerning any matter addressed by this Handbook, you should raise the question with the Administrator. The Administrator will keep the Board appropriately informed of human resources matters and will be accountable to the Board with respect to human resources administration.

You also may communicate directly to a Board Manager if you consider a matter sensitive such that it is problematic to present to the Administrator.

The contents of this Handbook are subject to change from time to time without notice by the Board. At any time, the Board may revoke, modify, change, and revise the contents of this Handbook and other policies. Staff will always be informed of any changes and held accountable to abide by them.

It is the policy of the Board that the Handbook be reviewed by the Board at least every two years. The most recent revision of this Handbook and its contents supersedes any and all previous handbooks and policies.

We look forward to your contributions and success in the job. Our future success as a District and as individuals depends on our mutual respect and cooperation. We want to maintain a reputation as a customer-focused District that strives to achieve excellence in providing services in the watershed. Let's do this together!

## **2.2 ABOUT RICE CREEK WATERSHED DISTRICT**

The Rice Creek Watershed District (District) is a political subdivision of the State of Minnesota established under the Watershed Law. The District is governed by a Board of Managers (Board). The Board is comprised of five members who are appointed by the county commissioners from their county of residence (Anoka-2, Ramsey-2, Washington-1) to serve three-year terms. The Board employs a District Administrator and other District staff, and contracts with independent contractors for engineering, legal, human resources, and financial services to assist the District in carrying out its statutory purpose and duties. The RCWD mission is to manage, protect, and improve the water resources of the District through flood control and water quality projects and programs. As a member of the District staff, you play an important role in helping the District carry out its statutory purpose and duties.

## **2.3 EMPLOYMENT AT WILL**

Employment at the District is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the president of the District.

This means that either the employee or the District may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this Employee Handbook creates or is intended to create an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no District representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written that changes the at-will relationship.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act (NLRA). Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. The District employees have the right to engage in or refrain from such activities.

## 3 EQUAL OPPORTUNITY AND COMMITMENT TO INCLUSION

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### 3.1 EQUAL OPPORTUNITY

In accordance with state and federal law, the District provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal employment opportunity applies to all terms and conditions of employment (full time, part time, temporary and seasonal), including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

The District expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

The District will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon the District's business operations.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Administrator or a Board Manager. The District will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. Employees who feel they have been subjected to any such retaliation should bring it to the attention of the Administrator or a Board Manager.

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- Shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; *or*
- Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

### **3.2 AMERICANS WITH DISABILITIES ACT (ADA) AND REASONABLE ACCOMMODATION**

The District is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the District's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the District. The District prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the Administrator and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The District then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of the District to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. The District prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.

### **3.3 COMMITMENT TO INCLUSION**

The District is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in District policy and the way we do business at the District and is an important principle of sound business management.

### 3.4 HARASSMENT AND COMPLAINT PROCEDURE

It is the District's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, customer, or third party based on actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws. The District will not tolerate such conduct.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. The District will take all reasonable steps necessary to prevent and eliminate unlawful harassment.

**Definition of "unlawful harassment."** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

**Definition of "sexual harassment."** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" can include all of the above actions, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, a hostile, or an offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one's sex life; comments about an individual's body; and comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual or other harassment and retaliation against individuals for cooperating with an investigation of sexual or other harassment complaints violate the District's policy.

The District expects that each of its employees will treat alleged violations responsibly and confidentially.

**Complaint procedure.** If you believe you have been subject to or have witnessed unlawful discrimination, including sexual or other forms of unlawful harassment, or other inappropriate conduct, as soon as possible following the occurrence, deal with the problem in any one of the following ways:

- 1) Tell the person specifically what behavior is unwanted and tell him/her to stop at once. This helps identify a clear understanding of expected future behavior. After you have addressed the problem, document what was said and what understanding was reached. Sufficient detail as to time, place and actions allows for accurate reporting. (An employee who is not comfortable discussing the matter with the offending person may contact the Administrator or Board President for counsel and assistance.)
- 2) If the unwanted behavior does not stop after your complaint, or if you do not feel comfortable confronting the person, or if the harassment is an incident of a very serious nature, report it immediately to the Administrator. If the Administrator is the source of the alleged harassment, report it to the Board President, or if you feel that the Administrator has not responded appropriately, then make an additional report to the Board President. Specific details of the harassing or offensive behavior should be provided.

All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, the District will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination. No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

## 4 CONFLICTS OF INTEREST AND CONFIDENTIALITY

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### 4.1 CONFLICTS OF INTEREST

The District expects all employees to conduct themselves and District business in a manner that reflects the highest standards of ethical conduct and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The District recognizes and respects the individual employee's right to engage in activities outside of employment that are private in nature and do not in any way conflict with or reflect poorly on the District.

If a situation arises in which there is a potential conflict of interest, the employee should discuss this with the Administrator for advice and guidance on how to proceed. The list below suggests some of the types of activities that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

- Simultaneous employment by another organization that is a competitor of or supplier to the District;
- Carrying on District business with an organization in which the employee, or a close relative of the employee, has a substantial ownership or interest;
- Any outside activity which may interfere with the operation of the District;
- Misusing privileged information or revealing confidential data to outsiders;
- Using one's position in the District or knowledge of its affairs for personal gains; *and*
- Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of District business.

Employees must obtain prior approval from the Administrator, or in the case of the Administrator, from the Board, before engaging in any other employment that may constitute a conflict of interest.

Employees who know of a violation or potential violation of this policy are expected to report it to the Administrator or Board President.

### 4.2 CONFIDENTIALITY

As a trusted employee of the District, you will have access to confidential information. This applies to confidential information in any format, whether oral, written, electronic or other media.

Confidential information is any and all information disclosed to or known by you because of employment with the District that is not generally known to people outside the District about

its business. The protection of such information is vital to the interests and success of the District.

Information may be relating to such matters as the District's employee and compensation data; organizational procedures; manuals; contracts; accounting and bookkeeping practices; office policies and practices; financial information; records and reports; business plans, general and specific; litigation; materials subject to attorney/client privilege; data classified private or non-public by the Minnesota Government Data Practices Act.

You will be expected to protect the confidentiality of such information during the course of your work and not discuss it with relatives, acquaintances or other members of the public.

If you have a question about the confidentiality of certain information, check with the Administrator. Employees who know of a violation or potential violation of this policy are expected to report it to the Administrator or Board President.

An employee who improperly uses or discloses confidential information will be subject to disciplinary action up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information.

## 5 EMPLOYMENT RELATIONSHIP

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### 5.1 EMPLOYEE PRIVACY

It is the District's goal to respect the individual privacy of its employees and at the same time maintain a safe and secure workplace. When issues of safety and security arise, you may be requested to cooperate with an investigation. The investigation may include procedures to safeguard the District and its employees, such as searches of personal belongings. Failure to cooperate with an investigation is grounds for termination. Providing false information during any investigation may lead to discipline, including termination.

Employees are expected to make use of District facilities and equipment only for the business purposes of the District. Accordingly, materials that appear on District hardware or networks are presumed to be for business purposes, and all such materials are subject to review by the District at any time without notice to the employees. Employees do not have any expectation of privacy with respect to any material on District property. The District may monitor its communications systems and networks as allowed by law. Monitored activity may include voice, e-mail, and text communications, as well as Internet search and browsing history. Employees who make excessive use of the communications system for personal matters are subject to discipline. Employees are expected to keep personal communication to a minimum and to emergency situations.

**Video surveillance.** As part of its security measures and to help ensure a safe workplace, the District may position video cameras to monitor various areas of its facilities. Video cameras will not be used in private areas, such as break rooms, restrooms, locker/dressing rooms, etc. Videotapes will not include an audio component.

### 5.2 EMPLOYMENT CLASSIFICATION

Written job descriptions will be prepared for all District employment positions. The descriptions will consist of a title, a description of the responsibilities and typical examples of work performed, and other information on the required qualifications and abilities necessary to perform the duties of the position. Job descriptions should be reviewed annually between the employee and the supervisor, and adjustments made as needed.

All employee positions will be classified pursuant to applicable Fair Labor Standards Act (FLSA) as either Non-Exempt (employees who are entitled to overtime compensation) or Exempt (employees who are not entitled to overtime compensation.)

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, the District classifies its employees as shown below. The District may review or change employee classifications at any time.

**Exempt.** Exempt employees are typically paid on a salary basis and are not eligible to receive overtime pay.

**Nonexempt.** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

**Regular, full time.** Employees who are not in a temporary status and work a minimum of 40 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

**Regular, part time.** Employees who are not in a temporary status and who are regularly scheduled to work less than 40 hours weekly and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the District and are subject to the terms, conditions, and limitations of each benefits program.

**Temporary, full time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the District's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. These employees are not eligible for the full-time benefits package.

**Temporary, part time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than 40 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. These employees are not eligible for the full-time benefits package.

### 5.3 WORKWEEK AND HOURS OF WORK

The standard workweek is from Sunday 12:00 a.m. until Saturday 11:59 p.m. and generally consists of 40 work hours. Office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Individual work schedules may vary depending on the needs of each department, including occasional evening and weekend work. Employees are required to work according to the schedule for their assigned position. Working more than 40 hours in a week may occasionally be required to meet deadlines or to accomplish objectives. Nonexempt employees will receive overtime pay at 1.5 times their hourly rate.

**Meals and Rest Breaks.** Employees are entitled to a 30-minute unpaid meal break each day. Any nonexempt employee who is required to work through a meal break will be paid for the 30-minute period. Employees are also entitled to two 15-minute rest periods each day.

### 5.4 TIME RECORDS

All nonexempt employees are required to complete accurate weekly time reports showing all time actually worked, and other time that comprises a 40-hour workweek. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each week, you and your supervisor must sign the time sheet attesting to its correctness before forwarding it to the Administrator within the designated time.

Exempt employees shall also log their time for purposes of tracking expenses for various work activities and for tracking accrued leave and flex time.

## **5.5 OVERTIME**

When required due to the needs of the business, you may be asked to work overtime. Overtime is actual hours worked in excess of 40 in a single workweek. Nonexempt employees will be paid overtime compensation at the rate of one and one-half their regular rate of pay for all hours over 40 actually worked in a single workweek. Paid leave, such as holiday, vacation, sick time, bereavement time, and jury duty, does not apply toward work time. All overtime work must be approved in advance by a supervisor.

## **5.6 FLEX TIME**

Exempt employees may accumulate flex time for any work time beyond a 40-hour workweek. For purposes of calculating flex time, holidays, vacation and personal leave days do not count; only hours actually worked will be used in the calculation. The supervisor is expected to work with employees, within reason, so that flex time accumulated in a timesheet pay-period is used within the following timesheet pay period. There is no carryover beyond that timeframe, and flex time will be zeroed out, as it is not intended to be a stockpile alternative leave. If unforeseen circumstances prohibit the use of accrued flex time, it must be approved by the Administrator to be used at a later time. Flex time is not to be used during “in office” days. Furthermore, upon giving notice of termination, any accrued flex time will be zeroed out.

If flex time becomes routine for any employee, the Administrator needs to be notified to ensure a balance of work.

Neither the Administrator nor supervisors are eligible to accumulate flex time.

## **5.7 DEDUCTIONS FROM PAY/SAFE HARBOR EXEMPT EMPLOYEES**

The District does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

**Permitted deductions.** The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- SDI (State Disability Insurance);
- Public Employees Retirement Association (PERA);
- Court-ordered garnishments;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;

- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- Offset for military pay;
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions; *and*
- Any full workweek in which the employee does not perform any work.

During the week an exempt employee begins work for the District or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

**Improper deductions.** If an employee classified as exempt believes that an improper deduction has been taken from the employee's pay, the employee should immediately report the deduction to the Administrator. The report will be promptly investigated, and if it is found that an improper deduction has been made, the District will reimburse the employee for the improper deduction.

## 5.8 PAYCHECKS

The District's pay period for all employees is twice monthly on the 15<sup>th</sup> day and the last day of the month. For exempt employees, the paycheck will include hours worked in the previous pay period up to the payday. For nonexempt employees, the paycheck will have a lag of 2-3 weeks. If a payday falls on a federal holiday, employees will receive their paycheck on the preceding workday. Paychecks are directly deposited into your checking and/or savings accounts.

## 5.9 EXPENSES

The District will reimburse employees for reasonable and necessary expenses incurred in the performance of his/her duties. This includes reimbursement for mileage when using a personal vehicle on District business. The rate used is that which is specified by the Internal Revenue Service for mileage allowance at the time the expense occurs. The employee must provide the Administrator with proof of mileage and other expenses to receive reimbursement.

## 5.10 SALARY ADMINISTRATION

The District encourages continual improvement in performance and the ongoing development of ability in each employee through a sound, well-administered salary and performance review program.

Effective Salary Administration is to establish and maintain salary structures that will enable the District to attract and retain qualified and competent personnel essential to function effectively and achieve its stated objectives for quality, consistent service.

The District seeks to follow the principle of equal pay for equal work and maintain salary relationships among positions within the organization, which are internally consistent in

recognizing significant differences in position responsibilities and requirements, and in compliance with applicable government requirements and regulations.

The District will generally compensate employees based on the District and general economic conditions, competitive market practices, employee performance, and staff development. All salary actions must be approved by the Administrator.

## **5.11 PROFESSIONAL DEVELOPMENT**

Employees are encouraged to continue to develop their competencies and strengthen their skillsets to better serve in their current and potential future roles within the District.

**Reimbursements.** All regular, full-time employees may be eligible for educational assistance after completing 120 days of employment. To qualify, course must be taken from an accredited educational institution and the employee must receive a passing grade of “C” or better (when grades are assigned) or equivalent. The courses taken should relate to the employee’s present job or provide additional training to help the employee prepare for a future position within the District.

To apply for educational assistance beyond that required by the District to maintain mandatory skill levels, the employee is to first discuss the proposed course with the Administrator who will help determine whether reimbursement is applicable. The employee must then submit a written request prior to registering for the course. The Administrator must approve the course and forward it the Board of Managers for final approval.

Once the request is approved, the employee should register for the course and pay for the tuition and fees. To receive reimbursement, the employee must provide the District with tuition receipts and evidence of satisfactory course completion (C grade or better) within 60 days after the course is completed.

An annual limit per calendar year per employee is at the discretion of the District. Termination of employment, for any reason, prior to course completion, will make the employee ineligible for reimbursement.

**Memberships.** The District will support active memberships of employees in those business and professional organizations that serve to strengthen the District's ability to conduct its business or maintain its image in the community. Leadership in such organizations and serving on committees is supported.

Memberships will be provided to those employees having key functional responsibilities that require these memberships. Payments by the District are limited to initiation fees, annual dues, and the cost of a lunch or dinner in connection with local meetings. Approval must be received from the District Administrator, and funds included in the District’s annual budget, before the District pays fees and travel expenses to out-of-town conferences.

## **5.12 PERSONNEL FILES**

You are responsible for providing the District with current personal contact information (name, address, phone number, e-mail), required tax data (number of dependents, income tax withholding), insurance beneficiaries and emergency contacts, and other information which may affect your employee status. As your personal contact information changes, please inform the Administrator.

Your personnel file will include the following information: applications for employment, employment agreements, wage and salary history, any notices of commendation, warning, discipline, or termination, any authorization for a deduction from your pay, fringe benefit information, leave records, and District employment history including compensation, positions held, promotions and transfers, and performance evaluations.

Personnel files are maintained by the Administrator and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis. Employees may review their own personnel files and may copy them but may not remove documents from their file. Inspections by employees must be requested in writing to the Administrator and will be scheduled at a mutually convenient time or as required under state law. Personnel files are to be reviewed in the District offices. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

If you are contacted as a reference for a current or past employee, refer that person to the Administrator. Only the Administrator or Board (in the case of the Administrator) is authorized to provide reference checks or make recommendations in response to questions about current or former employees.

## **5.13 EMPLOYMENT OF RELATIVES AND DOMESTIC PARTNERS**

Relatives and domestic partners may be hired by the District if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, “relatives” are defined as spouses, children, siblings, parents, or grandparents. A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the District provided they don’t work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. If employees who marry or live together do work in a direct supervisory relationship with each other, the District will attempt to reassign one of the employees to another position for which the employee is qualified if such a position is available. If no such position is available, the employees will be permitted to determine which one of them will resign from the District.

## **5.14 SEPARATION FROM EMPLOYMENT**

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisors at least 10 working days in advance of the last day of work. The 10 days must be actual working days. Holidays and vacation will not be counted toward the 10-day notice. For supervisors, a written notice must be provided at least 20 working days in advance of the last day of work.

Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire, and eligible for any vacation balance payout.

In most cases, an exit meeting on or before the last day of employment will be conducted to collect all District property, and discuss final pay, among other topics. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of the District.

## 6 WORKPLACE SAFETY

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### 6.1 COMMITMENT TO SAFETY

Protecting the safety of our employees, volunteers and visitors is the most important aspect of carrying out our business.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, call the appropriate emergency personnel at 911 to activate the medical emergency services.

Any workplace injury, accident, or illness must be reported to the Administrator as soon as possible, regardless of the severity of the injury or accident. A First Report of Injury form for the Worker's Compensation Insurance of the District will be completed. Compensation for a work-related injury or illness shall be made in accordance with the provisions of the workers' compensation program. Proper notification must be given to the Administrator of the expected duration of all such absences. You will be required to provide a release from a physician upon your return to work. The District reserves the right to require you to be seen by a physician of its choice.

### 6.2 DRUG-FREE AND ALCOHOL-FREE WORKPLACE

It is the policy of the District to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the District.

The unlawful use, possession, purchase, sale, or distribution of or being under the influence of any illegal drug or controlled substance (including medical marijuana) while on District or client premises or while performing services for the District is strictly prohibited. The District also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the District prohibits off-premises abuse of alcohol and controlled substances (including medical marijuana), as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the District's reputation in the community.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

- **Pre-employment:** as required by the District for all prospective employees who receive a conditional offer of employment;
- **For cause:** upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or have adversely affected the employee's job performance; or
- **Random:** as authorized or required by federal or state law.

Compliance with this policy may be a condition of employment. Employees who test positive or who refuse to submit to substance abuse screening may be subject to termination. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offense.

### **6.3 SMOKE-FREE WORKPLACE**

Smoking is not allowed in District buildings or work areas at any time. “Smoking” includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly.

### **6.4 WORKPLACE VIOLENCE PREVENTION**

The District is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at District-sponsored functions.

All District employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform the supervisor or Administrator. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the District, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

The District prohibits the possession of weapons on its property at all times, including our parking lots or District vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, knives that can be used as weapons (excluding pocket knives, utility knives, and other instruments that are used to open packages or cut string and for other miscellaneous tasks), and martial arts paraphernalia. Stun guns and other self-protection tools need to be reported

and approved with just cause by the Administrator. Any employee violating this policy is subject to discipline up to and including dismissal.

The District reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on District property.

## **6.5 VEHICLE/EQUIPMENT USE AND SAFETY**

Due to the nature of work performed by the District, a variety of motorized vehicles and specialized equipment are utilized in accomplishing job duties. Use of District vehicles or equipment for personal reasons is prohibited unless approved by the Administrator. Where required, employees must receive licenses/ certifications needed to operate equipment or drive vehicles. Employees must submit annual proof of a valid drivers license; periodic reviews may be done to ensure compliance. In all situations, appropriate safety gear must be worn while operating equipment and vehicles, which will be provided by the District.

Employees who operate RCWD vehicles are required to report to the Administrator any driving violations or driving under the influence (DUI) violations as soon as possible. Consequences for incurring these violations may result in the loss of the ability to utilize a RCWD vehicle.

Routine maintenance of all District vehicles and equipment will be scheduled by the designated employee assigned for maintenance. Employees must notify the administrator if any vehicle or equipment appears to be damaged, defective, or in need of repair or maintenance.

**Vehicles.** Safe driving is top priority when operating a vehicle while driving for District business. Your first responsibility is to pay attention to your driving. Never allow a cell phone or other mobile device to distract you from concentrating on driving.

Under no circumstances should you feel that you need to place yourself or others at risk while driving to fulfill business needs. Do not use your cell phone as a hand-held device; avoid using altogether. Find a safe place to pull over to make or receive phone calls, send or receive text messages, or manipulate navigation apps.

Only District employees are permitted to drive District-owned or leased vehicles. Non- business related passengers are not allowed to ride in/on District vehicles unless required to accomplish District job duties.

All vehicles will be equipped with first aid kits and emergency equipment including fire extinguishers as appropriate for the vehicle.

Employees are responsible for any fines related to moving, parking or any other violations incurred as a result of employee misconduct. The District will not reimburse for such fines.

It is the responsibility of the operator to ensure District vehicles are returned with proper equipment and in the same condition as when they were taken. It is also the operator's responsibility to verify equipment that is taken out of the vehicle is returned to the vehicle.

If a vehicle accident occurs, the employee is to take the appropriate steps in filing a police

report and report it immediately to the Administrator.

Employees who fail to follow safety guidelines are subject to discipline.

**Equipment.** Employees who use District property or equipment are responsible to protect it from being lost, damaged, or stolen. If District-owned property or equipment is lost, damaged, or stolen because of willful negligence or disregard, the employee will pay the District an amount equal to the replacement or repair cost of the property or equipment, or the amount of the insurance deductible if the loss is covered by insurance. Disciplinary action, up to and including termination of employment may also occur in this situation.

All District property must be returned after usage and/or upon termination of employment. The employee is responsible for payment of the value of any property issued by the District that is not returned, unless authorized by the Administrator. The District assumes no responsibility for loss or damage to the personal property of an employee unless use of said property is required by the District.

## **6.6 EMERGENCY CLOSINGS**

The Administrator or Board President is authorized to adjust office operations, schedule or closure for all health and safety situations to suit the community level of risk guidance issued by the Centers for Disease Control and/or Prevention and Minnesota Department of Health, weather, or any other condition that threatens employee health or safety.

It is the responsibility of the employee to contact the Administrator to find out whether the workplace has been declared officially closed for all or part of the day. If an employee is unable to get to work, and the workplace is open, the time missed will be considered paid personal leave time off if earned, or unpaid leave if there is no earned leave accumulated.

The District will always make every attempt to be open for business. In situations in which some employees are concerned about their safety the Administrator may advise staff that the office is not officially closed, but employees may choose to leave the office if they feel uncomfortable.

If the office is officially closed during the course of the day to permit employees to leave early, nonexempt employees who are working on-site as of the time of the closing will be paid for a full day. If you leave earlier than the official closing time, you will be paid only for actual hours worked, or you can take personal or vacation time. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

## **7 WORKPLACE GUIDELINES**

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### **7.1 ATTENDANCE**

All employees are expected to arrive on time, ready to work, every day they are scheduled to work.

If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval also may result in discipline up to and including termination. If an employee fails to report to work or call in to inform the supervisor of the absence for three consecutive days or more, the employee will be considered to have voluntarily resigned employment.

### **7.2 TELEWORK**

A hybrid working arrangement began in May 2022 and has an indefinite timeline. It combines the intentional and informal collaboration and communication benefits of in-person work with the flexibility and focus time provided by telework. This allows an employee to choose to perform work on a scheduled, recurring basis at a location that is not the permanent/principal work site provided by the employer. It is not a condition of employment, but an optional workplace arrangement.

Employees must have a dedicated and functioning workspace for telework. Adequate and secure internet connectivity is a necessary component of a telework arrangement, and is at the employee's expense.

Non-telework includes time at the District office, field site visits, off-site trainings, and meetings in other locations, such as a local government office.

As District needs and individual position duties allow, employees may telework up to 60% of each workweek. Employees are expected as necessary to come to the office/field sites on their telework day to accomplish District needs via in-person meetings, trainings, field work, landowner contacts, etc. Employees should expect to have weeks where telework time is less than the maximum amount allowed.

There is no maximum to the amount of time employees may work in the office and there is not an expectation that staff should telework. Telework time will be scheduled on specific days that will ensure for adequate coverage in the office by other staff. Flex time is not to be used on scheduled office hours; furthermore, avoid taking personal time on scheduled office days.

Time within the telework day(s) may be flexed (e.g. later start time to account for an evening meeting).

### 7.3 OUTSIDE EMPLOYMENT

Employees generally are permitted to work a second job as long as it does not interfere with their job performance or create a conflict of interest with the District. All employees, including part-time employees, must obtain prior approval from the Administrator before undertaking any outside employment or other work activity.

Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. In addition, employees who have accepted outside employment may not use paid sick time to work on the outside job. However, an employee on a leave of absence may continue to work in the outside job if the District under this policy has approved this employment and the employee's reason for leave does not preclude the outside employment.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action up to and including termination.

### 7.4 DRESS AND GROOMING

The District provides a casual yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to our communities, visitors, and coworkers. All employees are expected to dress in a manner consistent with good hygiene, safety, and professional taste. This includes no halter tops, spaghetti-strapped tops, muscle shirts or inappropriate length of shorts. Please use common sense.

Certain employees may be required to meet special dress and grooming, such as wearing uniforms or safety equipment/clothing, depending on the nature of their job. Personal protective equipment (PPE) shall be reviewed annually by the Administrator to meet OSHA and MNDOT standards to ensure safety of all staff. Any questions or complaints regarding the appropriateness of attire should be directed to the Administrator, where decisions regarding attire will be made.

### 7.5 SOCIAL MEDIA ACCEPTABLE USE

The District encourages employees to share information with coworkers and with those outside the District for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provides inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public, and therefore, the District has established the following guidelines for employee participation in social media.

**Note:** As used in this policy, "social media" refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, and Snapchat, among others.

**Off-duty use of social media.** Employees may maintain personal websites or weblogs on their own time using their own facilities and equipment. Employees must ensure that social media activity does not interfere with their work. In general, the District considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas. In addition, employees may not post on a personal blog or webpage or participate on a social networking platform for personal purposes during work time or at any time with the District equipment or property.

**On-duty use of social media.** Employees may engage in social media activity during work time provided it is directly related to their work and approved by their supervisor and does not identify or reference District stakeholders without express permission. The District may monitor employee use of District computers and the Internet, including employee blogging and social networking activity.

**Respect.** Demonstrate respect. A social media site is a public place, and employees should avoid inappropriate comments. Similarly, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments or engage in other behavior that violates the District's policies.

**Post disclaimers.** Employees who identify themselves as District employees or discuss matters related to the District on a social media site must include a disclaimer on the front page stating that it does not express the views of the District and that the employees are expressing only personal views—for example: "The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position, and repeat it for each posting expressing an opinion related to the District or the District's business. Employees must keep in mind that if they post information on a social media site that is in violation of District policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**Competition.** Employees should not use social media to criticize the District's competition and should not use it to compete with the District.

**Confidentiality.** Do not identify or reference District business without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.

**Trademarks and copyrights.** Do not use the District's or others' trademarks on a social media site or reproduce the District's or others' material without first obtaining permission.

**Legal.** Employees are expected to comply with all applicable laws, including, but not limited to, copyright, trademark, and harassment laws.

**Discipline.** Violations of this policy may result in discipline up to and including immediate termination of employment.

## **7.6 BULLETIN BOARDS**

The District will maintain a bulletin board in the break area to communicate employment announcements and other pertinent material for your review. All required governmental postings are posted on the boards located in the break area. These boards may also contain general announcements.

Employees may submit to the Administrator notices of general interest, such as for-sale notices; recreational-type announcements and/or club functions (e-mail should not be used for the aforementioned); postcards; expressions of gratitude or sympathy; and notices looking for/offering carpools, tickets, roommates, or pets. The District reserves the right to refuse permission to post or to take down any announcement.

## **7.7 SOLICITATION**

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.” “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after a shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in “working areas,” which include all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time.

## **7.8 COMPUTERS, INTERNET, E-MAIL, AND OTHER RESOURCES**

The District provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voicemail, scanner, Internet, intranet, e-mail, text messaging, portable electronic devices, or any other District-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of District computer, phone, portable electronic devices, or other communication tools. All communications made using District-provided equipment or services, including e-mail and Internet activity, are subject to inspection by the District. Employees should keep in mind that even if they delete an e-mail, a voicemail, or another communication, a copy may be archived on the District’s systems.

Employee use of District-provided communication systems, including personal e-mail and Internet use, that is not job-related has the potential to drain, rather than enhance, productivity and system performance. You should also be aware that information transmitted through e-mail and the Internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the District’s systems, as well as the reputation and/or competitiveness of the District. To protect against possible problems, delete

any e-mail messages before opening that are received from unknown senders and advertisers. It also is against District policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on District computers. Violations of this policy may result in termination.

The District encourages employees to use e-mail only to communicate with fellow employees, or others regarding District business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements, as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the District.

All use of District-provided communications systems, including e-mail and Internet use, should conform to our District guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So, for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

Because e-mail, telephone and voicemail, and Internet communication equipment are provided for District business purposes and are critical to the District's success, your communications may be accessed without further notice by IT department administrators and District management to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Employees should pay particular care to the use and security of portable electronic devices when used for business-related purposes, such as laptops, tablets, smartphones, and other data storage media, whether provided by the employer or the employee. Lost or stolen portable electronic devices containing District information may cause breaches of security that result in the loss of District confidential commercial data, the loss of vital research data, the unauthorized disclosure of sensitive employee data, lawsuits against the individual, and lawsuits against the District. Employees should use appropriate password protections for such devices and physically secure them as recommended by the Administrator.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the NLRA to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits. Employees have the right to engage in or refrain from such activities.

## **7.9 PERFORMANCE APPRAISAL**

Communication between employees and supervisors is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

While evaluating performance is both an informal and formal process, generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year. If an employee's performance needs improvement, the Disciplinary Procedure will be implemented.

The District identifies a learning period for all new positions to be six months. The learning period will apply to all new employees and all existing employees who are transferred or promoted to a new position. An evaluation of your performance will be conducted at the end of the learning period which may result in confirmation of your fitness for the position, dismissal, or reclassification/transfer back to your original position. The six-month review is not considered a salary review, unless specifically agreed to in writing at time of hire or unless the six-month review coincides with the annual review cycle.

The Administrator or Board (in the case of the Administrator) will conduct a formal written performance appraisal at the end of the calendar year for all employees. Copies of the written appraisal will be provided to the employee with the opportunity for him or her to provide written comments. The appraisal process is intended to be a two-way discussion between the supervisor and employee on any issues or concerns related to job performance.

At the discretion of the Administrator or Board, interim performance appraisals may be scheduled (for example six months prior to the end-of-the-year review) to address any potential concerns early and allow employees to take actions to improve upon their performance and success in doing the job.

## **7.10 DISCIPLINARY PROCEDURE**

The District expects employees to comply with the District's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, the District endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees at-will or in any way restrict the District's right to bypass the disciplinary procedures suggested.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

Step 1: Informal Discussion. When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee.

Step 2: Coaching. If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and (a) review the problem, (b) permit the employee to present information regarding the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action that may include discharge, and (e) issue a counseling notice to the employee.

Step 3: Reprimand. If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and a third party representative (Administrator, Board Manager, or Human Resource Consultant) should meet with the employee in private and proceed via (a) through (d) above and issue a written warning to the employee in the form of a Performance Improvement Plan (PIP).

Step 4: Suspension. The Administrator has the authority to temporarily remove employees from the workplace, with or without pay, and shall inform the Board immediately. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, such as a written policy prohibiting sexual harassment or workplace violence.

Step 5: Failure to improve. Failure to improve performance or behavior after the written warning or suspension can result in termination.

The progressive disciplinary procedures described above also may be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained above may be disregarded. Typically, the supervisor should suspend the employee immediately (with or without pay), and an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

## 8 TIME OFF AND LEAVES OF ABSENCE

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### 8.1 HOLIDAYS

The District observes and allows time off with pay for the following 11 holidays:

<u>Holiday</u>	<u>Date/Day</u>
• New Year's Day	January 1
• Martin Luther King, Jr. Day	Third Monday in January
• Presidents' Day	Third Monday in February
• Memorial Day	Last Monday in May
• Independence Day	July 4
• Labor Day	First Monday in September
• Veterans Day	November 11
• Thanksgiving Day	Fourth Thursday in November
• Day after Thanksgiving	Fourth Friday in November
• Christmas Eve Day	December 24
• Christmas Day	December 25

The District, at the start of each calendar year, will designate any additional holidays.

In addition, each employee is entitled to one floating holiday as mutually arranged between employee and supervisor. Floating holidays will be scheduled to ensure at least one person to be in the office on any day the office is scheduled to be open. In the year of employment with the District, employees are eligible for a floating holiday after six months of employment, following the six-month learning period review. A floating holiday does not carry over, nor is it paid out upon termination.

When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday will be declared a holiday. To be eligible to receive compensation for an observed holiday, an employee must be on regular full-time status on the workday before and after the holiday. Regular part-time employees will be paid *pro rata* for holidays. Temporary employees will not be paid for holidays. Paid holidays which occur during a period of vacation or sick leave are not counted as days of vacation or sick leave.

**Holiday pay.** Holiday pay shall be at the employee's regular straight-time rate, inclusive of shift premiums, times the employee's regularly scheduled hours (not to exceed eight hours).

To receive holiday pay, an eligible nonexempt employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the District may require verification of the reason for the absence before approving holiday pay.

**Religious observances.** Employees who need time off to observe religious practices or holidays not already scheduled by the District should speak with their supervisor. Depending upon

business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch a scheduled day with another employee, take vacation time, or take off unpaid days. The District will seek to reasonably accommodate individuals' religious observances.

## **8.2 VACATION**

The District recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The District provides paid vacation time to full-time employees for this purpose, and employees are encouraged to take vacation during the year. Part-time employees who are regularly scheduled to work 24 or more hours per week will be eligible for paid vacation on a pro rata schedule.

Full-time employees will accrue paid vacation according to the following schedule:

<b><u>Years of Service</u></b>	<b><u>Accrual Rate</u></b>	<b><u>Annual Leave</u></b>
Years 1-2	3.33 hours/pay period	80 hours/10 days
Years 3-4	4.00 hours/pay period	96 hours/12 days
Years 5-10	5.00 hours/pay period	120 hours/15 days
Years 11-15	5.66 hours/pay period	136 hours/17 days
Years 16 and over	6.65 hours/pay period	160 hours/20 days

Temporary employees are not eligible to accrue vacation. Request vacation time from your supervisor as soon as possible to help ensure approval. However, the District reserves the right to alter the dates of your vacation if it is in the best interest of the District, as determined by the Administrator. All requests for vacations of five or more days in length must be approved at least 30 days in advance by the Administrator (or the Board President, in the case of the Administrator).

Employees may not take paid vacation until they actually have earned or accrued the vacation time. New employees accrue paid vacation immediately upon employment.

Vacation may be scheduled in increments of half workdays up to a maximum of two weeks in a row.

Vacation time can be accumulated by the employee with a maximum of 260 hours that can be carried forward from one year into the next. It is the responsibility of the employee to schedule vacation time in order to avoid the potential of losing vacation days. Upon termination, a maximum of 260 hours may be included with your last paycheck, at the employee's rate of pay at the time of termination.

The estate of any employee who dies while employed by the-District shall be entitled to receive the earned value of the employee's accrued unused leave, in the same manner as the employee would have upon separation from the District.

### **8.3 PERSONAL OR SICK LEAVE**

The District recognizes that from time to time, leave for personal illness occurs or personal absences are necessary. Pay for leave assists in maintaining your income flow when you are required to be off work because of your own non-occupational illness or injury, an illness or injury of a spouse, dependent child, parents or a personal obligation which can only be tended to during regular employment hours.

Employees are eligible to receive up to eight hours of leave pay per month, 96 hours (12 days) per year based on hours worked. Newly hired employees are eligible to accrue earned leave immediately and earned leave may be granted after completion of one month of employment. Regular part-time employees working less than 24 hours and temporary employees are not eligible for leave pay.

Leave may be accrued and carried forward without limit from year to year. Employees will not be compensated for any accrued sick leave time upon separation from the District; however, for those employees that were employed by the District on January 1, 2008 will be compensated at the time of separation from the District at an amount equal to the sick leave they had on January 1, 2008 by the hourly rate of pay at that time.

Emergency situations not specifically covered in this policy will be considered on a case-by-case basis. Absences relating to such situations may or may not be charged against your record, at the sole discretion of the Administrator.

For purpose of accruing leave, an employee using earned leave is considered to be working while on earned leave or vacation.

Leave may be granted to employees when the employee is unable to perform work duties due to temporary illness, short-term disability, the necessity for medical, dental or chiropractic care, pregnancy disability or childbirth, or when the employee poses a risk of exposure of contagious disease where such exposure may endanger the health of others with whom the employee would come in contact in the course of performing employment duties.

To be eligible for leave with pay, an employee shall

- 1) Request the leave, where known to be required, preferably one week in advance, or report promptly to the Administrator the reason for the absence;
- 2) Keep the Administrator informed of the need for leave; and
- 3) If the absence is for more than three days, submit a medical certificate describing the condition or ailment, and an estimate of the length of the leave of absence, if requested by the Administrator.

## 8.4 LEAVE FOR FITNESS

As a way of encouraging health and well-being, and reducing time lost for medical conditions, the District allows employees to use the value of their personal or sick leave to pay for health and wellness programs such as membership to health clubs and weight loss programs.

**Cash-in procedure.** Submit an invoice for an allowable cost and the appropriate amount of leave would be “cashed in” to reimburse the employee, minus appropriate withholdings for state and federal taxes. In exercising this “cash in”, employees must have a minimum of a two-week balance after the deduction, or the “cash in” is not allowed. Sick leave balances are not paid out upon termination.

## 8.5 FAMILY AND MEDICAL LEAVE

The District abides by the federal Family Medical Leave Act (FMLA), even though it is not legally required. FMLA requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The District also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee’s situation is different. Contact the Administrator to discuss options for leave.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools) to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period measured forward from the date an employee first takes that type of leave.

**Basic leave entitlement.** The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or childbirth; (2) to care for the employee’s child after birth or placement for adoption or foster care; (3) to care for the employee’s spouse, child, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

**Military family leave entitlements.** Eligible employees with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to 7 days of leave); (2) attending certain military events and related activity; (3) arranging child care and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with

covered military family members on short-term temporary rest and recuperation leave (limited to up to 5 days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the armed forces, including a member of the National Guard or reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the servicemember's office, grade, rank, or rating and for which the servicemember is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list.

**Benefits and protections during FMLA leave.** During FMLA leave, the District will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the District's operations. A "key" employee is an eligible salaried employee who is among the highest-paid 10 percent of the District's employees within 75 miles of the worksite. Employees will be notified of their status as key employees, when applicable, after they request FMLA leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued before the start of an employee's leave.

**Employee eligibility.** The FMLA defines eligible employees as employees who (1) have worked for the District for at least 12 months; (2) have worked for the District for at least 1,250 hours in the previous 12 months; and (3) work at or report to a worksite that has 50 or more employees or is within 75 miles of District worksites that, taken together, have a total of 50 or more employees.

**Definition of "serious health condition."** A serious health condition is an illness, an injury, an impairment, or a physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a healthcare provider or one visit and a regimen of continuing treatment, incapacity due to

pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of “continuing treatment.”

**Use of leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies also may be taken on an intermittent or a reduced work schedule basis.

**Substitution of paid leave for unpaid leave.** Employees may choose or employers may require the use of accrued paid leave while taking FMLA leave. Accordingly, the District requires employees to use any accrued paid vacation, personal, and sick days during an unpaid FMLA leave taken because of the employees’ own serious health condition or the serious health condition of a family member or to care for a seriously ill or injured family member in the military. In addition, employees must use any accrued paid vacation or personal days (but not sick days) during FMLA leave taken to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member’s active duty or call to active duty status in support of a contingency operation. In order to use paid leave for FMLA leave, employees must comply with the District’s normal paid leave procedures found in its Vacation and Sick Leave policies.

**Employee responsibilities.** Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, employees must provide notice as soon as practicable and generally must comply with the District’s normal call-in procedures. The District may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the District to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Employees also must inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The District also may require a second and, if necessary, a third opinion (at the District’s expense) and, when the leave is a result of the employee’s own serious health condition, a fitness-for-duty report to return to work. The District also may delay or deny approval of leave for lack of proper medical certification.

**District responsibilities.** The District will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required, as well as the employees’ rights and responsibilities. If employees are not eligible, the District will provide a reason for the ineligibility.

The District will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employees' FMLA leave entitlement. If the District determines that the leave is not FMLA-protected, the District will notify the employees.

**Other provisions.** Under an exception to the FLSA in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employees' exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the District has approved the employment under its Outside Employment policy and the employees' reason for FMLA leave does not preclude the outside employment.

**Unlawful acts by employers.** The FMLA makes it unlawful for any employer (1) to interfere with, restrain, or deny the exercise of any right provided under the FMLA or (2) to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## **8.6 WORK-RELATED INJURY OR ILLNESS**

You are to immediately report all work-related injuries or illnesses to the District Administrator. The District Administrator will arrange to complete a First Report of Injury form for the Worker's Compensation Insurance of the District.

Compensation for a work-related injury or illness shall be made in accordance with the provisions of the workers' compensation program. Proper notification must be given to the District Administrator of the expected duration of all such absences. You will be required to provide a release from a physician upon your return to work. The District reserves the right to require you to be seen by a physician of its choice.

## **8.7 MILITARY LEAVE**

The District supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the Administrator, who will provide details

regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the Administrator as soon as possible.

Upon return from military leave, employees will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service pay increases, as required by applicable federal or state law. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All regular full-time employees serving on military duty with a reserve component of the US Armed Forces or the National Guard are eligible for up to ten unpaid days per year with advance approval from the Administrator.

### **8.8 UNPAID PERSONAL LEAVE**

Circumstances of a unique personal nature may cause an employee to seek time off without pay. A request for an unpaid personal leave of absence may be approved for a regular full-time employee who has completed at least one year of continuous service, provided it is reasonable in view of the compelling nature and need, employee performance, departmental workload involved and any other relevant individual circumstances. It is the Administrator's responsibility to evaluate the request and recommend approval if it is justified. Approval by the Board is required for any personal leave request and such approval is totally within the board's discretion. Personal leaves of absence will normally be limited to 30 days, and requested after paid leave is exhausted. During unpaid leave, employees will pay for the employer and employee portions of benefits.

### **8.9 BEREAVEMENT LEAVE**

Employees with more than one month of service may take up to five days of paid bereavement leave upon the death of a member of their immediate family. "Immediate family members" are defined as an employee's spouse, domestic partner, parents, stepparents, siblings, children, stepchildren, grandparents, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. All regular, full-time employees may take up to one day off with pay to attend the funeral of an extended family member (aunts, uncles, and cousins).

The District may require verification of the need for the leave. The employee's supervisor will consider this time off on a case-by-case basis.

Payment for bereavement leave is computed at the regular hourly rate to a maximum of eight hours for one day. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime for non-exempt employees.

### **8.10 JURY DUTY/COURT APPEARANCE**

The District supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor (or Board President, in the case of the

Administrator) as soon as possible after receiving the notice to allow advance planning for an employee's absence.

Nonexempt employees will be paid for up to two weeks of jury duty service at their regular rate of pay minus any compensation received from the court for the period of service. Exempt employees are subject to the same two-week limitation except that they will also receive pay for any days they serve as a juror or witness in a workweek in which they actually perform work. All employees may use any accrued time off if required to serve more than two weeks on a jury.

If an employee is released from jury duty after four hours or less of service, the employee must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, personal days or vacation days will be used for this purpose.

An employee who volunteers and has not been officially summoned for jury duty will not be paid and the above-described provisions will not apply. The District reserves the right to request that the Court excuse you from jury duty if your services are deemed to be critical at that time.

### **8.11 TIME OFF FOR VOTING**

The District recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodations.

## **9 EMPLOYEE BENEFITS**

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The District recognizes the value of benefits to employees and their families. The District supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the plan policies, or contact the Administrator. To the extent the information provided here conflicts with the full plan document, the full plan document will control.

Temporary employees are not eligible for District employee benefits except those mandated by state or federal law. Continuous employment with the District is defined as “length of service” which will be used as a basis for vacation, personal leave, layoff, call-back, and may apply to other benefits. Length of service will continue to accumulate except for a resignation, termination, or a break of six months or more due to layoff.

The District pays for benefits such as Workers’ Compensation, Social Security, Medicare and Unemployment benefits, as required by federal and state laws.

### **9.1 MEDICAL AND DENTAL INSURANCE**

Full-time employees working 30 hours or more per week are eligible for insurance on the first of the month following date of hire. To keep coverage in force, every insured employee must work a minimum of 30 hours per week. Purchasing additional insurance may be an option and is indicated in the plan documents. Premiums will be paid through pre-approved payroll deductions of the employee.

The District pays 100% of the monthly medical premium for full time employees, and 50% of the cost of dependent coverage for the lowest cost provider offered in the program.

### **9.2 GROUP LIFE INSURANCE**

The District provides life insurance for full-time employees who work a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following date of hire. The basic life coverage is \$50,000. The District pays for the cost of this coverage in full.

### **9.3 SHORT-TERM DISABILITY**

Short-term disability is offered to full-time employees working a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following date of hire. If an employee becomes disabled and cannot work for a short period of time, this coverage pays 60 percent of the employee’s salary, up to 26 weeks. This benefit is funded solely by the employer. Employees will not be paid vacation or sick leave for approved absences covered by the District’s program, except to supplement the short-term disability benefits.

Short-term disability benefits may run concurrently with FMLA leave and/or any other leave where permitted by state and federal law.

#### **9.4 LONG-TERM DISABILITY**

Long-term disability benefits are offered to full-time employees working a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following date of hire. If an employee becomes totally disabled and cannot work for an extended period of time, this coverage pays 60 percent of the employee's salary, up to the policy limits. This benefit is funded fully by the District.

Long-term disability benefits will run concurrently with FMLA leave and/or any other leave where permitted by state and federal law.

#### **9.5 RETIREMENT**

The District recognizes the importance of saving for retirement and enrolls all eligible employees in the State of Minnesota Public Employee Retirement Association (PERA), General Plan. The rate of contribution by both the District and the employee will be in the proportion set forth under the applicable state law.

#### **9.6 DEFERRED COMPENSATION (OPTIONAL)**

##### **Minnesota State Retirement System**

An employee will be eligible to participate in the State of Minnesota's Deferred Compensation Plan. This is a voluntary plan which allows you to contribute a pretax portion of each paycheck into a State-managed deferred revenue account until the time that the money is withdrawn from the account.

Plans available: MNDCP 457 (b) Def Comp (pre-tax), MNDCP Roth 457 (b) Def Comp (after-tax)

#### **9.7 HEALTH CARE SAVINGS PLAN**

Eligible District employees will immediately participate in a Health Care Savings Plan through the Minnesota State Retirement System. Employees shall contribute the equivalent of two hours of leave per month. The Dollar amount will be calculated using the employee's current salary.

#### **9.8 FLEXIBLE SPENDING ACCOUNT (OPTIONAL)**

A Flexible Spending Account (FSA) is a special account funded with an employee's pre-tax dollars that can be used to pay for certain out-of-pocket health care and child care costs. Eligible the first of the month following hire, an employee elects an amount, within plan limits, at the beginning of the year that is deducted each pay period to fund the account, with a minimum of \$100 annually. FSA dollars need to be spent within the calendar year (there is some rollover allowed into the next year), or the money in the account will be forfeited.

## **9.9 WORKERS' COMPENSATION**

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. The District pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The District abides by all applicable state workers' compensation laws and regulations. If an employee sustains a job-related injury or illness, it is important to notify the District Administrator immediately. An injury report, with input from the employee, will be completed, and a claim will be filed with the Provider. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid vacation or sick leave for approved absences covered by the District's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employees' salary as allowed by state law.

## Employee Handbook Acknowledgement and Receipt

I hereby acknowledge receipt of the Employee Handbook of the District. I understand and agree that it is my responsibility to read and comply with the policies in the Handbook.

I understand that the Handbook and all other written and oral materials provided to me are intended for informational purposes only. The Handbook, District practices, and other communications do not create an employment contract or term. I understand that the policies and benefits, both in the Handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by the board at any time without notice.

I further understand that I am an at-will employee and that neither this document nor any other communication shall bind the District to employ me now or hereafter and that my employment may be terminated by me or the District without reason at any time. I understand that no representative of the District has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment or make any agreement contrary to the foregoing.

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Employee's Name in Print

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Signature of Employee

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Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

## **ITEMS REQUIRING BOARD ACTION**

4. Anoka Washington Judicial Ditch 3 Branch 1, 2 ,4 Bid Consideration (Ashlee Ricci)

## MEMORANDUM Rice Creek Watershed District

**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Ashlee Ricci, Public Drainage Inspector  
**Subject:** Anoka-Washington Judicial Ditch 3 Repair Phase 2 – Bid Recommendation

### Introduction

The Board is being asked to consider awarding a construction contract based on bids received for the Phase 2 repair of Anoka-Washington Judicial Ditch (AWJD) 3. If an award is made, construction is expected to commence in late fall/winter of 2023-2024.

### Background

At the Board's direction, Houston Engineering, Inc. (HEI) completed a Repair Report for AWJD 3, dated 12/21/2018, which proposed phased repair of the system. In 2020, the District completed Phase 1, which included repair of the Main Trunk and Branch 3.

At the Board's additional direction, HEI provided an addendum to the Repair Report to address Phase 2, dated 8/12/2022. The Board adopted Resolution 2022-21 directing the Phase 2 repair.

At the March 22, 2023 meeting, the Board authorized District staff and HEI to advertise a solicitation of bids for the Phase 2 repair. The bid was advertised on QuestCDN starting March 28, 2023. Following the bid opening on April 14, 2023, the bids were tabulated and reviewed by HEI. The lowest successful bid was from JACON LLC in the amount of \$244,542.95. This is less than the engineer's estimate of \$369,583.00.

### Staff Recommendation

District staff recommends that the Board of Managers adopt Resolution 2023-06, awarding the contract to JACON LLC at a contract price of \$244,542.95. The resolution also authorizes the Administrator to 1) execute contract documents as necessary and on advice of the engineer and counsel and 2) execute change orders increasing the contract price in an amount not to exceed 10% of the contract price (\$24,454.30).

### Proposed Motion

Manager \_\_\_\_\_ moves to offer resolution 2023-06 and its adoption, seconded by  
Manager \_\_\_\_\_.

### Attachments

HEI Technical Memorandum Bid Recommendation for AWJD 3 Branch 1, 2, & 4, (4/18/2023)  
Resolution 2023-06

# Technical Memorandum

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**To:** Nick Tomczik (RCWD)  
**Cc:** Ashlee Ricci (RCWD)  
John Kolb (Rinke Noonan)  
**From:** Chris Otterness PE  
**Subject:** Bid Recommendation for AWJD 3 Branches 1, 2, & 4 Repair  
**Date:** April 18<sup>th</sup>, 2023  
**Project #:** 5555-0332

The purpose of this memorandum is to summarize the bids received for the Anoka Washington Judicial Ditch 3 Branches 1, 2, & 4 Repair Project (Project) and to provide our recommendation for award of the construction contract.

## BIDDING PROCESS

The bid processes followed accepted practices as generally defined within MS 103D.811 Bids for Construction and MS 471.345 Uniform Municipal Contracting Law.

The Rice Creek Watershed District (District) initiated the bid process by placing advertisements in the Pioneer Press and onto QuestCDN, a commercial project advertising service. The requirements for bidding were defined within the Specifications/Bid Package for AWJD 3 Branches 1, 2, & 4 Repair Project dated March 2023 - prepared by Houston Engineering Inc. (HEI). No addenda were issued during the bid process. A planholder's list was maintained by QuestCDN for the Project. A total of ten (10) prospective "prime bidders" downloaded plan sets. The Project Manual directed that bids were to be submitted electronically via QuestCDN's vBid portal.

There was no pre-bid meeting conducted for this project.

## SUMMARY OF BIDS RECEIVED

The bid opening for the Project was held virtually via Microsoft Teams and the vBid portal on Friday, April 14<sup>th</sup>, 2023 at 2:00 pm. The Engineer's Opinion of Probable Construction Cost for the Project listed in the addendum to the repair report is \$371,800. However, subsequent design adjustments lowered the opinion of probable cost to \$369,583. A total of eight (8) bids were received. The following table summarizes the bids received. The bids are ranked according to total amount.

Rank	Contractor	Bid Amount
1	JACON, LLC	\$244,542.95
2	Environmental Troubleshooters, Inc.	\$264,781.30
3	Dresel Contracting, Inc.	\$285,517.05
4	Peterson Companies	\$308,490.68
5	Blackstone Contractors, LLC	\$412,133.05
6	Sunram Construction, Inc.	\$445,298.20
7	Hobs Excavating, Inc.	\$505,899.50
8	Shoreline Landscaping & Contracting	\$686,949.00

## REVIEW OF BIDS

The Bids were reviewed for accuracy, completeness, and responsiveness. Dresel Contracting, Sunram Construction, Inc., Shoreline Landscaping, and Environmental Troubleshooters, Inc. did not provide examples of equivalent drainage ditch work. Each of the other bidders provided examples of representative projects of a similar scale and using similar equipment, and those bids can be considered complete.

## RECOMMENDATION

The lowest bid was received from JACON, LLC. JACON, LLC. provided the required information documenting their qualifications to complete the work, including public drainage system repair projects. JACON, LLC is in RCWD's public drainage contractor pool and has satisfactorily completed ditch maintenance work for the RCWD in the past. HEI is currently contracting with JACON, LLC. on a drainage system repair project with similar components and site conditions, and JACON, LLC is satisfactorily completing the work.

**We therefore recommend award of the Project to JACON, LLC. in the amount of \$244,542.95**

We further recommend that an additional 10% of the contract (\$24,454.30) be budgeted for potential change orders resulting from unforeseen conditions or omissions discovered as the project progresses. Portions of this amount would be paid to the contractor only if additional work is required above and beyond the scope of the work stated in the contract.

**ATTACHMENT A**

AWJD 3 Branches 1, 2, and 4 Repair

Owner: Rice Creek Watershed District

Solicitor: Houston Engineering Inc. - Maple Grove

Bid Opening: 04/14/2023 02:00 PM CDT

				Opinion of Probable Construction Cost		JACON LLC	
No.	Item Description	Units	Quantity	Unit Price	Extension	Unit Price	Extension
1	Mobilization	Lump Sum	1	\$30,000.00	\$30,000.00	\$30,120.00	\$30,120.00
2	Remove & Dispose of Inplace Culvert	Linear Foot	127	\$17.00	\$2,159.00	\$14.60	\$1,854.20
3	Excavation of Open Channel	Linear Foot	13427	\$8.00	\$107,416.00	\$4.00	\$53,708.00
4	Spoil Management	Linear Foot	13427	\$4.00	\$53,708.00	\$2.25	\$30,210.75
5	Tree Clearing, Chipping, and Removal	Acre	5	\$12,000.00	\$60,000.00	\$10,000.00	\$50,000.00
6	36" CP Pipe Culvert	Linear Foot	122	\$130.00	\$15,860.00	\$180.00	\$21,960.00
7	42" CP Pipe Culvert	Linear Foot	32	\$170.00	\$5,440.00	\$195.00	\$6,240.00
8	Field Crossing	Each	4	\$7,000.00	\$28,000.00	\$3,975.00	\$15,900.00
9	Seeding and Mulch	Acre	9.1	\$7,000.00	\$63,700.00	\$3,500.00	\$31,850.00
10	Silt Fence; Type PA	Linear Foot	100	\$5.00	\$500.00	\$4.00	\$400.00
11	Erosion Control Blanket Cat. 3	Square Yard	100	\$4.00	\$400.00	\$12.00	\$1,200.00
12	Sediment Control Log	Linear Foot	100	\$4.00	\$400.00	\$2.00	\$200.00
13	SWPPP Documentation and Management	Lump Sum	1	\$2,000.00	\$2,000.00	\$900.00	\$900.00
Base Bid Total:					\$369,583.00		\$244,542.95

**ATTACHMENT A**

AWJD 3 Branches 1, 2, and 4 Repair

Owner: Rice Creek Watershed District

Solicitor: Houston Engineering Inc. - Maple Grove

Bid Opening: 04/14/2023 02:00 PM CDT

No.	Item Description	Environmental		Dresel Contracting Inc.		Peterson Companies	
		Troubleshooters MPLS					
		Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	\$26,500.00	\$26,500.00	\$60,900.00	\$60,900.00	\$30,000.00	\$30,000.00
2	Remove & Dispose of Inplace Culvert	\$50.00	\$6,350.00	\$19.94	\$2,532.38	\$29.62	\$3,761.74
3	Excavation of Open Channel	\$5.95	\$79,890.65	\$7.69	\$103,253.63	\$6.29	\$84,455.83
4	Spoil Management	\$5.95	\$79,890.65	\$1.36	\$18,260.72	\$3.85	\$51,693.95
5	Tree Clearing, Chipping, and Removal	\$5,000.00	\$25,000.00	\$10,080.00	\$50,400.00	\$15,306.00	\$76,530.00
6	36" CP Pipe Culvert	\$150.00	\$18,300.00	\$62.56	\$7,632.32	\$111.28	\$13,576.16
7	42" CP Pipe Culvert	\$200.00	\$6,400.00	\$87.75	\$2,808.00	\$175.45	\$5,614.40
8	Field Crossing	\$1,000.00	\$4,000.00	\$3,015.00	\$12,060.00	\$2,664.00	\$10,656.00
9	Seeding and Mulch	\$1,500.00	\$13,650.00	\$2,800.00	\$25,480.00	\$3,336.00	\$30,357.60
10	Silt Fence; Type PA	\$3.50	\$350.00	\$3.60	\$360.00	\$4.20	\$420.00
11	Erosion Control Blanket Cat. 3	\$2.00	\$200.00	\$2.40	\$240.00	\$4.65	\$465.00
12	Sediment Control Log	\$2.50	\$250.00	\$4.80	\$480.00	\$3.60	\$360.00
13	SWPPP Documentation and Management	\$4,000.00	\$4,000.00	\$1,110.00	\$1,110.00	\$600.00	\$600.00
<b>Base Bid Total:</b>			<b>\$264,781.30</b>		<b>\$285,517.05</b>		<b>\$308,490.68</b>

**ATTACHMENT A**

AWJD 3 Branches 1, 2, and 4 Repair

Owner: Rice Creek Watershed District

Solicitor: Houston Engineering Inc. - Maple Grove

Bid Opening: 04/14/2023 02:00 PM CDT

No.	Item Description	Blackstone Contractors LLC		Sunram Construction, Inc.		Hobs Excavating, Inc.	
		Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	\$15,500.00	\$15,500.00	\$56,250.00	\$56,250.00	\$60,000.00	\$60,000.00
2	Remove & Dispose of Inplace Culvert	\$25.98	\$3,299.46	\$50.00	\$6,350.00	\$90.00	\$11,430.00
3	Excavation of Open Channel	\$4.59	\$61,629.93	\$12.00	\$161,124.00	\$10.25	\$137,626.75
4	Spoil Management	\$1.04	\$13,964.08	\$4.60	\$61,764.20	\$5.25	\$70,491.75
5	Tree Clearing, Chipping, and Removal	\$52,000.00	\$260,000.00	\$12,000.00	\$60,000.00	\$27,500.00	\$137,500.00
6	36" CP Pipe Culvert	\$138.52	\$16,899.44	\$233.00	\$28,426.00	\$260.00	\$31,720.00
7	42" CP Pipe Culvert	\$271.88	\$8,700.16	\$712.00	\$22,784.00	\$333.00	\$10,656.00
8	Field Crossing	\$1,750.00	\$7,000.00	\$6,250.00	\$25,000.00	\$2,000.00	\$8,000.00
9	Seeding and Mulch	\$2,197.80	\$19,999.98	\$1,000.00	\$9,100.00	\$1,250.00	\$11,375.00
10	Silt Fence; Type PA	\$8.00	\$800.00	\$6.00	\$600.00	\$7.00	\$700.00
11	Erosion Control Blanket Cat. 3	\$5.20	\$520.00	\$6.00	\$600.00	\$7.00	\$700.00
12	Sediment Control Log	\$5.20	\$520.00	\$6.00	\$600.00	\$7.00	\$700.00
13	SWPPP Documentation and Management	\$3,300.00	\$3,300.00	\$12,700.00	\$12,700.00	\$25,000.00	\$25,000.00
<b>Base Bid Total:</b>			<b>\$412,133.05</b>		<b>\$445,298.20</b>		<b>\$505,899.50</b>

**ATTACHMENT A**

AWJD 3 Branches 1, 2, and 4 Repair

Owner: Rice Creek Watershed District

Solicitor: Houston Engineering Inc. - Maple Grove

Bid Opening: 04/14/2023 02:00 PM CDT

<b>Shoreline Landscaping &amp; Contracting</b>		
<b>No.</b>	<b>Item Description</b>	<b>Unit Price      Extension</b>
1	Mobilization	\$35,000.00      \$35,000.00
2	Remove & Dispose of Inplace Culvert	\$85.00      \$10,795.00
3	Excavation of Open Channel	\$26.00      \$349,102.00
4	Spoil Management	\$8.00      \$107,416.00
5	Tree Clearing, Chipping, and Removal	\$12,000.00      \$60,000.00
6	36" CP Pipe Culvert	\$138.00      \$16,836.00
7	42" CP Pipe Culvert	\$300.00      \$9,600.00
8	Field Crossing	\$15,000.00      \$60,000.00
9	Seeding and Mulch	\$3,500.00      \$31,850.00
10	Silt Fence; Type PA	\$4.00      \$400.00
11	Erosion Control Blanket Cat. 3	\$3.50      \$350.00
12	Sediment Control Log	\$6.00      \$600.00
13	SWPPP Documentation and Management	\$5,000.00      \$5,000.00
<b>Base Bid Total:</b>		<b>\$686,949.00</b>

**RESOLUTION NO. 2023-06**

**RICE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**RESOLUTION AWARDING THE CONTRACT FOR THE REPAIR OF ANOKA WASHINGTON JUDICIAL  
DITCH 3 (PHASE 2)**

Manager \_\_\_\_\_ offered the following Resolution and moved its adoption, seconded by Manager \_\_\_\_\_:

WHEREAS, on October 12, 2022, upon completion of proceedings to establish a project to repair Branches 1, 2 and 4 (Phase 2 Repair) of Anoka-Washington Judicial Ditch (AWJD) 3 (the Repair), the Board of Managers adopted resolution 2022-21, directing the Repair, directing its administrator to take all subsequent actions necessary to implement the Repair, and authorizing the collection of revenue and expenditure of capital for the Repair; and

WHEREAS, pursuant to resolution 2022-21 the District's engineer prepared final plans and specifications for the Repair components and the District's administrator solicited bids according to applicable law; and

WHEREAS, in accordance with applicable legal requirements, the District duly advertised for sealed bids to perform the Repair and on April 14, 2023, virtually, via Microsoft Teams and the vBid portal, bids were opened and read aloud, with 8 bids being received for the Repair; and

WHEREAS, the District engineer has submitted a memorandum dated April 18, 2023, in which it reports that the low bid was submitted by JACON LLC., in the amount of \$244,454.30, that the bid is responsive and that JACON LLC., is a responsible bidder; and

Therefore, be it resolved by the RCWD Board of Managers that:

- A. The contract for the repair of AWJD 3 Branches 1, 2, & 4 (Phase 2) is awarded to JACON LLC., for the contract price of \$244,542.95.
- B. The District administrator shall sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and the District's engineer, when prerequisites for issuance and bonding have been met by the contractor.
- C. The District administrator may sign task/change orders increasing the contract price in an aggregate net amount not to exceed 10% of the contract price (\$24,454.30) to address unforeseen conditions or omissions discovered as the project progresses.

The question was on the adoption of the Resolution and there were \_\_ yeas and \_\_ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution \_\_\_\_\_.

\_\_\_\_\_  
 Jessica Robertson, Secretary

Dated: April 26, 2023

\* \* \* \* \*

I, Jessica Robertson, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolutions with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

**IN TESTIMONY WHEREOF**, I hereunto set my hand this 26th day of April 2023.

\_\_\_\_\_  
 Jessica Robertson, Secretary

## **ITEMS REQUIRING BOARD ACTION**

5. Check Register Dated April 26, 2023, in the Amount of \$318,936.21 Prepared by Redpath and Company

**Rice Creek Watershed District**

**Check Register**

**April 12, 2023 - April 26, 2023**

**To Be Approved at the April 26, 2023 Board Meeting**

Check #	Date	Payee	Description	Amount	
25063	04/12/23	Iron Mountain	Professional Services	196.13	Paid 04/12/23
25064	04/12/23	US Sitework, Inc.	Construction	20,737.31	Paid 04/12/23
25065	04/18/23	City View Electric, Inc.	Equipment	\$2,100.00	Paid 04/18/23
25066	04/18/23	Office Systems and Design, Inc.	Equipment	4,383.00	Paid 04/18/23
25067	04/18/23	Postmaster	Legal Notice	549.60	Paid 04/18/23
25068	04/26/23	Blaine Shopping Center, LLC	Rent	8,405.95	
25069	04/26/23	Susanne Busse	Construction	96.64	
25070	04/26/23	Carp Solutions, LLC	Professional Services	30,980.00	
25071	04/26/23	Delta Dental	Employee Benefits	720.00	
25072	04/26/23	First Unum Life Insurance Company	Employee Benefits	714.69	
25073	04/26/23	HealthPartners	Employee Benefits	9,777.24	
25074	04/26/23	Houston Engineering, Inc.	March Engineering Expense	140,757.60	
25075	04/26/23	Instrumental Research, Inc.	Lab Expenses	1,455.00	
25076	04/26/23	League of MN Cities Ins. Trust WC	Insurance & Bonds	8,207.00	
25077	04/26/23	NineNorth	Professional Services	378.30	
25078	04/26/23	Premium Waters, Inc.	Meeting Supplies	124.18	
25079	04/26/23	Redpath & Company, LLC.	Audit and Accounting	3,490.18	
25080	04/26/23	Rinke Noonan	March Legal Expense	2,524.40	
25081	04/26/23	RMB Environmental Laboratories	Lab Expenses	226.80	
25082	04/26/23	Rymark	Professional Services	2,523.95	
25083	04/26/23	Smith Partners	Legal Expenses	10,453.44	
25084	04/26/23	St. Paul Pioneer Press	Legal Notice	1,053.80	
25085	04/26/23	Timesaver Off Site Secretarial, Inc.	Professional Services	172.25	
25086	04/26/23	Verizon Wireless	Cell Phone Expense	846.82	
25087	04/26/23	Washington Conservation Dist.	Contracted Services	2,163.75	
25088	04/26/23	Zerorez	Office Supplies	525.00	
Payroll	04/30/23	April 30th Payroll (estimate)	April 30th Payroll (estimate)	42,311.29	
Payroll	04/30/23	Manager Per Diem/Expenses (estimate)	Manager Per Diem/Expenses (estimate)	2,109.21	
EFT	04/17/23	Further	Cafeteria Plan Reimbursements	621.62	
EFT	04/17/23	Further	Cafeteria Plan Reimbursements	156.83	
EFT	04/20/23	Further	Employee Benefits	40.50	
EFT	04/26/23	Xcel Energy	Telecommunications	14.21	
EFT	04/30/23	Internal Revenue Service (estimate)	04/30 Federal Withholding (estimate)	10,433.33	
EFT	04/30/23	Minnesota Revenue (estimate)	04/30 State Withholding (estimate)	1,869.00	
EFT	04/30/23	Empower Retirement	04/30 Deferred Compensation	825.00	
EFT	04/30/23	Empower Retirement	04/30 Roth IRA	265.00	
EFT	04/30/23	Empower Retirement	April Health Care Savings (estimate)	970.90	
EFT	04/30/23	PERA (estimate)	04/30 PERA (estimate)	5,756.29	
<b>Total</b>				<b>\$318,936.21</b>	



Rice Creek Watershed District Budget Status Report  
Administrative & Program Budget  
Fiscal Year 2023  
4/30/2023

Combined General & Administrative	Budget Item	Account Number	Original Budget	Budget Adjustment	Current Month Expenses	Year-to-Date Expenses	Current Budget Balance	Percent of Budget
Manager	Per diems	4000	\$32,500.00	-	\$1,750.00	\$8,125.00	\$24,375.00	25.00%
	Manager expenses	4010	6,000.00	-	227.96	1,653.03	4,346.97	27.55%
Committees	Committee/Bd Mtg. Exp.	4800	-	-	-	-	-	-
Employees	Staff salary/taxes/benefits	4100-4140	246,310.00	-	18,873.68	78,853.88	167,456.12	32.01%
	District training & education	4265	7,200.00	-	-	138.77	7,061.23	1.93%
	Employee expenses	4320-4321	1,100.00	-	20.96	169.65	930.35	15.42%
Administration/ Office	Office/Meeting/Software	4200-4205	4,950.00	-	279.72	641.24	4,308.76	12.95%
	Printing	4208	500.00	-	-	-	500.00	0.00%
	Rent/Office	4210	22,200.00	-	1,681.19	8,405.95	13,794.05	37.86%
	Telecommunications	4240	7,500.00	-	475.32	1,747.39	5,752.61	23.30%
	Dues	4245	15,500.00	-	-	12,500.00	3,000.00	80.65%
	Publications	4250	200.00	-	-	-	200.00	0.00%
	Insurance	4270	7,000.00	-	1,701.80	7,228.60	(228.60)	103.27%
	Postage	4280	1,100.00	-	-	(10.00)	1,110.00	-0.91%
	Legal Notices	4290	1,500.00	-	-	-	1,500.00	0.00%
	Office Equipment/Lease	4635	4,120.00	-	1,346.60	1,834.42	2,285.58	44.52%
	<b>Sub-Total-Administration:</b>		<b>357,680.00</b>	-	<b>26,357.23</b>	<b>121,287.93</b>	<b>236,392.07</b>	<b>33.91%</b>
Consultants	Auditor/Accounting	4330	18,000.00	-	698.04	3,007.62	14,992.38	16.71%
	Legal	4410	50,000.00	-	4,151.90	12,702.30	37,297.70	25.40%
	Consultants/Professional Serv.	4420	24,000.00	-	1,569.93	3,691.54	20,308.46	15.38%
	Engineering-General	4500	56,000.00	-	3,400.00	10,199.97	45,800.03	18.21%
	<b>Sub-Total-Consultants:</b>		<b>148,000.00</b>	-	<b>9,819.87</b>	<b>29,601.43</b>	<b>118,398.57</b>	<b>20.00%</b>
<b>TOTAL</b>			<b>\$505,680.00</b>	-	<b>\$36,177.10</b>	<b>\$150,889.36</b>	<b>\$354,790.64</b>	<b>29.84%</b>

Rice Creek Watershed District Budget Status Report  
Administrative & Program Budget  
Fiscal Year 2023  
4/30/2023

Revenue/Expenditures By Project		2023 Budget	2023 Year to date Revenue	2023 Current Month Expense	2023 Year to date Expense	Current Budget Balance	Percent of Budget
10 - General and Administrative		\$505,680.00	33,640.72	\$36,177.10	\$150,889.36	\$354,790.64	29.84%
30 - Environmental Education		231,081.00	3,135.27	13,447.33	63,470.68	167,610.32	27.47%
35 - Information Management		317,679.00	4,310.99	11,346.71	76,282.77	241,396.23	24.01%
60 - Restoration Projects		2,037,423.00	59,069.95	51,664.03	112,629.12	1,924,793.88	5.53%
70 - Regulatory		1,422,713.00	60,692.69	114,418.62	346,218.09	1,076,494.91	24.34%
80 - Ditch & Creek Maintenance		2,036,181.00	38,004.14	68,353.82	177,443.96	1,858,737.04	8.71%
90 - Lake & Stream Management		1,084,135.00	17,123.61	68,936.67	166,493.14	917,641.86	15.36%
95 - District Facilities		709,196.00	9,628.79	15,549.82	55,114.87	654,081.13	7.77%
<b>Total District Revenue/Expenditures</b>		<b>\$8,344,088.00</b>	<b>\$225,606.16</b>	<b>\$379,894.10</b>	<b>\$1,148,541.99</b>	<b>\$7,195,546.01</b>	<b>13.76%</b>

**Current Fund Balances:**

Fund:		Fund Balance @ 12/31/2022	2023 Fund Balance Transfers	2023 Year to date Revenue	2023 Current Month Expense	2023 Year to date Expense	Fund Balance @ 4/30/2023
10 - General Fund		\$295,952.24	-	33,640.72	\$36,177.10	\$150,889.36	\$178,703.60
30 - Environmental Education		207,497.00	-	3,135.27	13,447.33	63,470.68	147,161.59
35 - Information Management		454,006.00	(200,000.00)	4,310.99	11,346.71	76,282.77	182,034.22
60 - Restoration Projects		4,195,168.00	(2,200,000.00)	59,069.95	51,664.03	112,629.12	1,941,608.83
70 - Regulatory		1,178,467.00	(500,000.00)	60,692.69	114,418.62	346,218.09	392,941.60
80 - Ditch & Creek Maintenance		1,585,755.00	-	38,004.14	68,353.82	177,443.96	1,446,315.18
90 - Lake & Stream Management		2,185,205.00	(1,600,000.00)	17,123.61	68,936.67	166,493.14	435,835.47
95 - District Facilities		379,841.00	-	9,628.79	15,549.82	55,114.87	334,354.92
99 - Project Anticipation		0.00	4,500,000.00	-	-	-	4,500,000.00
<b>Total District Fund Balance:</b>		<b>\$10,481,891.24</b>	<b>-</b>	<b>\$225,606.16</b>	<b>\$379,894.10</b>	<b>\$1,148,541.99</b>	<b>\$9,558,955.41</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - General Fund - 10**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>GENERAL FUND - 10-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	504,664.00	(504,664.00)
Interest Revenue	0.00	6,865.16	1,016.00	5,849.16
Investment Interest-Surety	0.00	26,647.76	0.00	26,647.76
Miscellaneous Revenue	0.00	127.80	0.00	127.80
Total Revenues	0.00	33,640.72	505,680.00	(472,039.28)
Expenses				
Manager Per Diem	1,750.00	8,125.00	32,500.00	(24,375.00)
Manager Expense	0.00	519.20	2,000.00	(1,480.80)
Manager Travel	227.96	1,133.83	4,000.00	(2,866.17)
Wages	13,991.46	56,673.90	170,888.00	(114,214.10)
Benefits	1,643.48	8,879.38	28,900.00	(20,020.62)
PERA Expense	1,049.29	4,250.47	12,817.00	(8,566.53)
HCSA Contributions	970.90	3,772.54	15,132.00	(11,359.46)
Payroll Taxes	1,133.93	4,683.84	13,073.00	(8,389.16)
Payroll Taxes-Unemployment	84.62	593.75	5,500.00	(4,906.25)
Office Supplies	155.54	376.09	1,800.00	(1,423.91)
Field Supplies	0.00	0.00	200.00	(200.00)
Computer Software	0.00	0.00	250.00	(250.00)
Meeting Supplies	124.18	265.15	2,700.00	(2,434.85)
Printing	0.00	0.00	500.00	(500.00)
Rent	1,681.19	8,405.95	22,200.00	(13,794.05)
Telecommunications	475.32	1,747.39	7,500.00	(5,752.61)
Dues	0.00	12,500.00	15,500.00	(3,000.00)
Publications	0.00	0.00	200.00	(200.00)
Training & Education	0.00	138.77	7,200.00	(7,061.23)
Insurance & Bonds	1,701.80	7,228.60	7,000.00	228.60
Postage	0.00	(10.00)	1,100.00	(1,110.00)
Legal Notices	0.00	0.00	1,500.00	(1,500.00)
Staff Travel	20.96	169.65	1,100.00	(930.35)
Audit & Accounting	698.04	3,007.62	18,000.00	(14,992.38)
Professional Services	1,569.93	3,691.54	24,000.00	(20,308.46)
Legal	4,151.90	12,702.30	50,000.00	(37,297.70)
Engineering	3,400.00	10,199.97	56,000.00	(45,800.03)
Equipment	1,296.60	1,296.60	2,000.00	(703.40)
Equipment Lease	50.00	537.82	2,120.00	(1,582.18)
Total Expenses	36,177.10	150,889.36	505,680.00	(354,790.64)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - General Fund</b>	<b>(36,177.10)</b>	<b>(117,248.64)</b>	<b>0.00</b>	<b>(117,248.64)</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (36,177.10)</b>	<b>(117,248.64)</b>	<b>0.00</b>	<b>(117,248.64)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Environmental Education - 30**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>COMMUNICATION &amp; OUTREACH - 30-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	150,258.00	(150,258.00)
Interest Income	0.00	3,135.27	464.00	2,671.27
Total Revenues	0.00	3,135.27	150,722.00	(147,586.73)
Expenses				
Wages	6,627.74	25,619.96	78,538.00	(52,918.04)
Interns	0.00	60.00	5,000.00	(4,940.00)
Benefits	1,125.24	5,653.70	11,166.00	(5,512.30)
PERA Expense	497.05	1,921.47	5,626.00	(3,704.53)
Payroll Taxes	504.38	2,022.10	6,391.00	(4,368.90)
Office Supplies	77.77	77.77	900.00	(822.23)
Computer Software	0.00	0.00	1,000.00	(1,000.00)
Meeting Supplies	0.00	0.00	500.00	(500.00)
Printing	0.00	0.00	250.00	(250.00)
Rent	840.60	4,203.00	11,100.00	(6,897.00)
Telecommunications	237.65	848.08	3,750.00	(2,901.92)
Publications	0.00	0.00	100.00	(100.00)
Training & Education	57.15	146.05	3,600.00	(3,453.95)
Insurance and Bonds	850.90	3,614.30	3,500.00	114.30
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	0.00	0.00	250.00	(250.00)
Staff Travel	0.00	22.53	550.00	(527.47)
Audit & Accounting	349.02	1,478.81	9,000.00	(7,521.19)
Professional Services	257.38	485.76	6,500.00	(6,014.24)
Legal	0.00	403.21	1,000.00	(596.79)
Engineering	0.00	0.00	500.00	(500.00)
Equipment	648.30	648.30	1,250.00	(601.70)
Equipment-Lease	25.00	268.90	1,060.00	(791.10)
Total Expenses	12,098.18	47,473.94	152,081.00	(104,607.06)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Communcation:</b>	<b>(12,098.18)</b>	<b>(44,338.67)</b>	<b>(1,359.00)</b>	<b>(42,979.67)</b>

**WATERSHED COMMUNICATION & OUTREACH - 30-02**

Revenues				
General Property Tax	0.00	0.00	11,000.00	(11,000.00)
Total Revenues	0.00	0.00	11,000.00	(11,000.00)
Expenses				
Computer Software	0.00	0.00	1,000.00	(1,000.00)
Printing	0.00	48.47	1,500.00	(1,451.53)
Training & Education	0.00	0.00	8,500.00	(8,500.00)
Total expenses	0.00	48.47	11,000.00	(10,951.53)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Watershed Communicati</b>	<b>0.00</b>	<b>(48.47)</b>	<b>0.00</b>	<b>(48.47)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Environmental Education - 30**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>MASTER WATER STEWARD PROGRAM - 30-03</u></b>				
Revenues				
General Property Tax	0.00	0.00	19,000.00	(19,000.00)
Total Revenues	0.00	0.00	19,000.00	(19,000.00)
Expenses				
Training & Education	0.00	0.00	9,000.00	(9,000.00)
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Total expenses	0.00	0.00	19,000.00	(19,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Master Water:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b><u>OUTREACH PARTNERSHIPS - 30-04</u></b>				
Revenues				
General Property Tax	0.00	0.00	28,000.00	(28,000.00)
Total Revenues	0.00	0.00	28,000.00	(28,000.00)
Expenses				
Training & Education	0.00	500.00	8,500.00	(8,000.00)
Contracted Services	795.90	14,495.90	19,500.00	(5,004.10)
Total expenses	795.90	14,995.90	28,000.00	(13,004.10)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Outreach:</b>	<b>(795.90)</b>	<b>(14,995.90)</b>	<b>0.00</b>	<b>(14,995.90)</b>
<b><u>MINI-GRANTS PROGRAM - 30-05</u></b>				
Revenues				
General Property Tax	0.00	0.00	10,000.00	(10,000.00)
Total Revenues	0.00	0.00	10,000.00	(10,000.00)
Expenses				
Construction	0.00	0.00	10,000.00	(10,000.00)
Total expenses	0.00	0.00	10,000.00	(10,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Mini-Grants:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Environmental Education - 30**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>ENGINEERING &amp; TECHNICAL SUPPORT - 30-06</u></b>				
Revenues				
General Property Tax	0.00	0.00	6,000.00	(6,000.00)
Total Revenues	0.00	0.00	6,000.00	(6,000.00)
Expenses				
Training & Education	0.00	0.00	6,000.00	(6,000.00)
Engineering	553.25	952.37	0.00	952.37
Total expenses	553.25	952.37	6,000.00	(5,047.63)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Eng. &amp; Technical:</b>	<b>(553.25)</b>	<b>(952.37)</b>	<b>0.00</b>	<b>(952.37)</b>
<b><u>WATERSHED PLAN MAINTENANCE - 30-08</u></b>				
Revenues				
General Property Tax	0.00	0.00	5,000.00	(5,000.00)
Total Revenues	0.00	0.00	5,000.00	(5,000.00)
Expenses				
Engineering	0.00	0.00	5,000.00	(5,000.00)
Total expenses	0.00	0.00	5,000.00	(5,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Watershed Plan:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (13,447.33)</b>	<b>\$ (60,335.41)</b>	<b>(1,359.00)</b>	<b>(58,976.41)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Information & Technology Management - 35**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>INFORMATION MANAGEMENT - 35-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	137,040.00	(137,040.00)
Interest Revenue	0.00	4,310.99	638.00	3,672.99
Total Revenues	0.00	4,310.99	137,678.00	(133,367.01)
Expenses				
Wages	0.00	0.00	16,250.00	(16,250.00)
Benefits	562.62	2,826.84	2,787.00	39.84
PERA Expense	0.00	0.00	1,219.00	(1,219.00)
Payroll Taxes	0.00	0.00	1,242.00	(1,242.00)
Office Supplies	38.88	38.88	450.00	(411.12)
Computer Software	0.00	712.54	11,000.00	(10,287.46)
Printing	0.00	0.00	125.00	(125.00)
Rent	420.30	2,101.50	5,550.00	(3,448.50)
Telecommunications	118.82	411.23	1,875.00	(1,463.77)
Publications	0.00	0.00	50.00	(50.00)
Training & Education	0.00	0.00	1,800.00	(1,800.00)
Insurance and Bonds	425.45	1,807.15	1,750.00	57.15
Postage	0.00	0.00	275.00	(275.00)
Staff Travel	0.00	0.00	275.00	(275.00)
Audit & Accounting	174.51	739.41	4,500.00	(3,760.59)
Professional Services	2,587.04	13,087.41	47,500.00	(34,412.59)
Contracted Services	0.00	0.00	1,500.00	(1,500.00)
Computer Equipment	3,760.85	3,760.85	37,500.00	(33,739.15)
Equipment	324.15	809.15	1,500.00	(690.85)
Equipment Lease	12.50	134.44	530.00	(395.56)
Total Expenses	8,425.12	26,429.40	137,678.00	(111,248.60)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Information Management</b>	<b>(8,425.12)</b>	<b>(22,118.41)</b>	<b>0.00</b>	<b>(22,118.41)</b>
<b><u>BOUNDARY MANAGEMENT PROGRAM - 35-03</u></b>				
Revenues				
General Property Tax	0.00	0.00	15,000.00	(15,000.00)
Total Revenues	0.00	0.00	15,000.00	(15,000.00)
Expenses				
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	0.00	0.00	13,000.00	(13,000.00)
Total Expenses	0.00	0.00	15,000.00	(15,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Boundary Mgmt:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Information & Technology Management - 35**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>DISTRICT-WIDE MODEL - 35-04</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	1,898.50	14,959.25	38,000.00	(23,040.75)
Total Expenses	1,898.50	14,959.25	40,000.00	(25,040.75)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - District-Wide Model:</b>	<b>(1,898.50)</b>	<b>(14,959.25)</b>	<b>(40,000.00)</b>	<b>25,040.75</b>
<b><u>DATABASE &amp; VIEWER MAINTENANCE - 35-05</u></b>				
Revenues				
General Property Tax	0.00	0.00	55,000.00	(55,000.00)
Total Revenues	0.00	0.00	55,000.00	(55,000.00)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	848.75	17,069.25	70,000.00	(52,930.75)
Construction Expense	96.64	96.64	0.00	96.64
Total expenses	945.39	17,165.89	75,000.00	(57,834.11)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Database &amp; Viewer:</b>	<b>(945.39)</b>	<b>(17,165.89)</b>	<b>(20,000.00)</b>	<b>2,834.11</b>
<b><u>DISTRICT WEBSITE - 35-15</u></b>				
Revenues				
General Property Tax	0.00	0.00	50,000.00	(50,000.00)
Total Revenues	0.00	0.00	50,000.00	(50,000.00)
Expenses				
Professional Services	0.00	15,000.00	45,000.00	(30,000.00)
Legal	77.70	2,728.23	3,000.00	(271.77)
Engineering	0.00	0.00	2,000.00	(2,000.00)
Total expenses	77.70	17,728.23	50,000.00	(32,271.77)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - District Website:</b>	<b>(77.70)</b>	<b>(17,728.23)</b>	<b>0.00</b>	<b>(17,728.23)</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (11,346.71)</b>	<b>\$ (71,971.78)</b>	<b>(60,000.00)</b>	<b>(11,971.78)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Restoration Projects - 60**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>RESTORATION PROJECTS - 60-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	291,539.00	(291,539.00)
Interest Revenue	0.00	27,663.35	4,095.00	23,568.35
Total Revenues	0.00	27,663.35	295,634.00	(267,970.65)
Expenses				
Wages	7,422.26	23,622.54	178,830.00	(155,207.46)
Interns	0.00	60.00	5,000.00	(4,940.00)
Benefits	1,030.37	5,467.96	21,119.00	(15,651.04)
PERA Expense	556.66	1,765.38	13,262.00	(11,496.62)
Payroll Taxes	534.19	1,684.06	14,063.00	(12,378.94)
Office Supplies	77.77	85.33	900.00	(814.67)
Field Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	0.00	250.00	(250.00)
Rent	840.60	4,203.00	11,100.00	(6,897.00)
Telecommunications	237.66	901.17	3,750.00	(2,848.83)
Publications	0.00	61.15	100.00	(38.85)
Training & Education	0.00	0.00	3,600.00	(3,600.00)
Insurance and Bonds	850.90	3,614.30	3,500.00	114.30
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	0.00	0.00	1,000.00	(1,000.00)
Staff Travel	0.00	0.00	550.00	(550.00)
Vehicle	0.00	223.65	13,000.00	(12,776.35)
Audit & Accounting	349.02	1,478.81	9,000.00	(7,521.19)
Professional Services	578.07	806.45	6,500.00	(5,693.55)
Legal	0.00	403.21	2,000.00	(1,596.79)
Engineering	0.00	0.00	5,000.00	(5,000.00)
Equipment	648.30	648.30	1,250.00	(601.70)
Equipment Lease	25.00	268.90	1,060.00	(791.10)
Total Expenses	13,150.80	45,294.21	295,634.00	(250,339.79)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Restoration Projects:</b>	<b>(13,150.80)</b>	<b>(17,630.86)</b>	<b>0.00</b>	<b>(17,630.86)</b>

**ANOKA CHAIN OF LAKES WATER MGMT. PROJECT - 60-01**

Revenues				
General Property Tax	0.00	0.00	83,479.00	(83,479.00)
Grant Income	0.00	0.00	46,521.00	(46,521.00)
Total Revenues	0.00	0.00	130,000.00	(130,000.00)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	1,949.00	3,755.50	45,000.00	(41,244.50)
Construction	0.00	0.00	100,000.00	(100,000.00)
Total expenses	1,949.00	3,755.50	150,000.00	(146,244.50)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Anoka Chain:</b>	<b>(1,949.00)</b>	<b>(3,755.50)</b>	<b>(20,000.00)</b>	<b>16,244.50</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Restoration Projects - 60**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>LOWER RC WATER MGMT. PROJECT - 60-03</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Engineering	0.00	0.00	100,000.00	(100,000.00)
Construction	0.00	0.00	50,000.00	(50,000.00)
Total expenses	0.00	0.00	150,000.00	(150,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Lower RC:</b>	<b>0.00</b>	<b>0.00</b>	<b>(150,000.00)</b>	<b>150,000.00</b>
<b><u>MIDDLE RC WATER MGMT. PROJECT - 60-04</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Engineering	0.00	0.00	20,000.00	(20,000.00)
Construction	0.00	0.00	30,000.00	(30,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Middle RC Water Mgmt.</b>	<b>0.00</b>	<b>0.00</b>	<b>(50,000.00)</b>	<b>50,000.00</b>
<b><u>BALD EAGLE LAKE (BEL) WMD - 60-05</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Professional Services	9.00	9.00	6,789.00	(6,780.00)
Contracted Services	0.00	0.00	25,000.00	(25,000.00)
Total expenses	9.00	9.00	31,789.00	(31,780.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Bald Eagle Lake WMD:</b>	<b>(9.00)</b>	<b>(9.00)</b>	<b>(31,789.00)</b>	<b>31,780.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Restoration Projects - 60**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>BALD EAGLE LAKE WATER MGMT. PROJECT - 60-06</u></b>				
Revenues				
General Property Tax	0.00	0.00	25,000.00	(25,000.00)
Total Revenues	0.00	0.00	25,000.00	(25,000.00)
Expenses				
Engineering	0.00	0.00	50,000.00	(50,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Bald Eagle Lake:</b>	<b>0.00</b>	<b>0.00</b>	<b>(25,000.00)</b>	<b>25,000.00</b>
<b><u>RCD 2, 3 &amp; 5 BASIC WATER MGMT. PROJECT - 60-08</u></b>				
Revenues				
General Property Tax	0.00	0.00	250,000.00	(250,000.00)
Total Revenues	0.00	0.00	250,000.00	(250,000.00)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	32,020.78	49,011.45	145,000.00	(95,988.55)
Construction Services	0.00	0.00	100,000.00	(100,000.00)
Total expenses	32,020.78	49,011.45	250,000.00	(200,988.55)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Basic Water Mgmt. Proje</b>	<b>(32,020.78)</b>	<b>(49,011.45)</b>	<b>0.00</b>	<b>(49,011.45)</b>
<b><u>REGIONAL WATER MGMT.PARTNERSHIP PROJECTS - 60-11</u></b>				
Revenues				
Grants-Income`	0.00	31,406.60	0.00	31,406.60
Total Revenues	0.00	31,406.60	0.00	31,406.60
Expenses				
Training & Education	653.12	1,933.12	0.00	1,933.12
Legal Notices	0.00	0.00	500.00	(500.00)
Staff Travel	19.58	49.71	0.00	49.71
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Legal	0.00	0.00	500.00	(500.00)
Engineering	3,861.75	9,129.13	9,000.00	129.13
Construction	0.00	0.00	30,000.00	(30,000.00)
Total expenses	4,534.45	11,111.96	50,000.00	(38,888.04)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Regional Water Mgmt.</b>	<b>(4,534.45)</b>	<b>20,294.64</b>	<b>(50,000.00)</b>	<b>70,294.64</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Restoration Projects - 60**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>STORMWATER MGMT. COST SHARE - 60-15</u></b>				
Revenues				
General Property Tax	0.00	0.00	310,000.00	(310,000.00)
Total Revenues	0.00	0.00	310,000.00	(310,000.00)
Expenses				
Legal Notices	0.00	742.40	3,000.00	(2,257.60)
Legal	0.00	362.60	0.00	362.60
Engineering	0.00	2,342.00	12,000.00	(9,658.00)
Construction	0.00	0.00	770,000.00	(770,000.00)
Total expenses	0.00	3,447.00	785,000.00	(781,553.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Stormwater Mgmt.:</b>	<b>0.00</b>	<b>(3,447.00)</b>	<b>(475,000.00)</b>	<b>471,553.00</b>
<b><u>SW URBAN LAKES IMPLEMENTATION - 60-24</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal Notices	0.00	0.00	500.00	(500.00)
Legal	0.00	0.00	500.00	(500.00)
Engineering	0.00	0.00	19,000.00	(19,000.00)
Construction	0.00	0.00	55,000.00	(55,000.00)
Total expenses	0.00	0.00	75,000.00	(75,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Southwest Urban Lake</b>	<b>0.00</b>	<b>0.00</b>	<b>(75,000.00)</b>	<b>75,000.00</b>
<b><u>CLEAR LAKE WATER MGMT.PROJECT - 60-29</u></b>				
Revenues				
General Property Tax	0.00	0.00	75,000.00	(75,000.00)
Total Revenues	0.00	0.00	75,000.00	(75,000.00)
Expenses				
Contracted Services	0.00	0.00	15,000.00	(15,000.00)
Construction	0.00	0.00	60,000.00	(60,000.00)
Total expenses	0.00	0.00	75,000.00	(75,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Clear Lake Water Mgmt.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Restoration Projects - 60**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>STORMWATER MASTER PLANNING - 60-35</u></b>				
Revenues				
General Property Tax	0.00	0.00	10,000.00	(10,000.00)
Total Revenues	0.00	0.00	10,000.00	(10,000.00)
<b>Total Revenues Over/(Under)</b>				
Contracted Services	0.00	0.00	7,000.00	(7,000.00)
Legal	0.00	0.00	3,000.00	(3,000.00)
Engineering	0.00	0.00	40,000.00	(40,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Stormwater Master:</b>	<b>0.00</b>	<b>0.00</b>	<b>(40,000.00)</b>	<b>40,000.00</b>
<b><u>MUNICIPAL CIP EARLY COORDINATION - 60-36</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	0.00	0.00	8,000.00	(8,000.00)
Total expenses	0.00	0.00	10,000.00	(10,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Municipal CIP:</b>	<b>0.00</b>	<b>0.00</b>	<b>(10,000.00)</b>	<b>10,000.00</b>
<b><u>GROUNDWATER MGMT. &amp; STORMWATER REUSE - 60-37</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal	0.00	0.00	3,000.00	(3,000.00)
Engineering	0.00	0.00	12,000.00	(12,000.00)
Total expenses	0.00	0.00	15,000.00	(15,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Groundwater Mgmt.:</b>	<b>0.00</b>	<b>0.00</b>	<b>(15,000.00)</b>	<b>15,000.00</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (51,664.03)</b>	<b>\$ (53,559.17)</b>	<b>(941,789.00)</b>	<b>888,229.83</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Regulatory Projects - 70**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>REGULATORY PROJECT MANAGEMENT - 70-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	494,854.00	(494,854.00)
Interest Revenue	0.00	19,318.39	2,859.00	16,459.39
Miscellaneous	0.00	110.00	0.00	110.00
Total Revenues	0.00	19,428.39	497,713.00	(478,284.61)
Expenses				
Wages	22,576.81	91,989.17	311,533.00	(219,543.83)
Interns	0.00	60.00	5,000.00	(4,940.00)
Benefits	2,810.83	13,847.42	37,319.00	(23,471.58)
PERA Expense	1,690.38	6,896.34	23,247.00	(16,350.66)
Payroll Taxes	1,715.55	6,966.80	24,214.00	(17,247.20)
Office Supplies	194.42	290.94	2,250.00	(1,959.06)
Field Supplies	0.00	0.00	500.00	(500.00)
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	0.00	625.00	(625.00)
Rent	2,101.47	10,507.43	27,750.00	(17,242.57)
Telecommunications	594.13	2,475.27	9,375.00	(6,899.73)
Publications	0.00	0.00	250.00	(250.00)
Training & Education	0.00	60.00	9,000.00	(8,940.00)
Insurance and Bonds	2,127.25	9,035.75	8,750.00	285.75
Postage	0.00	0.00	1,375.00	(1,375.00)
Legal Notices	0.00	0.00	500.00	(500.00)
Staff Travel	20.31	59.80	1,375.00	(1,315.20)
Vehicle	18.66	323.53	13,000.00	(12,676.47)
Audit & Accounting	872.55	3,697.03	22,500.00	(18,802.97)
Professional Services	643.44	1,214.38	14,250.00	(13,035.62)
Legal	0.00	403.22	2,500.00	(2,096.78)
Engineering	0.00	0.00	2,500.00	(2,500.00)
Equipment	1,620.75	1,620.75	2,000.00	(379.25)
Equipment Lease	62.48	672.24	2,650.00	(1,977.76)
Total Expenses	37,049.03	150,120.07	522,713.00	(372,592.93)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Regulatory Management</b>	<b>(37,049.03)</b>	<b>(130,691.68)</b>	<b>(25,000.00)</b>	<b>(105,691.68)</b>
<b><u>RULE REVISION &amp; PERMIT GUIDANCE - 70-01</u></b>				
Revenues				
General Property Tax	0.00	0.00	10,000.00	(10,000.00)
Total Revenues	0.00	0.00	10,000.00	(10,000.00)
Expenses				
Legal	0.00	0.00	4,000.00	(4,000.00)
Engineering	0.00	0.00	16,000.00	(16,000.00)
Total Expenses	0.00	0.00	20,000.00	(20,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Rule/Permit:</b>	<b>0.00</b>	<b>0.00</b>	<b>(10,000.00)</b>	<b>10,000.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Regulatory Projects - 70**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>PERMIT REVIEW, INSPECT &amp; COOR. - 70-03</u></b>				
Revenues				
General Property Tax	0.00	0.00	558,864.00	(558,864.00)
Permit Fees	6,599.55	27,163.30	221,136.00	(193,972.70)
Miscellaneous Income	0.00	14,101.00	0.00	14,101.00
	<hr/>	<hr/>	<hr/>	<hr/>
Total Revenues	6,599.55	41,264.30	780,000.00	(738,735.70)
	<hr/>	<hr/>	<hr/>	<hr/>
Expenses				
Contracted Services	0.00	1,925.25	0.00	1,925.25
Legal	6,223.84	14,006.52	40,000.00	(25,993.48)
Legal-Audit	0.00	0.00	3,000.00	(3,000.00)
Engineering	69,046.00	165,958.50	800,000.00	(634,041.50)
Engineering-Reporting	2,099.75	14,207.75	17,000.00	(2,792.25)
Engineering-Audit	0.00	0.00	20,000.00	(20,000.00)
	<hr/>	<hr/>	<hr/>	<hr/>
Total expenses	77,369.59	196,098.02	880,000.00	(683,901.98)
	<hr/>	<hr/>	<hr/>	<hr/>
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Permit Review</b>	<b>(70,770.04)</b>	<b>(154,833.72)</b>	<b>(100,000.00)</b>	<b>(54,833.72)</b>
	<hr/>	<hr/>	<hr/>	<hr/>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (107,819.07)</b>	<b>\$ (285,525.40)</b>	<b>(135,000.00)</b>	<b>(150,525.40)</b>
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**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>DITCH &amp; CREEK MAINTENANCE - 80-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	187,121.00	(187,121.00)
Interest Revenue	0.00	27,649.82	4,092.00	23,557.82
Miscellaneous Income	0.00	5,000.00	0.00	5,000.00
Total Revenues	0.00	32,649.82	191,213.00	(158,563.18)
Expenses				
Wages	12,104.91	51,776.42	188,700.00	(136,923.58)
Benefits	1,639.32	8,536.26	25,418.00	(16,881.74)
PERA Expense	818.24	3,725.60	14,010.00	(10,284.40)
Payroll Taxes	893.85	3,883.57	14,436.00	(10,552.43)
Office Supplies	146.65	206.65	1,350.00	(1,143.35)
Field Supplies	0.00	0.00	250.00	(250.00)
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	0.00	375.00	(375.00)
Rent	1,340.89	6,544.43	16,650.00	(10,105.57)
Telecommunications	426.50	1,720.79	5,625.00	(3,904.21)
Publications	0.00	0.00	150.00	(150.00)
Training & Education	258.60	841.92	5,400.00	(4,558.08)
Insurance and Bonds	1,276.35	5,421.45	5,250.00	171.45
Postage	0.00	0.00	825.00	(825.00)
Legal Notices	549.60	549.60	750.00	(200.40)
Staff Travel	0.00	88.43	825.00	(736.57)
Vehicle	18.67	1,053.62	13,000.00	(11,946.38)
Audit & Accounting	523.53	2,218.22	13,500.00	(11,281.78)
Professional Services	582.19	1,457.01	10,550.00	(9,092.99)
Contracted Services	0.00	0.00	1,000.00	(1,000.00)
Legal	895.00	1,643.56	5,000.00	(3,356.44)
Engineering	2,562.00	2,780.25	7,500.00	(4,719.75)
Equipment	972.45	972.45	2,500.00	(1,527.55)
Equipment Lease	37.50	403.36	1,590.00	(1,186.64)
Total Expenses	25,046.25	93,823.59	334,904.00	(241,080.41)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Ditch &amp; Creek:</b>	<b>(25,046.25)</b>	<b>(61,173.77)</b>	<b>(143,691.00)</b>	<b>82,517.23</b>

**NATURAL WATERWAY MGMT. - 80-01**

Revenues				
General Property Taxes	0.00	0.00	5,656.00	(5,656.00)
Total Revenues	0.00	0.00	5,656.00	(5,656.00)
Expenses				
Legal	0.00	0.00	1,000.00	(1,000.00)
Construction	0.00	0.00	9,000.00	(9,000.00)
Total expenses	0.00	0.00	10,000.00	(10,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Natural Waterway:</b>	<b>0.00</b>	<b>0.00</b>	<b>(4,344.00)</b>	<b>4,344.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>DITCHES - MAINTENANCE - 80-02</u></b>				
Revenues				
General Property Tax	0.00	0.00	189,490.00	(189,490.00)
Total Revenues	0.00	0.00	189,490.00	(189,490.00)
Expenses				
Field Supplies	0.00	0.00	7,000.00	(7,000.00)
Vehicle	0.00	0.00	7,000.00	(7,000.00)
Professional Services	0.00	0.00	1,000.00	(1,000.00)
Contracted Services	0.00	0.00	240,000.00	(240,000.00)
Legal	0.00	0.00	10,000.00	(10,000.00)
Engineering	1,881.50	1,881.50	20,000.00	(18,118.50)
Construction	0.00	13,000.00	40,000.00	(27,000.00)
Equipment	0.00	0.00	10,000.00	(10,000.00)
Total expenses	1,881.50	14,881.50	335,000.00	(320,118.50)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Ditches - Maintenance:</b>	<b>(1,881.50)</b>	<b>(14,881.50)</b>	<b>(145,510.00)</b>	<b>130,628.50</b>
<b><u>REPAIR REPORTS &amp; STUDIES - 80-03</u></b>				
Revenues				
General Property Tax	0.00	0.00	93,896.00	(93,896.00)
Grants	0.00	0.00	30,000.00	(30,000.00)
Total Revenues	0.00	0.00	123,896.00	(123,896.00)
Expenses				
Legal Notices	869.17	869.17	10,000.00	(9,130.83)
Legal	1,629.40	3,231.50	40,000.00	(36,768.50)
Engineering	6,956.25	17,324.50	141,000.00	(123,675.50)
Wetland Credits	0.00	0.00	5,000.00	(5,000.00)
Total expenses	9,454.82	21,425.17	196,000.00	(174,574.83)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Repair Reports</b>	<b>(9,454.82)</b>	<b>(21,425.17)</b>	<b>(72,104.00)</b>	<b>50,678.83</b>
<b><u>ACD 10-22-32 WMD - 80-04</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Contracted Services	0.00	0.00	28,339.00	(28,339.00)
Total expenses	0.00	0.00	28,339.00	(28,339.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - ACD 10-22-32</b>	<b>0.00</b>	<b>0.00</b>	<b>(28,339.00)</b>	<b>28,339.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>ACD 31 WMD - 80-05</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Contracted Services	0.00	0.00	8,456.00	(8,456.00)
Total expenses	0.00	0.00	8,456.00	(8,456.00)
<b>Total Revenues Over/(Under) Expenditures - ACD 31:WMD:</b>	<b>0.00</b>	<b>0.00</b>	<b>(8,456.00)</b>	<b>8,456.00</b>

<b><u>ACD 46 WMD - 80-06</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Contracted Services	0.00	0.00	45,971.00	(45,971.00)
Total expenses	0.00	0.00	45,971.00	(45,971.00)
<b>Total Revenues Over/(Under) Expenditures - ACD 46 WMD:</b>	<b>0.00</b>	<b>0.00</b>	<b>(45,971.00)</b>	<b>45,971.00</b>

<b><u>RCD 4 WMD - 80-07</u></b>				
Revenues				
Special Assessments	0.00	1,409.39	74,647.00	(73,237.61)
ROW Charges	0.00	0.00	23,944.00	(23,944.00)
Total Revenues	0.00	1,409.39	98,591.00	(97,181.61)
Expenses				
Construction	0.00	0.00	97,138.00	(97,138.00)
Total expenses	0.00	0.00	97,138.00	(97,138.00)
<b>Total Revenues Over/(Under) Expenditures - RCD 4 WMD:</b>	<b>0.00</b>	<b>1,409.39</b>	<b>1,453.00</b>	<b>(43.61)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>RCD 4 REPAIR - 80-08</u></b>				
Revenues				
General Property Tax	0.00	0.00	19,797.00	(19,797.00)
Total Revenues	0.00	0.00	19,797.00	(19,797.00)
Expenses				
Legal	0.00	0.00	2,500.00	(2,500.00)
Engineering	0.00	0.00	32,500.00	(32,500.00)
Total expenses	0.00	0.00	35,000.00	(35,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - RCD 4 Repair:</b>	<b>0.00</b>	<b>0.00</b>	<b>(15,203.00)</b>	<b>15,203.00</b>
<b><u>MUNICIPAL PDS MAINTENANCE - 80-15</u></b>				
Revenues				
General Property Tax	0.00	0.00	28,282.00	(28,282.00)
Total Revenues	0.00	0.00	28,282.00	(28,282.00)
Expenses				
Contracted Services	0.00	0.00	50,000.00	(50,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Municipal PDS</b>	<b>0.00</b>	<b>0.00</b>	<b>(21,718.00)</b>	<b>21,718.00</b>
<b><u>WJD BRANCH 1/2 REPAIR - 80-20</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Total expenses	0.00	0.00	0.00	0.00
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - WJD Branch 1/2:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b><u>AWJD 3 REPAIR - 80-21</u></b>				
Revenues				
General Property Tax	0.00	0.00	311,103.00	(311,103.00)
Total Revenues	0.00	0.00	311,103.00	(311,103.00)
Expenses				
Legal Notices	1,053.80	1,053.80	0.00	1,053.80
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	7,325.75	19,528.25	125,000.00	(105,471.75)
Construction	0.00	0.00	420,000.00	(420,000.00)
Total expenses	8,379.55	20,582.05	550,000.00	(529,417.95)
<b>Total Revenues Over/(Under)</b>				

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b>Expenditures - AWJD 3</b>	<b>(8,379.55)</b>	<b>(20,582.05)</b>	<b>(238,897.00)</b>	<b>218,314.95</b>

**ACD 15 & AWJD 4 WMD - 80-22**

Revenues				
General Property Tax	0.00	0.00	11,524.00	(11,524.00)
Total Revenues	0.00	0.00	11,524.00	(11,524.00)
Expenses				
Professional Services	3.00	3.00	0.00	3.00
Contracted Services	0.00	0.00	20,373.00	(20,373.00)
Total expenses	3.00	3.00	20,373.00	(20,370.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - AWCD 15</b>	<b>(3.00)</b>	<b>(3.00)</b>	<b>(8,849.00)</b>	<b>8,846.00</b>

**ACD 15 & AWJD 4 - 80-23**

Revenues				
General Property Taxes	0.00	0.00	16,969.00	(16,969.00)
Total Revenues	0.00	0.00	16,969.00	(16,969.00)
Expenses				
Contracted Services	0.00	0.00	30,000.00	(30,000.00)
Total expenses	0.00	0.00	30,000.00	(30,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - ACD 15 &amp; AWJD 4:</b>	<b>0.00</b>	<b>0.00</b>	<b>(13,031.00)</b>	<b>13,031.00</b>

**ACD 53-62 WMD - 80-24**

Revenues				
Special Assessments	900.09	3,944.93	26,782.00	(22,837.07)
ROW Charges	0.00	0.00	5,624.00	(5,624.00)
Total Revenues	900.09	3,944.93	32,406.00	(28,461.07)
Expenses				
Professional Services	149.43	149.43	0.00	149.43
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	1,621.18	3,505.15	32,000.00	(28,494.85)
Construction	0.00	0.00	143,000.00	(143,000.00)
Total expenses	1,770.61	3,654.58	177,000.00	(173,345.42)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - ACD 53-62 WMD:</b>	<b>(870.52)</b>	<b>290.35</b>	<b>(144,594.00)</b>	<b>144,884.35</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>ACD 53-62 REPAIR - 80-25</u></b>				
Revenues				
General Property Taxes	0.00	0.00	66,746.00	(66,746.00)
Total Revenues	0.00	0.00	66,746.00	(66,746.00)
Expenses				
Legal	0.00	0.00	3,000.00	(3,000.00)
Engineering	1,080.78	2,336.76	20,000.00	(17,663.24)
Construction	20,737.31	20,737.31	95,000.00	(74,262.69)
Total expenses	21,818.09	23,074.07	118,000.00	(94,925.93)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - ACD 53-62 Repair:</b>	<b>(21,818.09)</b>	<b>(23,074.07)</b>	<b>(51,254.00)</b>	<b>28,179.93</b>
 <b>Total Revenue Over/(Under) Expenditur</b>	 <b>\$ (67,453.73)</b>	 <b>\$ (139,439.82)</b>	 <b>(940,508.00)</b>	 <b>801,068.18</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Lake & Stream - 90**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>LAKE &amp; STREAM MANAGEMENT - 90-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	316,956.00	(316,956.00)
Interest Income	0.00	14,723.61	2,179.00	12,544.61
Total Revenues	0.00	14,723.61	319,135.00	(304,411.39)
Expenses				
Wages	12,953.71	52,791.31	198,525.00	(145,733.69)
Interns	0.00	60.00	5,000.00	(4,940.00)
Benefits	801.09	4,354.87	25,291.00	(20,936.13)
PERA Expense	971.52	3,892.21	14,889.00	(10,996.79)
Payroll Taxes	950.21	3,875.46	15,570.00	(11,694.54)
Office Supplies	77.77	85.33	900.00	(814.67)
Field Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	205.00	250.00	(45.00)
Rent	975.60	4,608.00	11,100.00	(6,492.00)
Telecommunications	337.77	1,104.71	3,750.00	(2,645.29)
Publications	0.00	0.00	100.00	(100.00)
Training & Education	0.00	50.00	3,600.00	(3,550.00)
Insurance and Bonds	850.90	3,614.30	3,500.00	114.30
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	0.00	0.00	250.00	(250.00)
Staff Travel	0.00	17.69	550.00	(532.31)
Vehicle	18.66	339.52	13,000.00	(12,660.48)
Audit & Accounting	349.00	1,478.77	9,000.00	(7,521.23)
Professional Services	257.38	485.76	6,500.00	(6,014.24)
Legal	0.00	1,050.71	1,000.00	50.71
Engineering	0.00	0.00	2,500.00	(2,500.00)
Equipment	648.30	648.30	2,000.00	(1,351.70)
Equipment Lease	25.00	268.90	1,060.00	(791.10)
Total Expenses	19,216.91	78,930.84	319,135.00	(240,204.16)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Lake &amp; Stream Mgmt.</b>	<b>(19,216.91)</b>	<b>(64,207.23)</b>	<b>0.00</b>	<b>(64,207.23)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Lake & Stream - 90**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>WATER QUALITY GRANT PROGRAM - 90-01</u></b>				
Revenues				
General Property Tax	0.00	0.00	250,000.00	(250,000.00)
Total Revenues	0.00	0.00	250,000.00	(250,000.00)
Expenses				
Professional Services	500.00	500.00	3,000.00	(2,500.00)
Contracted Services	0.00	810.00	15,000.00	(14,190.00)
Legal	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	1,000.00	(1,000.00)
Construction	0.00	0.00	260,000.00	(260,000.00)
Total expenses	500.00	1,310.00	280,000.00	(278,690.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Water Quality:</b>	<b>(500.00)</b>	<b>(1,310.00)</b>	<b>(30,000.00)</b>	<b>28,690.00</b>

**SURFACE WATER MONITORING & MGMT. PROGRAM - 90-04**

Revenues				
General Property Tax	0.00	0.00	210,000.00	(210,000.00)
Miscellaneous Income	2,400.00	2,400.00	0.00	2,400.00
Total Revenues	2,400.00	2,400.00	210,000.00	(207,600.00)
Expenses				
Office Supplies	0.00	0.00	100.00	(100.00)
Field Supplies	113.98	145.32	2,000.00	(1,854.68)
Computer Software	0.00	0.00	500.00	(500.00)
Telecommunications	0.00	35.01	500.00	(464.99)
Publications	0.00	140.00	200.00	(60.00)
Training & Education	40.00	40.00	1,000.00	(960.00)
Staff Travel	0.00	0.00	600.00	(600.00)
Vehicle	0.00	0.00	1,500.00	(1,500.00)
Contracted Services	2,163.75	2,163.75	115,000.00	(112,836.25)
Legal	0.00	0.00	500.00	(500.00)
Engineering	7,118.00	7,928.00	30,000.00	(22,072.00)
Equipment	1,666.00	2,404.88	15,000.00	(12,595.12)
Repairs & Maintenance	0.00	0.00	500.00	(500.00)
Lab Expense	1,681.80	1,681.80	42,600.00	(40,918.20)
Total expenses	12,783.53	14,538.76	210,000.00	(195,461.24)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Surface Water:</b>	<b>(10,383.53)</b>	<b>(12,138.76)</b>	<b>0.00</b>	<b>(12,138.76)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - Lake & Stream - 90**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>COMMON CARP MANAGEMENT - 90-26</u></b>				
Revenues				
General Property Tax	0.00	0.00	180,000.00	(180,000.00)
Grants	0.00	0.00	25,000.00	(25,000.00)
Total Revenues	0.00	0.00	205,000.00	(205,000.00)
Expenses				
Telecommunications	14.21	57.42	200.00	(142.58)
Staff Travel	0.00	0.00	100.00	(100.00)
Professional Services	30,980.00	31,980.00	150,000.00	(118,020.00)
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Legal	0.00	1,010.10	1,500.00	(489.90)
Engineering	917.86	1,129.36	10,000.00	(8,870.64)
Construction	4,524.16	37,536.66	51,200.00	(13,663.34)
Equipment	0.00	0.00	2,000.00	(2,000.00)
Total expenses	36,436.23	71,713.54	225,000.00	(153,286.46)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Common Carp:</b>	<b>(36,436.23)</b>	<b>(71,713.54)</b>	<b>(20,000.00)</b>	<b>(51,713.54)</b>
<b><u>CURLY LEAF PONDWEED MGMT. - 90-27</u></b>				
Revenues				
General Property Tax	0.00	0.00	50,000.00	(50,000.00)
Total Revenues	0.00	0.00	50,000.00	(50,000.00)
Expenses				
Contracted Services	0.00	0.00	50,000.00	(50,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Common Carp:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (66,536.67)</b>	<b>\$ (149,369.53)</b>	<b>(50,000.00)</b>	<b>(99,369.53)</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - District Facilities - 95**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>DISTRICT FACILITIES - 95-00</u></b>				
Revenues				
General Property Tax	\$ 0.00	\$ 0.00	266,297.00	(266,297.00)
Interest Revenue	0.00	9,628.79	1,426.00	8,202.79
Total Revenues	0.00	9,628.79	267,723.00	(258,094.21)
Expenses				
Wages	8,984.14	29,971.66	168,178.00	(138,206.34)
Interns	0.00	60.00	5,000.00	(4,940.00)
Benefits	561.49	2,825.71	23,836.00	(21,010.29)
PERA Expense	584.18	2,311.19	12,504.00	(10,192.81)
Payroll Taxes	680.07	2,270.32	13,248.00	(10,977.68)
Office Supplies	38.88	38.88	450.00	(411.12)
Field Supplies	0.00	0.00	250.00	(250.00)
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	0.00	125.00	(125.00)
Rent	420.30	2,101.44	5,550.00	(3,448.56)
Telecommunications	118.82	564.40	1,875.00	(1,310.60)
Publications	0.00	0.00	50.00	(50.00)
Training & Education	126.79	498.27	1,800.00	(1,301.73)
Insurance & Bonds	425.45	1,807.15	1,750.00	57.15
Postage	0.00	0.00	275.00	(275.00)
Staff Travel	0.00	0.00	275.00	(275.00)
Vehicle Expense	0.00	481.53	13,000.00	(12,518.47)
Audit & Accounting	174.51	739.41	4,500.00	(3,760.59)
Professional Services	128.67	242.84	4,250.00	(4,007.16)
Legal	0.00	403.22	1,000.00	(596.78)
Engineering	0.00	0.00	1,000.00	(1,000.00)
Equipment	324.15	324.15	500.00	(175.85)
Equipment Lease	12.50	134.42	530.00	(395.58)
Total Expenses	12,579.95	44,774.59	260,196.00	(215,421.41)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - District Facilities:</b>	<b>(12,579.95)</b>	<b>(35,145.80)</b>	<b>7,527.00</b>	<b>(42,672.80)</b>

**LONG LAKE SEDIMENT BASIN MAINT. - 95-01**

Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Total expenses	0.00	0.00	0.00	0.00
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Long Lake:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Rice Creek Watershed District**  
**Statement of Revenue and Expenditures - District Facilities - 95**  
**For the One Month and Four Months Ending April 30, 2023**  
**No Assurance Is Provided On These Financial Statements**

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<b><u>LOCK LAKE SEDIMENT BASIN MAINT. - 95-02</u></b>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Total expenses	0.00	0.00	0.00	0.00
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Long Lake:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**DISTRICT FACILITIES REPAIR - 95-03**

Revenues				
General Property Tax	0.00	0.00	159,507.00	(159,507.00)
Total Revenues	0.00	0.00	159,507.00	(159,507.00)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	0.00	0.00	35,000.00	(35,000.00)
Construction	0.00	0.00	115,000.00	(115,000.00)
Total expenses	0.00	0.00	155,000.00	(155,000.00)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - District Facilities Repair</b>	<b>0.00</b>	<b>0.00</b>	<b>4,507.00</b>	<b>(4,507.00)</b>

**INSPECTION OPERATION & MAINTENANCE - 95-04**

Revenues				
General Property Tax	0.00	0.00	281,966.00	(281,966.00)
Grans-Income	0.00	0.00	20,000.00	(20,000.00)
Total Revenues	0.00	0.00	301,966.00	(301,966.00)
Expenses				
Field Supplies	0.00	0.00	5,000.00	(5,000.00)
Telecommunications	77.49	160.65	0.00	160.65
Contracted Services	0.00	500.00	75,000.00	(74,500.00)
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	2,734.50	8,686.75	45,000.00	(36,313.25)
Construction	157.88	157.88	164,000.00	(163,842.12)
Equipment	0.00	835.00	3,000.00	(2,165.00)
Total expenses	2,969.87	10,340.28	294,000.00	(283,659.72)
<b>Total Revenues Over/(Under)</b>				
<b>Expenditures - Wall Wetland Restoration</b>	<b>(2,969.87)</b>	<b>(10,340.28)</b>	<b>7,966.00</b>	<b>(18,306.28)</b>
<b>Total Revenue Over/(Under) Expenditur</b>	<b>\$ (15,549.82)</b>	<b>\$ (45,486.08)</b>	<b>20,000.00</b>	<b>(65,486.08)</b>

## **ITEMS FOR DISCUSSION AND INFORMATION**

1. Columbus Letter of Request for Wetland Credits Based Upon October 15, 2009 Memorandum of Understanding (Nick Tomczik)

## MEMORANDUM

### Rice Creek Watershed District



**Date:** April 18, 2023  
**To:** RCWD Board of Managers  
**From:** Nick Tomczik, Administrator  
**Subject:** Columbus Letter of Request for Wetland Credits

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#### Introduction

The City of Columbus is requesting the District reserve three wetland credits for future projects.

#### Background

On April 6 of this year, the City of Columbus, through its city attorney William Griffith, sent a letter requesting the District reserve three wetland credits for future projects, including transportation and development projects in the City. The City request is based on a Memorandum of Understanding (MOU) dated October 15, 2009 between the Minnesota Department of Resources, the Rice Creek Watershed District, Anoka County, Washington County, and the City of Columbus. The letter requests an opportunity to appear before the Board address any questions and support this request.

The following is an excerpt from a February 2023 District staff email to City of Columbus staff:

*"The MOU and minutes reflect the group's effort to address immediate needs to get the various projects moving forward. The MOU does capture the City's interest in wetland credit but does not provide any further detail. The District recognized likely development in the area and the public value in addressing the public drainage system, flooding, in both Columbus and Forest Lake. The repair of the public drainage system is complete, and the District continues to address the public value by fulfilling its obligations as public drainage authority.*

*So, I recognize Columbus's interest in wetland credits, yet I do not see how that involves RCWD or what is to take place. The parties at the time had no details to consider regarding what would later become Dan Hair/Brown's Preserve wetland banks. There are many details to consider, and it is good to also recognize the State's oversight and administration of wetland banks."*

The District staff email characterized the issue raised by the City to be at "step one" and sought the City of Columbus to definitively define what is being asked of the District. Staff shared the initial Columbus communication content with the RCWD Board at its March 8, 2023 meeting.

District staff find nothing definitive regarding a District obligation to provide wetland credits, the cost of wetland credits, or a timeframe. Post the MOU, the District applied significant resources to ensure the effective function of Anoka County Ditch 15 and Judicial Ditch 4 systems. The District's recognition of its public drainage obligations and foresight for wetland credits prompted wetland bank development efforts. The establishment of the wetland bank necessitated expenditure of District ad valorem funds and extensive work with the state and federal government. The District realignment of the public drainage system to facilitate public drainage system function and wetland bank establishment required 14.64 acres of wetland mitigation credit. The District is currently under a prohibition from competing with the neighboring Hair wetland bank and has on-going District ad valorem costs in site maintenance obligations.

# MEMORANDUM

## Rice Creek Watershed District



### **Staff Recommendation**

Staff recommend, consistent with the City's letter, that the Board ask detailed questions of the City regarding its request, also give consideration to District current and future obligations both Public Drainage and otherwise. Staff request Board consensus direction.

### **Attachment**

April 6, 2023, City of Columbus, Larkin Hoffman, letter  
October 15, 2009, Memorandum of Understanding with minutes

April 6, 2023

Board of Managers  
Rice Creek Watershed District  
4325 Pheasant Ridge Drive NE #611  
Blaine, MN 55449-4539

Via Email  
Michael Bradley, [mbradley@ricecreek.org](mailto:mbradley@ricecreek.org)  
John Waller, (via U.S. mail)  
Steve Wagamon, [swagamon@ricecreek.org](mailto:swagamon@ricecreek.org)  
Jess Robertson, [jrobertson@ricecreek.org](mailto:jrobertson@ricecreek.org)  
Marcie Weinandt, [mweinandt@ricecreek.org](mailto:mweinandt@ricecreek.org)

Re: Request for Wetland Credits Based Upon Memorandum of Understanding (MOU), Dated October 15, 2009, By and Between the Minnesota Department of Resources (DNR), the Rice Creek Watershed District (RCWD), Anoka County, Washington County, and the City of Columbus, Minnesota (Columbus)

Dear Board of Managers:

We represent the City of Columbus ("City") as its city attorney. The Mayor and City Council has directed us to prepare this letter to request wetland credits under the above MOU. Since the City does not have a specific public project that requires use of the credits, the City is asking that RCWD reserve three wetland credits for future projects, including transportation and development projects in the City (the "Request").

### **Background**

The above referenced MOU was entered into in 2009 to facilitate several projects for the above governmental bodies, including Road 83 overpass over Interstate 35, along with related stormwater facilities, acquisition of property by the DNR to provide access to the Lamprey Pass Wildlife Management Area (WMA), widening of County Road 23, by Anoka County and repairs by RCWD to Anoka County Ditch 15 and Judicial Ditch 4. In light of the tight timing of all these projects in 2009, each of the governmental bodies agreed to cooperate with project approvals, including the adoption of a resolution by the City of Columbus for property acquisition by RCWD and the DNR.

The MOU was part of the public record that followed a workshop held on September 22, 2009, including the City and RCWD. The parties each set forth their goals for the workshop and MOU. As part of its introduction, the City stated:

The City of Columbus is interested in the ditch repair work being done to help with flooding issues to individual property owners and obtaining wetland credits through restoration done by RCWD. Page 11 of 29

The City's mayor, Mel Mettler stated as follows:

Since May, the City met with RCWD to try and work out the details for the sale of the Houle WMA and to achieve some benefit for their City. Page 13 of 29

The statements of the City were recapped by the facilitator as follows:

Benefits sought by Columbus:

- Wetland credits for future use by the City.
- Improved drainage which results in improved developable lands on the east side of the freeway.

Page 14 of 29

Doug Thomas presented the goals of RCWD including:

Achieve repair project in a way that accomplishes the three needs (listed above), and the RCWD believes that establishing wetland restoration credits helps RCWD offset some costs to re-align and do some components of the repair project as well as provide public benefit to the City of Forest Lake and the City of Columbus that they look at future municipal projects where they may need to mitigate wetland. (Emphasis added.)

Page 15 of 29

Commissioner Sivarajah summarized the position of Anoka County as follows:

Anoka County would like to see all parties leave the room today with some sort of good faith agreements about how everyone might move forward and Anoka County wants to work with all the partners in helping facilitate that.

Page 16 of 29

Parties then agreed to enter into a Memorandum of Understanding incorporating the agreements of the parties worked out in the workshop with each party within in good faith on commitments made at the meeting.

### **Request to RCWD**

Based upon the above discussion and commitments from 2009, the City staff has reached out to RCWD staff on several occasions to formalize the request for wetland credits and to reserve wetland credits. Initially, City staff was told that the request was not timely prior to establishment of the restoration area. Now that restoration is complete, the City wants to formalize the reservation of wetland credits to ensure they are available when municipal projects come forward.

To present this request, the City Council has requested that it has an opportunity to appear before the Board of Managers of RCWD to address any questions managers may have and to underscore their support for this request.

We appreciate cooperation with this request and look forward to working with the Board of Managers of RCWD.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wm. C. Griffith".

William C. Griffith, for  
Larkin Hoffman

Direct Dial: 952-896-3290

Direct Fax: 952-842-1729

Email: [wgriffith@larkinhoffman.com](mailto:wgriffith@larkinhoffman.com)

cc: Mayor and City Council  
Elizabeth Mursko  
Nick Tomczik (via email: [ntomczik@ricecreek.org](mailto:ntomczik@ricecreek.org))

## **Memorandum of Understanding**

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**This Memorandum of Understanding, dated this 15<sup>th</sup> day of October, 2009 by and between the Minnesota Department of Natural Resources (DNR), the Rice Creek Watershed District (RCWD), Anoka County, Washington County, and the City of Columbus, Minnesota (Columbus), does state as follows:**

Whereas, Washington County plans to construct a bridge on County Road 83 over Interstate 35 (Overpass) which will require acquisition of a permanent easement of approximately 4.5 acres of the northeast corner of the Lamprey Pass Wildlife Management Area owned by DNR for the purposes of a stormwater treatment facility and slope maintenance; and

Whereas, Washington County desires to have all project approvals complete by November 13, 2009 in order to make federal funding available to the Overpass project; and

Whereas, DNR desires to use the proceeds of the sale of the permanent easement to Washington to acquire the privately-owned property at E1/2, S1/2, SW4, TWP SE ¼, SEC 14, 32N, R 22W) also known as the 10.2 acre Steinke property in the city of Columbus, to provide improved access to the Lamprey Pass Wildlife Management Area, and to acquire remaining parcels for the Carlos Avery WMA that were identified in the plan submitted to the City of Columbus on November 19, 2007; and

Whereas, Anoka County must approve the sale of the Steinke property to the DNR, and will consider whether Columbus supports DNR's proposed acquisition of the Steinke property; and

Whereas, Anoka County intends to make improvements to County Road 23 in proximity to the Steinke property, which would require 75 feet of right of way from the centerline and closure of existing Lamprey Pass WMA access along County Road 23; and

Whereas, RCWD desires to undertake repairs to Anoka County Ditch 15 (ACD 15) and Judicial Ditch 4 (JD 4) which may require the acquisition of the Houle Wildlife Management Area (Houle WMA) and two non-contiguous parcels of the Lamprey Pass Wildlife Management Area (LPWMA); and

Whereas, all parties to this Memorandum of Understanding desire the approval and implementation of these above projects to be completed in a cooperative manner, although the

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MOU between DNR, RCWD, Anoka County, Washington County, City of Columbus  
October 15, 2009

County Road 83 and Ditch Repair Projects are fully separate projects, with public benefits to be gained by all parties; and

Whereas, the above agencies wish to enter into this MOU to document the good faith understanding and timeline of approvals needed as discussed on September 22, 2009.

THEREFORE, IT IS MUTUALLY UNDERSTOOD AMONG THE PARTIES:

Project approvals and timelines:

1. County Road 83 Overpass: Washington County will provide a Mitigation Plan for the County Road 83 Overpass project and Management Plan for the proposed mitigation area to the DNR on September 28. DNR will then forward the Mitigation Plan and Management Plan to US Fish and Wildlife Service (USFWS) who must review the plan, on September 28, which begins a 30-day review period. DNR will work with USFWS to facilitate review in a shorter timeframe. Once the Mitigation Plan and Management Plan have received USFWS approval, then DNR will issue a Section 4(f) "de minimus" letter to Washington County documenting their agreement to the permanent easement. This letter will then be forwarded to the Federal Highways Administration (FHWA) as the agency responsible for issuing the Section 4(f) approval by November 1, 2009 to facilitate Section 4(f) approval by November 13, 2009. Concurrently with de minimus letter, the DNR and Washington County will execute the permanent easement so that a right of way certificate can be obtained by November 13, 2009. The Final Mitigation Plan and Management Plan will also be sent to the Rice Creek Watershed District.
2. Rice Creek Watershed District ACD 15/ JD 4 Repair Project: The Rice Creek Watershed District (RCWD) Board will strive to consider accepting the Engineers ditch repair report and adopt the recommended alternative at its meeting on October 28, 2009. Once the report is accepted and an alternative is selected the required public notice, 30-day public comment period, public hearing and Board order will follow. During public comment period, the RCWD will initiate formal discussion with City of Columbus and DNR staff to discuss the conditions of the DNR's May 19, 2009 proposal and advance negotiations on acquisition of the 80 acre Houle WMA, and the 10 acres Lamprey Pass WMA parcel lying adjacent to Highway 97 and the 52 acre Lower LPWMA, if required by the selected alternative. Following the 30-day public notice and comment period, the RCWD Board will then review comments received, hold a public meeting and make a decision regarding ordering of the project. If this order includes acquisition of Houle WMA and LPWMA parcels, legislative approval would be needed for the land sale from the DNR to the RCWD. The DNR and Anoka County agree to testify in support of this land sale. The City of Columbus and Anoka County agree to approve this land sale as the ditch repair project will result in correction of drainage and flooding concerns and provide additional developable property in the City of Columbus while continuing to provide

public access to the former WMA areas under RCWD or City of Columbus ownership. The DNR agrees to sell the land at fair market value to the RCWD provided the land remains accessible to the public, and that hunting activities continue to be allowed as long as those activities remain compatible with adjacent uses. Further, the DNR, Anoka County and City of Columbus agree that acquisition of additional properties adjacent to the Carlos Avery Wildlife Management Area are appropriate given prior agreements to the Master Plan concept as presented by the DNR by letter and attachments on November 19, 2007; however additional discussions will be needed for the approval of purchase of specific individual properties under this Master Plan.

3. Steinke property acquisition: The DNR plans to move forward with acquisition of the Steinke property following sale of the easement over Lamprey Pass WMA for the County Road 83 Overpass project. The City of Columbus agrees to provide a resolution in conditional support of the Steinke purchase addressing the issues outlined above. Anoka County agrees to approve the purchase of the Steinke property contingent on passage of legislation that directs the sale of the Houle WMA and Lower LPWMA properties to the Rice Creek Watershed District, along with necessary legislative or administrative approvals required for the closure and relocation of the existing Lamprey Pass WMA access from County Road 23 to the Steinke property area and dedication of any necessary right of way from the Steinke property to ensure 75 feet of right of way from the anticipated County Road 23 centerline. A meeting between the DNR, Rice Creek Watershed District, Anoka County and the City of Columbus will be scheduled by the DNR in January to coordinate legislative activities as outlined above.

This agreement may be executed in counterparts by any party desiring to be obligated by the terms and conditions contained herein.

Signatures signify agency concurrence with this Memorandum of Understanding

Attachments: Meeting summary: September 22, 2009 meeting between DNR, Rice Creek Watershed District, Anoka County, Washington County, City of Columbus and City of Forest Lake

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MOU between DNR, RCWD, Anoka County, Washington County, City of Columbus  
October 15, 2009

MINNESOTA DEPARTMENT OF  
NATURAL RESOURCES

By: Mark HLT

Its: Commissioner

Dated: 10/23/09

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**RICE CREEK WATERSHED DISTRICT**

By: [Signature]

Its: [Signature]

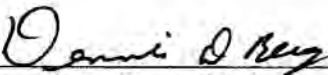
Dated: 10-14-09

By: [Signature]

Its: Secretary


Dated: 10-14-09

**ANOKA COUNTY, MINNESOTA**

By:   
Dennis D. Berg, Chair  
County Board of Commissioners

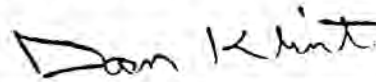
Dated: 10/26/09

**ATTEST**

By:   
Terry L. Johnson  
County Administrator

Dated: 10/26/09

**APPROVED AS TO FORM**

By:   
Dan Klint  
Assistant County Attorney

Dated: 10-29-09

**WASHINGTON COUNTY, MINNESOTA**

By: Myra Peterson  
Myra Peterson

Its: Board Chair

Dated: 10/27/09

**ATTEST**

By: James R. Schug  
James R. Schug

Its: County Administrator

Dated: 10/23/09

**APPROVED AS TO FORM**

By: George Kuprian  
George Kuprian

Its: Assistant County Attorney

Dated: 10/26/09

**CITY OF COLUMBUS, MINNESOTA**

By: Mel Mattes

Its: Mayor

Dated: 10/26/2009

By: Egaleh Murolo

Its: City Administrator

Dated: 10/26/2009

**City of Columbus/City of Forest Lake/DNR Workshop**

**Forest Lake Service Center and Library**

**Conference Room**

**7:00 p.m.**

The workshop meeting was called to order at 7:00 p.m. by Beth Bartz, Principal, SRF Consulting Group at the Forest Lake Government Center.

**7:00 1. WELCOME AND INTRODUCTIONS-B. BARTZ**

Beth Bartz introduced herself and said she is a Planner for SRF Consulting and will be the Facilitator for the meeting. The discussion tonight will include the CR83 project. Ms Bartz explained that in an effort for full disclosure she wanted to inform the attendees that SRF is working for Washington County on the preliminary engineering and environmental documentation for this project. Ms. Bartz has not been involved in the work of the project directly for some time, other than some public involvement work with the City of Forest Lake primarily on the Broadway Avenue portion of the project. The City of Columbus and Washington County asked Ms. Bartz to be the facilitator of the meeting.

Introductions were made at this time and attendee's included:

**Present from Anoka County:**

Anoka County Commissioner Rhonda Sivarajah, Assistant County Attorney Tony Palumbo, Assistant County Engineer Andrew Witter.

**Present from the City of Columbus:**

Mayor Mel Mettler, Council Members Denny Peterson and Mark Walsh, City Administrator Elizabeth Mursko; Attorney Bill Griffith, Jr., Engineer Larry Bohrer and Deputy Clerk Emmy Robinson.

**Present from the City of Forest Lake:**

City Administrator Chip Robinson, Engineer Paul Hornsby, Mayor Stev Stegner.

**Elected Officials:**

Senator Ray Vandever, Representative Bob Dettmer.

**Present from the DNR:**

Regional Wildlife Manager Tim Brimecker, Lamprey Pass Manager Brian Leuth, Regional Director Joe Kurcinka.

**Present From MnDot:**

Adam Josephson.

**Present from Rice Creek:**

Administrator Doug Thomas, President Pat Preiner.

**Present from Washington County:**

Assistant County Engineer Wayne Sandberg, Commissioner Dennis Hedberg District 1, County Engineer Don Theisen, and County Administrator Jim Schug.

The Facilitator noted that minutes will be taken and shared with all attendees. These are not verbatim minutes. A tape recorder was used to assist in preparing the meeting minutes.

There is a quorum of the City of Columbus City Council; this meeting was noticed so we are in compliance with the open meeting law.

**7:05 2. GOALS FOR TONIGHT'S MEETING; GROUND RULES - B. BARTZ**

The goal is to resolve linked projects and concerns that deal with the City of Forest Lake, Columbus, the DNR, Washington and Anoka County and the Rice Creek Watershed District. A map was displayed for reference to the key items involved in the project. The area is generally along the Interstate 35 corridor. Outcomes will be summarized under item #5.

The goals include:

- Determining elements of agreement.
- Identification of unresolved issues.
- Identify next steps to resolve the issues.
- Create a schedule outline identifying actions by the various councils, county boards, and Rice Creek Watershed District (RCWD) with resolution by November 13<sup>th</sup>, the deadline for the CR 83 project.

The Facilitator also outlined Ground rules for the meeting.

- The main goal is to help all parties understand and come to consensus on the next steps and actions required.
- Mutual Respect for desired outcomes and missions of each entity.
- Work towards what is in the best interest of the public.
- Stay focused on facts, not past histories or relationships.
- Respect for collective time. Speakers are asked to limit remarks limiting details.
- Keep the discussion positive.

One representative from each organization was seated at the table at the front of the room to provide input into the discussion. These persons generally have the authority to make decisions or provide direction. The persons at the table included Anoka County Commissioner Rhonda Sivarajah, City of Columbus Mayor Mel Mettler, DNR Regional Director Joe Kurcinka, Washington County Commissioner Dennis Hegberg, Forest Lake Mayor Stev Stegner, Rice Creek Watershed District Administrator Doug Thomas, Senator Ray Vandever and Representative Bob Dettmer.

### **7:15 3. DISCUSSION BACKGROUND-B. BARTZ**

The Facilitator summarized the projects for each entity.

#### **DNR**

A map was displayed in the front of the room of the area of discussion. The two wildlife management area's (WMA's) involved in the discussion tonight were highlighted in green. These properties are managed by the DNR, are state owned and their purpose is to provide habitat protection and recreational opportunities. The two WMA's involved are Lamprey Pass, and the Houle WMA. The DNR has interest in acquiring additional properties in proximity to these areas to help with functionality of the current WMA's. The parcel of interest is the Steinke parcel on CR 23. It is in private ownership at this time.

#### **Washington County**

Washington County has a roadway project planned for CSAH 2 and a bridge construction project for the CR83 overpass. The CR83 overpass will help during traffic construction on CSAH 2 and will also serve Forest Lake and Columbus with daily activities and emergency access.

#### **Rice Creek Watershed District (RCWD)**

RCWD is looking at alternatives to do ditch repair to Anoka County Ditch 15 and Judicial Ditch 4, which run approximately parallel to I 35. There are nine alternatives being looked at, one alternative is RCWD will purchase the Houle WMA from the DNR, continue running it as a WMA in the short term, but also use it to facilitate ditch repairs and watershed interests in the area.

#### **City of Columbus**

The City of Columbus is interested in the ditch repair work being done to help with flooding issues to individual property owners and obtaining wetland credits through restoration done by RCWD.

#### **Forest Lake**

Forest Lake has interest in the Washington County project which will help facilitate traffic through the city and with the re-construction of Broadway Avenue. (CSAH 2).

**Other connections:**

The construction of the overpass will require storm water ponding. The storm water requirements are established by RCWD. Washington County has determined the best area to handle the storm water treatment is in the NE corner of the Lamprey Pass WMA, which is owned by the DNR. The county has been in negotiations with the DNR about appropriate ways to acquire the property they need for the project and mitigate the impacts to the WMA in that area. This includes loss of access to that area and loss of some habitat within the WMA.

The purchase of the Steinke parcel by the DNR to add to the WMA requires the approval of Anoka County and they will seek a resolution of support from Columbus for the approval of that sale.

**Other information:**

Prior to the Washington county project coming online, RCWD, Columbus and Anoka County have been working toward a Memorandum of Agreement (MOA) and a purchase agreement that would address concerns with the purchase of the Houle WMA and Steinke properties.

This forum is to clarify the issues.

**7:30 4. DESIRED OUTCOMES FOR EACH AGENCY****DNR**

Mr. Kurcinka thanked Washington County and the City of Columbus for this meeting. Mr. Kurcinka said this all comes together around some different pieces of DNR land. The DNR are trying to work with folks and he appreciates the opportunity to sit down and talk candidly about this and try to figure out what can be done.

Mr. Kurcinka said they divided their outcomes into overarching and specific outcomes:

Overarching outcomes:

- To serve the public's interest by reaching an agreement tonight on provisions that would allow the CR83 overpass and the JD4, Anoka County Ditch 15 projects to proceed and meet the established deadlines.
- To reach an agreement that is satisfactory to all parties with long term relationships made strong.
- To protect the purposes, uses and ecological integrity of Lamprey Pass Wildlife Management Area and comply with the US Fish and Wildlife Service federal regulations. The DNR has some federal aide that has helped them acquire land for some small WMA's to develop parking.

Specific Outcomes

- The DNR would like to get agreement to convey Washington County easements on

the WMA land at market value necessary for the construction and mitigation of County Road 2 and the CR83 overpass.

- As part of the mitigation a prairie area would be planted and managed by Washington County for a period of 5 years to ensure establishment and then turned over to the DNR, who would assume maintenance of it after the 5 year period.
- To reach and agreement to sell the Houle WMA 80 acre parcel and the east unit of the Lamprey Pass a 52 acre parcel (lower parcel on the east side of I35) to RCWD at market value, to be used for wetland restoration credits and to remain open to public hunting until it becomes incompatible with the activities in the surrounding area.
- Obtain approval from Columbus and the Anoka County Board to permit DNR to acquire the 10.26 acres of the Steinke parcel, which replaces the public access and provides habitat for public use.
- Obtain from Columbus and Anoka County approval to acquire the remaining parcels for Carlos Avery that is part of the acquisition plan given to the City of Columbus in November 2007. The parcels are not new to the overall discussion. There are approximately 15 parcels, about half already have County Board approval and except parcels 14 and 15 (parcel 15 is the Steinke parcel identified on the map displayed in the front of the room and Parcel 14 is the area to the east of that) the remaining parcels are all around the border of Carlos Avery WMA.

The Facilitator asked for Questions or clarifications  
There were no questions.

### **City of Columbus**

Mel Mettler began with some background information and stated that discussions have gone on for several years regarding the items; most of the items offered the city is in agreement with. A letter was received from the DNR on May 19, 2009 outlining a number of things just mentioned by Mr. Kurcinka except the permission from Columbus and Anoka County for all of the other parcels listed on the DNR plan. The newest request has been the Steinke parcel approval which occurred in the last 3 – 4 weeks. Since May, the City met with RCWD to try and work out the details for the sale of the Houle WMA and to achieve some benefit for the City. The City has negotiated and resolved the sale of other properties in Columbus with the DNR. There were disagreements with three of the properties on the plan in the past, two of those have been resolved the only one left is the Steinke property. The City was on track with the Steinke request since the letter was received from the DNR May 19<sup>th</sup>, 2009. At this time, the details need to be worked out regarding the Steinke property. The City needs some assurances on how this will play out with the Houle WMA. The City is in agreement with the sale, but the details of an agreement need to be worked out. The permission vs. legal agreement is the only concern. The concept is not a problem.

The Facilitator summarized by stating the desired outcome as:

- The agreements have been achieved and worked through in a manner that is legally appropriate and satisfies the needs of Columbus.

Benefits sought by Columbus:

- Wetland Credits for future use by the City.
- Improved drainage which results in improved developable lands on the east side of the Freeway.

### **Washington County**

Commissioner Hegberg deferred to Wayne Sandberg regarding the CR83 overpass project.

Commission Hegberg said they did have a workshop with the Board on this subject, the CR83 overpass project is very important and Washington County also recognizes that the DNR has been kind enough to recognize some of Washington County's issues.

Wayne Sandberg said their primary interest in this is the CR83 overpass project. The order of importance for desired outcomes is:

- All agencies are able to leave this meeting moving forward knowing that they have obtained for them a positive outcome.
- Washington County wants to see a win, win, win, win, win for all five agencies.
- Washington County will be working with everyone in the future and would like to see a positive outcome moving forward.
- Create a package for the Washington County Board that allows Washington County to purchase the property from the DNR (Lamprey Pass WMA), at the county appraised market value;
- Washington County is able to mitigate the impact to Lamprey Pass by establishing a prairie that Washington County will turn back over to DNR after a finite period of time
- Obtain the de-minimus approval and move forward with the CR83 project which does have ARRA stimulus dollars associated with it by November 13<sup>th</sup>.

The facilitator asked Mr. Sandberg to explain what de-minimus means. Mr. Sandberg explained that in order for Washington County to move forward they need to have approval from the Federal Highway Administration that basically says that the impacts caused by the project to the property are minimal and mitigatable. To accomplish this, Washington County needs approval from the DNR and Federal Highway Administration.

The Facilitator asked for questions or clarifications.

The Facilitator asked the DNR if they also wanted to have the issues resolved by November 13<sup>th</sup> as well.

The response was the DNR wants to accommodate the time frame for Washington County.

### **Rice Creek Watershed District**

Doug Thomas presented the goals and said the goals stem from two different parts, one is the ditch repair project and the other is the RCWD role as the permitting agency for the CR83 overpass.

#### Ditch repair project.

Recognizing RCWD's role as the statutory drainage authority and also the water management authority under the Metropolitan Surface Water Management Act, the goal is three fold and the goals are based on land near the Houle WMA transitioning from current agricultural uses to commercial industrial and residential. RCWD is trying to be proactive. RCWD initiated repair proceedings for JD4 and Anoka County Ditch 15.

#### The goals are:

- Provide a ditch system that is able to service both the current agricultural and cultural uses that are going on in that area.
- Serve the future municipal needs.
- Acknowledge the preservation enhancement and restoration of natural resources, water quality and flood control as part of an overall repair project. The repair report has been finished in draft form with 9 alternatives. The bounds are from a do nothing alternative to a traditional repair. The Engineer's recommended alternative includes the purchase of Houle WMA and lower Lamprey Pass WMA. This allows RCWD to do wetland restorations and alignment and management of the ditch through those two properties in a way that would not be possible because of statutory and policy limitations on the part of DNR as land owner. RCWD met with DNR and the City during development of the project and the DNR provided the letter to the City of Columbus and the RCWD on May 19<sup>th</sup>, offering to enter into an agreement that would result in a directed land sale of the Houle WMA, and the Lamprey Pass WMA south of Hwy 97.
- Achieve the repair project in a way that it accomplishes the three needs (listed above), and that RCWD believes that establishing wetland restoration credits helps RCWD offset some costs to re-align and do some components of the repair project as well as provide some public benefit to the City of Forest Lake and the City of Columbus as they look at future municipal projects where they may need to mitigate wetlands. RCWD recognizes that the Freeway Corridor district and urban residential development on the Forest Lake side will continue to take place.

#### CR 83 Goals:

As the permitting authority for both storm water and wetland impacts under the State Wetland Conservation Act, the goal is to have the RCWD Board provide conditional approval on October 28<sup>th</sup> in advance of the Washington County November 13<sup>th</sup> deadline.

The Facilitator asked what conditions are anticipated.

Mr. Thomas said those conditions include maintenance agreements, legal documents, and

other administrative items, not substantive issues.

The Facilitator asked for questions:

Mr. Kurcinka asked if Mr. Thomas could give input as to whether the RCWD Board will accept the Engineering recommendation. Mr. Thomas said they have the Engineer's recommendation and a workshop is scheduled in early October. A goal of mid to late October is anticipated for the Board to make a decision and adopt the report and move forward on one of the alternatives.

Board selection of an alternative is expected October 28<sup>th</sup>, then a public notice is provided, and a public hearing process will follow before the project would be ordered. At that point RCWD would begin to initiate any of the final agreements with DNR, how the land sale will occur, and the appraisal process.

The Facilitator asked what the required length of time for the notice would be. Mr. Thomas said it is a 30 day notice.

The Facilitator added that in terms of challenges that need to be resolved in accomplishing some agreements by November 13<sup>th</sup> is procedurally RCWD cannot go through an official process to approve the alternative that includes purchase of the Houle Property and the lower east parcel of Lamprey Pass WMA by November 13<sup>th</sup>.

#### **Anoka County**

Commissioner Sivarajah agrees with Washington County that Anoka County would like to see all parties leave the room today with some sort of good faith agreements about how everyone might move forward and Anoka County wants to work with all the partners in helping to facilitate that. Also, being mindful that we are all here to serve the public, that public dollars are being used and it doesn't make sense to have one public agency demanding too much from another public agency. Commissioner Sivarajah added that the group should look at what is the most reasonable resolution at the most reasonable cost.

#### **Anoka County's Goal:**

- Anoka County is impacted by the CR 83 overpass location but also where the County Board stood on the Steinke property. In discussions held previously with the DNR, Anoka County's position was if the Steinke property sale should move forward at any time the current access from the parking lot on CR23 would need to be removed because two access points are not allowed on CR23 due to the proximity of the access to the interchange.

Mr. Kurcinka said he understood that CR23 will be widened and that original access will be eliminated by the widening project.

Commissioner Sivarajah agreed, but also said widening the road would be at a time in the

future, however if approval of the Steinke property were to move forward now or in the near future and a parking lot and/or access point is added, the current access/parking area would need to be removed immediately. Andrew Witter concurred.

The Facilitator asked for questions.  
No questions were asked.

The Facilitator offered the other representatives an opportunity to comment:

#### **Forest Lake**

Mayor Stegner stated that everything is covered and asked Chip Robinson for comment. Mr. Robinson said the deadline of November 13<sup>th</sup> is of real concern to the City of Forest Lake to meet the goal to obtain the stimulus dollars. The CR83 overpass is vital to the City to provide another crossing on the Freeway which is needed now with the growth of the City and will help during the Broadway construction as a detour across the freeway. Mr. Robinson re-iterated that the need to keep the process on track to meet the deadline is vital.

Representative Dettmer supports resolving the issues by the deadline of November 13<sup>th</sup>, as the deadline is just 52 days away.

#### **7:50 5. MOVING FORWARD**

City of Columbus Attorney Bill Griffith asked what the framework would be to achieve the sale of the property in a timely manner and suggested possibly it could take the form of a Memorandum of Understanding (MOU).

Mr. Kurcinka agreed that some form of MOU between the entities would be appropriate. Mr. Kurcinka said he is trying to work openly and honestly, regarding the sale of the land and value of the land.

The Facilitator asked Washington County what is needed by Nov 13<sup>th</sup>.

1. An MOU is executed.
2. DNR needs to obtain concurrence from the Fish and Wildlife Service.
3. After concurrence by Fish and Wildlife Service the DNR sends an agreement in the form of a letter to Washington County (relating to the DNR easements on the WMA land necessary for the construction and mitigation of County Road 2 and the CR83 overpass.)
4. Washington County needs FHWA approval and achieves the de-minimus.

Mr. Kurcinka said that the DNR can make things happen, but Fish and Wildlife have to approve the plans due to federal dollars that are used to operate and maintain the WMA.

#### **Washington County Requirements:**

Wayne Sandberg said the November 13<sup>th</sup> deadline is to make sure the stimulus dollars are

spent without penalty from the Federal Government. Washington County wants to tie their process and timeline to the MOU and have the project authorized by November 13, 2009.

In essence this means the project needs to be authorized, which includes the need for the following:

- Having the right of way certificates in hand, temporary and permanent easements from the DNR. The intent is these would be complete.
- De-minimus approval – allows the Washington County to have environmental documentation approved.
- RCWD permits.

The Facilitator asked Mr. Kurcinka if there would be anything needed that would precede completion of the easement:

Tim Bremicker said there are no additional items needed if there is an MOU between all parties in regards to statutory requirements for federal aid and replacement. DNR is not trying to create extra steps (inaudible).

Mr. Sandberg, Washington County said their understanding of what Washington County needs to give to the DNR is the agreed upon management plan and mitigation plan. Mr. Sandberg said they are very close to providing this. Washington County is supportive of the replacement meaning buying new land to replace land but that puts Washington County past the November 13<sup>th</sup> deadline and they have a different mechanism to make that happen.

The Facilitator asked Mr. Thomas if the application for the RCWD permit had already been submitted.

#### **RCWD**

RCWD said the permit application has been submitted and needs to be acted upon once the other pieces fall into place.

City of Columbus Attorney Bill Griffith stated that having an MOU supplants other actions that would otherwise have to be taken to give assurance that those other actions will be taken. If there is a good faith understanding in writing, this expedites the process. Absent the MOU each of the parties would want to make sure they have something close to final action on all the various issues which simply cannot occur before the November 13<sup>th</sup> deadline. The concept brings all the parties together and operating in a good faith understanding from that point on.

The Facilitator asked if Mr. Sandberg's concern with having to execute an MOU would mean a two step process, whereby an MOU would have to be written up and then executed by all the parties before all the other items would go through a second set of approvals.

Mr. Sandberg agreed and went on to say that Washington County's concern is tying Washington County's isolated CR83 project to the other projects for other agencies. Washington County supports the other projects and is willing to work towards the bigger picture items, but the time constraints are so great that Washington County wants to keep the CR83 project moving forward.

The Facilitator added that the challenge is to think about how the tasks can be organized in parallel rather than in sequence.

The Facilitator summarized by stating

- The City of Columbus is ready to recommend approval of the purchase of the Steinke property by the DNR provided that the conditions of the May 19<sup>th</sup> letter from the DNR have been worked through and agreed upon.
- Anoka County is in favor of the CR83 project but an unresolved issue is access into the WMA. Commissioner Sivarajah stated that the access issue has been discussed in the past regarding eliminating the current access point and moving it to a new location. Tim Brimecker stated he is aware of this and can work with that. Anoka County will be supportive of Columbus's position.

Commissioner Sivarajah is supportive of the Washington County CR83 project; but she wondered how the Steinke property had a connection to the CR83 project.

Tim Brimecker said the projects all come together and are split between the two counties and said there is a value to both counties in the overpass.

Commissioner Sivarajah said the CR83 project does not bring great value to Columbus and actually there is a negative impact on the residents she represents because of the increase of traffic that will go onto Howard Lake Drive which is a dirt road. The county is not in a position to look at taking that road over for improvements. Anoka County is supportive of Washington County, and again asked about tying the issues together.

Mr. Kurcinka stated that as the overpass is added, the opportunity for an access point at this location to the WMA is lost. The County Road 23 access will be lost when CR23 is widened. The federal interest states that fair market value must be received and the land has to be replaced with land with ecological value. This generally has to happen in the same geography, not specifically within the same WMA. The Steinke property allows access that will be lost on CR23 as well as the CR83 project. Washington County does not have direct decision making authority regarding the acquisition of the Steinke property, the DNR understands that.

The Facilitator summarized by saying that for the CR83 project the only requirement the DNR is placing on Washington County beyond the fair market value for the easement

acquisition is the creation of a prairie area in the vicinity of the WMA and there is no direct requirement that is related to the Steinke property.

Mr. Kurcinka agreed and noted that Commissioner Sivarajah is asking how these things got tied together, they were at a point tied together in de-minimus and DNR simply asks Washington County to support their need for acquisition in that area which meets DNR federal requirement as well as what is viewed as the state's requirement. The DNR is not trying to create an issue; there are people that live in that area that recognize this is important to DNR.

Commissioner Sivarajah asked how the fair market value of the property was determined and noted that the county has legal requirements as to what can actually be paid for property for road projects and asked if the fair market value is different from Washington County's appraisal.

The response was this was Washington County's appraisal based on DNR guidelines.

Senator Vandever asked if the county did the appraisal.

Mr. Sandberg said one of the first steps in the process is to find out if the WMA has a federal interest either because it was originally purchased with federal dollars or for the consistent and regular upkeep of the WMA federal dollars are used. The DNR provides this answer. The direction in the documentation provided by the DNR is the property has federal interest. In order for Washington County to obtain property whether it's easement or fee title from a WMA that has federal interest is they have to follow the "federal yellow book process". The guideline directs that the property be looked at as its highest or best use regardless of its zoning or current use. In this case this property is adjacent to a freeway that will have an overpass; it has access from Broadway Avenue and is very visible from the freeway. The appraisal came back at \$600,000 for 4.4 acres based on these criteria.

Senator Vandever stated that if Washington County is required to ignore the current zoning and then the appraiser picks the zoning which would reveal the highest value is the property appraised it that way?

Mr. Sandberg said under this current federal regulation the answer is yes.

The money goes to the Minnesota DNR into land acquisition account.

The Facilitator stated that it appears that in large part there is substantial agreement and asked about unresolved issues.

## **UNRESOLVED ISSUES**

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MOU between DNR, RCWD, Anoka County, Washington County, City of Columbus  
October 15, 2009

City of Columbus Attorney Bill Griffith wanted to clarify that conversation between the City of Columbus and the DNR pertaining to the "parcel of interest" by the DNR in this project is defined specifically to the Steinke parcel and not other parcels.

Mayor Mettler pointed out that Point 3C involves the other parcels; the other parcels have not come before the Columbus City Council individually for acquisition to date. The Columbus City Attorney stated that he would recommend falling back on the "master plan" that was presented by the DNR and the resolution of approval of that master plan. That operates on all the parcels; the attempt is to resolve the issues that are employed here. The City wants to have the MOU include that the other parcels be acquired over time and the other parcels not be added to this as that will make action by the City of Columbus City Council very difficult.

Tim Brimecker said the other parcels were part of the letter submitted to the City. There are some parcels that have been approved and others that still need approval. Other parcels were put on the table as part of the RCWD project, the Anoka County 15 and JD4 project not the CR83 project. Mr. Brimecker agrees with the direction just provided by Columbus City Attorney Bill Griffith that for the purposes of the CR83 project and moving forward what is germane is the Steinke parcel. Depending on what the watershed district does may involve the other parcels, which can be resolved later.

The Facilitator summarized by saying that there is a resolution from Columbus that in concept accepts the DNR master plan. The resolution has a provision that as each parcel is requested by the DNR for purchase that requires individual review specifically by the City Council of Columbus. Discussion of some of the parcels will be triggered by the RCWD project but not knowing which alternative will be recommended by the Board it is not know at this time which parcels may be affected by the RCWD ditch project. Doug Thomas agreed and added that the letter the DNR provided to the RCWD and City of Columbus on May 19<sup>th</sup> laid out a number of positions of the DNR's proposal. The City and RCWD has yet to respond to that regarding the 9 conditions laid out in the letter. RCWD is not in a position to respond until the RCWD Board adopts a recommended alternative. Then they have the ability to move forward.

The Facilitator asked if the statement made earlier by Mr. Kurcinka that the DNR's desired position would be to obtain permission from Columbus and Anoka County for approval on the remaining parcels was meant to be over a period of time in accordance with the resolution?

Mr. Kurcinka stated that is was meant to be over a period of time. The DNR is trying to replace the land from Lamprey Pass and Houle that is sold.

The Facilitator asked if attendees would like to continue the meeting as the allotted time is quickly approaching. The consensus was to continue the meeting.

## NEXT STEPS: ASSIGNMENTS

The Facilitator stated that it appears there is a division of steps and timelines for the CR83 project to get it's necessary approvals by November 13<sup>th</sup> and a second set of action steps for the RCWD project and getting the concurrent agreements from Anoka County and Columbus in order for DNR to proceed with acquisitions and allow the ditch repair project to move forward. At this point it is apparent that there is not a direct tie between the two issues.

The general consensus from the audience was agreement.

The City Administrator wanted to know if the MOU that is worked on will be sufficient for the DNR to sign off on the letter to Washington County if the Council does not vote on the Steinke parcel before November 13<sup>th</sup>.

Mr. Kurcinka responded that this is difficult and he recognizes this is two distinct projects. They both involved acting on lands. One of them is trailing (inaudible) it's the one that seems to be tied to the thing that would allow the DNR access to our land. That's what makes this difficult. I can't ask Washington County to approve this, they have no authority, and the only people who have authority are the City of Columbus and Anoka County. If the Steinke property is tied to the CR83 project, then the City Council makes a different decision, then does that mean the Steinke is off the table?

City of Columbus Attorney Bill Griffith responded that no it does not, what is being said is the City, just like the other agencies can't take the final action because other items are still in process, the City can agree to agree within a MOU but if certain things happen then the resolution will move and go on to Anoka County. But just like DNR might not be able to take certain actions until there are other approvals, the City cannot finally act and give up that approval without knowing the other actions are in fact approved. The MOU is a framework to a final decision without having to make that final decision because other actions and details have to happen and be determined before final decisions are made. Mayor Mettler added that the City is responding to Mr. Bremicker from May 19<sup>th</sup> and has been working on that with RCWD. Mayor Mettler added that meetings have been held regarding this project, once the details are worked out the City is willing to work with this.

Mr. Bremicker said that's all he's asking for is a good faith effort, likewise DNR is saying that if Rice Creek wants their land we would be willing to sell them the land. It has to be worked through within guidelines that DNR is under, but DNR would like to have all of these things under good faith understanding with each other.

The Facilitator stated that the DNR in separating these two projects has the greatest risk in that they will not be able to achieve their desired outcomes of replacing some functional lands.

Mr. Bremicker is asking for a good faith understanding so they will be able to move forward, and not totally reliant on the RCWD decision.

Mayor Mettler stated other parcel requests have been resolved in the past. If the issue is not resolved as it appears today that doesn't mean it can't be worked out some other way.

The Facilitator stated that the MOU will give DNR a level of comfort to move forward with the decisions that the DNR needs to make on the CR 83 project.

#### **TIMELINES**

The Facilitator posed the question as to who needs to be a party to the MOU and can the two projects be decoupled. Can the group move forward on both projects on separate but parallel tracks and what is going to continue to hold the good faith effort together.

The consensus was DNR, Anoka County, City of Columbus, RCWD and Washington County should be part of the MOU.

A break was taken at this time.

Comments regarding the MOU Contents:

- Mr. Kurcinka said a simple MOU should be created that captures the essence of the agreements and all parties should be participating in the MOU. This would simply formalize tonight's agreements as opposed to the notes.
- Commissioner Hegberg said they felt that the CR83 project is a separate issue, however to facilitate moving the process along they would agree to participate in the MOU but would like the MOU to acknowledge the separateness of the two projects.
- The DNR agrees with the statement from Washington County regarding the separateness of the projects and noted that Washington County does not have authority regarding the land decisions or have any affect on what the City of Columbus or RCWD decide.
- Wayne Sandberg said to facilitate timing of the MOU he suggests that the Facilitator would take the meeting minutes and have SRF craft the MOU as soon as possible, and Ms Bartz would compile all the comments. The parallel and accelerated processes would both be worked through Ms Bartz and SRF.
- The meeting summary would be attached to the MOU and would be very simple and very brief. SRF would prepare the MOU initially and send it out to all parties, get comments back; SRF would then revise it and look to each entities legal counsel for the appropriate way to authorize approval of the MOU.

The Facilitator asked for input from legal counsel in the room which includes City of Columbus, and Anoka County.

City of Columbus Attorney Bill Griffith stated that he agreed with this proposal as the better path given the necessity for a quick decision. An MOU is a good faith understanding as opposed to an MOA which is a binding agreement that the entities will be much more critical of.

Tony Palumbo, Assistant Anoka County Attorney, agreed and said what is put down in terms of the essence of the agreement can be refined.

Beth stated she is agreeable to this proposal.

Commissioner Sivarjah in discussions with Andy Witter and previous conversations with Doug Fisher, Anoka County Highway Engineer, said what is involved is not only the access but also making sure Anoka County has what it needs for the right of way. Discussion regarding this has taken place before with Mr. Bremicker. Commissioner Sivarjah would want part of the MOU to include that the County Board was comfortable with any sort of acquisition.

In principal the concept is that as part of Anoka County's approval of the purchase of the Steinke property by the DNR, Anoka County would want the right of way anticipated for CR23 be dedicated and that the existing access point closed. Andrew Witter stated the right of way would be 60 feet on either side of the center line.

Tim Bremicker said this was talked about before, this is Federal Aide property and a case will have to be made with Fish and Wildlife Service who would need to relinquish control of the property as they define it and replacement lands identified. Mr. Bremicker thought this was reasonable.

A key element in the agreement for the DNR is to get permission to purchase the Steinke property.

Senator Vandever asked if the Washington County has to buy the land or could there be a trade for the land or any other way around this because of the price.

Commissioner Hegberg stated that there is no land that Washington County can put up as a land swap. Even an exchange would have to be made for a similarly priced property in Washington County.

There needs to be good documentation of how and what the requirements of the appraisal were. Wayne Sandberg will put together a summary regarding the appraisal and he will send it via email to all attendees of tonight's meeting.

The MOU needs to be acted on by the 5 entities as it cannot be acted on administratively,

Forest Lake does not need to be included in action on the MOU. The MOU needs to be approved by the elected bodies of all jurisdictions except DNR, which can be signed by Commissioner.

### MOU TIMELINE

Friday ,September 25 <sup>th</sup>	Minutes prepared.
Monday ,September 28th	Draft MOU distributed.
Friday, October 2nd	Comments back from all entities.
Thursday, October 8 <sup>th</sup>	Final MOU draft to resolve issues with wording will be ready.

An MOU should be approved and signed by October 15<sup>th</sup>.

### General Assumptions regarding the MOU:

The goal is the MOU will be kept at a very simple conceptual level.

### CR83 PROJECT TIMELINE

MOU will be acted upon on the following dates:

October 13 <sup>th</sup>	Anoka County
October 13 <sup>th</sup>	Washington County
October 14 <sup>th</sup>	City of Columbus
October 14 <sup>th</sup>	RCWD

DNR can be handled administratively.

A separate signature page for each entity can be signed and combined for the final fully executed MOU.

### FLOW CHART

### CR83 PROJECT

Timeline: September 23 – Nov 13 sequence

1. September 25<sup>th</sup> - Washington County will have a draft of the management and mitigation plan to the DNR.
2. September 28<sup>th</sup> - Management and mitigation plan draft to DNR. As soon as an agreed upon management and mitigation plan is ready it should go to the Fish & Wildlife Service; it will take 30 days for them to process this. (This is concurrent with the MOU). Fish and Wildlife is not a party to the MOU, there is no action required of them, it is accompanying information that represents the good faith effort.
3. October 15<sup>th</sup> - MOU approved by all entities.
4. October 28<sup>th</sup> - Review and comment received from Fish and Wildlife Service.
5. October 28<sup>th</sup> - Board meeting - RCWD permit – will be issued at the board meeting.
6. November 1<sup>st</sup>: - DNR Letter to Washington County to allow reviews and response by FHWA.
7. Before November 13<sup>th</sup> - Execute Easement and Obtain Right of Way certificate. DNR

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MOU between DNR, RCWD, Anoka County, Washington County, City of Columbus  
October 15, 2009

and Washington County. Both entities noted that this can be obtained within the timeline.

8. Before November 13<sup>th</sup> - MN-Dot Adam Josephson from MNDot and Washington County will talk to FHWA and notify them of the timeline and getting their buy in to providing the de-minimus agreement by November 13<sup>th</sup>.

A question was asked regarding who the players are from Fish and Wildlife. Tim Brimecker said it's the Federal Aid office, at Fort Snelling. There are multiple staff within the unit, Ann Schnieder is the contact person and has been kept advised. There are also federal aide liaisons with Fish and Wildlife Service that work with the DNR. Gene Daniels, Jane Norris and the lead contact is Gene Daniels.

### **RCWD DITCH PROJECT AND RELATED LAND TRANSFERS**

The Facilitator summarized by saying that the RCWD timeline sets the framework for the rest of the activities happening. Essentially this project and RCWD Boards decision about which alternative to pursue sets up the framework by which the rest of these acquisitions can happen.

Doug Thomas said this is a fair assumption. The preference by RCWD would have been to see things separated, much like Washington County indicated, when the change was made to go from an agreement to a broad MOU, a good faith understanding, large principals, not acknowledging separation projects, RCWD would be comfortable with that. They have an Engineer's recommended alternative which identifies the acquisition as being part of that alternative. A RCWD Board workshop will be held Oct 12<sup>th</sup>, final discussion at the October 28<sup>th</sup> by the Board whether to accept the Engineers report and accept alternative #9, this sets the formal legal process in place. There is a required 30 day public notice, hearing and final order. After the 30 day comment period Board action to order the project would take place on November 25<sup>th</sup>.

Immediately following the Boards determination of acceptance of the report and selection of the alternative, discussions with the City of Columbus and DNR staff can begin regarding conditions of the acquisitions. Formal actions cannot be taken until the Board meeting following the 30 day period.

October 12 <sup>th</sup>	RCWD Board Workshop
October 28 <sup>th</sup>	Preliminary Board direction regarding alternative #9
After October 28 <sup>th</sup>	Discussions with City of Columbus and DNR can begin
Before November 13 <sup>th</sup>	The DNR would need to see the sale of the Lamprey pass property on the NE area
November 28 <sup>th</sup>	RCWD 30 day comment period expires, project is ordered.
After November 28 <sup>th</sup>	Formal agreements can be entered into with the entities to pursue the acquisitions and conditions.

Doug Thomas noted that the sale of the two parcels that are separated to the District would have to be done through a directive land sale which would require legislative approval. If the

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MOU between DNR, RCWD, Anoka County, Washington County, City of Columbus  
October 15, 2009

acquisition went forward on the Steinke parcel, it may remove incentive on the part of the direct land sale.

The Columbus City Engineer asked about a discussion regarding the money received from Washington County for the pond easement and if that is used to acquire the Steinke parcel. The answer was that is correct. Is there sufficient money from the Washington County to make the Steinke purchase? The answer was yes. There was a comment that Federal dollars would be used. For the reconstruction of CR23 it is anticipated that federal aid dollars through FHWA would be used. Mr. Bremicker said it comes into play for road easement for the existing access because there is a Fish and Wildlife interest in that property.

A question was asked about the possible outcome at the legislature regarding projects. The MOU cannot require the legislature to act in any particular way, this is a directed land sale requiring legislative approval and there is no one in the room who can control or predict what the outcome of that legislative action will be.

The legislative session starts February 4<sup>th</sup>.

Mr. Kurcinka said the only reason the legislative approval is needed is because of the sale of the Steinke property.

Mayor Mettler stated that the letter from Tim Bremicker ties the property to that.

Mr. Kurcinka said that the letter expressed the department's interest in being able to purchase the Steinke property which becomes even more important because the DNR is selling land in the northern part of Lamprey Pass for a separate project. The DNR is acknowledging that they will sell the land, they will accommodate the widening of the road, and they will accommodate the overpass and the ditch which becomes a part of the MOU. Mr. Kurcinka wants the same understanding on the Steinke property. He does not want the outcome to be if the RCWD takes another option the Steinke property is off the table.

Doug Thomas said the letter dated May 19<sup>th</sup> was a condition of DNR's going to a direct land sale to Rice Creek. The concern would be a purchase agreement is obtained, the property is sold, then people at the legislature could look at that and see that they achieved what they wanted and would no longer be interested in selling lands by the DNR to RCWD, this would negatively affect RCWD's project and may result in the project not moving forward. The conflict on the project goes back to the DNR's authorities over state owned properties and public water wetlands that the ditch crosses through and the potential impacts. RCWD wants to avoid this potential scenario.

The Facilitator summarized by stating that both the DNR and RCWD risk losing the ability to obtain the approvals to accomplish their desired outcomes. The DNR's concern is if the ditch project as it's currently envisioned by the district doesn't come to be and another alternative is

selected the DNR risks not being able to purchase the Steinke parcel and RCWD is concerned that if the Steinke parcel is sold and approval is granted prior to legislative approval for the directed land sale, the RCWD's ability to execute their project is in jeopardy and the goals of Columbus are not met because they are contingent on both of these transactions occurring.

City of Columbus Attorney Bill Griffith noted that once everything was linked, everything was linked. The CR83 project is linked to RCWD and Columbus project and RCWD project is linked to the CR83 project. The idea that once the CR83 project goes forward the linkage falls apart is why there is the need for a MOU.

Commissioner Sivarajah suggested that the DNR and RCWD should both testify at the legislature to try to move the legislation forward.

The Facilitator asked if the DNR would move forward on the Steinke parcel as of November 13<sup>th</sup> could they work out all the details regarding that acquisition but hold on actual execution of that acquisition until this legislative approval issue is resolved. It appears that leverage is lost if one project moves ahead before the other.

The response was that would be up to the City of Columbus and the DNR. The Attorney stated that there is a process to be followed; the City needs to show that there is a benefit to the constituents of Columbus for the sale of the Steinke property. Sometime in the next couple weeks the City Council will make a decision to approve the sale under some reasonable conditions which is more than the DNR has today. Mayor Mettler added that the concept and the idea is what the city is willing to work towards.

The Facilitator summarized by saying that what appears is general agreement toward working through the details of each of these interconnected transactions. That everyone is confident that this can be accomplished in such a way as to achieve everyone's desired outcomes. The concern being expressed is regarding the timing of the execution of those agreements based on the uncertainty of legislative action.

Mayor Mettler stated that timing is not an issue for the City, it is expected that Anoka County will support Columbus in the future. The City Administrator stated that the MOU should outline the fact that nothing is final until legislative action is taken. The Columbus City Attorney agreed and re-enforced the statement that the MOU sets up the framework and the resolution comes at the end.

Commissioner Sivarajah thought she could gain her colleagues support to move forward, but the county wants to make sure that everyone's interests are represented and moving forward. Commissioner Sivarajah stated she would welcome the opportunity to testify with the DNR on the bill. The commitment to work together is important, and is something we can all move forward with.

The Facilitator asked what Anoka County's timeline would be for approval?

Commissioner Sivarjah stated that Anoka County needs to take action also, the preference would be to have the DNR actively pursue legislative approval and be at the legislature and actively pushing the sale. Commissioner Sivarajah suggested that this be a separate bill instead of being added to the aggregate bills.

Mr. Kurcinka said he was tentative on the outcome. He trusts everyone, recognizes that everyone has separate issues. Mr. Kurcinka said the DNR wants to work with everyone but take care of their constituency.

The Facilitator noted that it may be important to get this group together in early 2010 to work through the details and coordinate the joint efforts for the legislative session.

The DNR will be put together a package in November, 2009 for the legislative session and will coordinate with the group.

There were no other unresolved issues.

#### **8:25 6. WRAP UP AND CONCLUSIONS**

The Facilitator asked for any other unresolved issues or concerns. There was no response. The draft of the MOU and draft copies of the minutes will be sent out early on September 28<sup>th</sup>.

The Facilitator asked Mr. Witter to forward the MOU to Mr. Palumbo as she did not have his email address.

Meeting adjourned at 9:44 p.m.

Respectfully Submitted:

Emilia S. Robinson  
Deputy Clerk

## **ITEMS FOR DISCUSSION AND INFORMATION**

### **2. Staff Reports**

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 19<sup>th</sup>, 2023  
**To:** RCWD Board of Managers  
**From:** Anna Grace, Regulatory Technician  
**Subject:** Staff Report 3/15/23 – 4/18/23

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- Created new permit files for online database and Laserfiche.
- Created new review files for online database and Laserfiche.
- Reviewed new permit applications and Initial Completeness Review Checklists were completed.
- Sent incomplete notice emails and continued working with applicants in tandem with RCWD staff and HEI consultants to receive all the required application materials.
- Continued coordinating with RCWD staff and inspectors with violations.
- Sent five permit applications to HEI for review.
- Sent three permit applications to RCWD for review.
- Received seven new review file inquiries for permit/past file/landowner/consultant/violation/City.
- Phone and email correspondence.
- Attended 25 scheduled meetings.
  - Scheduled and attended five pre-application meetings with HEI, RCWD, and project's consultants.
  - Attended a pre-application meeting with RCWD, HEI, TEP, and project's consultants.
  - Attended PERA Webinar, "From Hire to Retire."
  - Attended the kick-off meeting for the new website - initial proposal and process details discussed.
  - Attended webinar, "Awaking from your Erosion Hibernation," hosted by University of Minnesota's Erosion and Stormwater Management Program.
  - Assisted in on-boarding efforts of new RCWD staff members Will Roach and Abel Green. Terrence Chastan-Davis created an introduction presentation on our Laserfiche database to go over.
  - Cubicles:
    - Obtained second cubical quote.
    - Scheduled and attended three electrical vendors onsite assessments with Ashlee and Tom.
    - Theresa and I discussed cubicle and electrical proposals with office building management – Pine Tree.
    - Retrieved fabric and countertop samples. The top four fabrics were chosen, and staff were polled to choose their favorite. The fabric, "Aspen," was the winner! Aspen is the closest match to the existing cubicle fabric.
    - Presented quotes with Nick, Theresa, and Tom. Nick and Theresa gave the green light to proceed with the chosen cube and electrical vendors.
    - Scheduled and attended final cubical onsite walk through with Tom.
    - Theresa obtained and mailed initial invoicing checks to both electrical and cubicle vendors.
    - Assisted in setting up the new office chairs Theresa purchased for the new cubicles.
    - Working on next steps and scheduling with cubical and electrical vendors.

## MEMORANDUM

### Rice Creek Watershed District



**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Ashlee Ricci, Public Drainage Inspector  
**Subject:** Staff Report (03/15/2023 – 04/19/2023)

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#### Highlights from Preceding Month

- Attended regular staff meetings, Board workshop and special workshop, Board meeting
- Responded to citizen inquiries regarding drainage concerns
- Coordinated IT correspondence, device maintenance, device procurement
- Assist staff in resolving remote working technology problems
- Continued to ensure staff have remote access capabilities
- Attended drainage Team biweekly meetings
- Managed contracted services agreement workplans
- Managed multiple problem tickets with IT consultant
- Coordinated procurement of computers and other IT needs
- Continued work plan development for District Facilities and Public Drainage Systems
- Reviewed invoices for approval and coordinated payments with Office Manager
- Met with Drainage Inspector to coordinate work plans
- Continued development of materials for onboarding staff into the public drainage and district facilities programs
- Directed work tasks for Field Technical Assistant
- Served on the interview committee for the Program Support Assistant position
- Sent project updates for ACD 53-62 Main Trunk repair
- Review work on ACD 53-62 Main Trunk repair and coordinate with HEI rep
- Meet City staff and contractor on-site of ACD 53-62 Main Trunk repair
- Continued additional job duties to cover Project Manager's position
- Managed and reviewed budgets for IT and public drainage and facilities
- Work with Communications Coordinator on annual report data
- Begin preparation for new IT liaison and additional staff
- Presented at the April City-County partner meeting
- Reviewed and coordinated PDS MOA
- Reviewed District Facilities memos and next steps for updating management of facilities
- Coordinated MOA framework for PLOP/Halls Marsh
- Begin coordination of IESF installation
- Attend bid opening for AWJD 3 Branches 1, 2 & 4 repair
- Onboard new staff to IT
- Review and investigate options for telecommunications options
- Work with the City of Lino Lakes and Shenandoah Park BMP feasibility study
- Met with Communications Coordinator to discuss website content for public drainage and facilities



## **MEMORANDUM**

### **Rice Creek Watershed District**

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**Date:** March 15, 2023  
**To:** RCWD Board of Managers  
**From:** Terrence Chastan-Davis, District Inspector/Technician  
**Subject:** Staff Report (March 16-April 19, 2023)

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### **Highlights from Preceding Month**

- ✓ Completed 11 inspections of projects and reviewed files to confirm rule compliance.
  - Met with 3 site supervisors to discuss corrective actions on site.
  - Sent out inspection reports with specified corrective actions and requested updates when corrective actions were complete.
- ✓ Attended 2 pre-construction meeting to review project schedules and discuss RCWD permit requirements.
- ✓ Assisted Ramsey County SWCD inspectors with specific permit inquiries.
- ✓ Participated with the Watershed Technician/Inspector Interviews and candidate selection.
- ✓ Coordinated watershed Technician/Inspector onboarding activities with other RCWD staff.
- ✓ Assisted with coordinating onboarding activities for the District Technical Assistant.
- ✓ Participated during the website update meetings.
- ✓ Attended the RCWD City-County partner meeting.
- ✓ Recommended permit closure and/or surety returns/partial returns for 3 permits.
- ✓ Recommended permit extension for 3 sites that have remaining work.
- ✓ Noticed the Board for a 10-day notice for work without a valid permit.
- ✓ Assisted in responding to questions and concerns from the public, applicants, contractors, and contracted inspectors.

## MEMORANDUM

### Rice Creek Watershed District

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**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Ali Chalberg, Watershed Technician & Inspector  
**Subject:** Staff Report 3/15/2023 – 4/19/2023

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### Highlights from Preceding Month

**Overview:** This month has been heavy in trainings. This included many meetings, workshops, and webinars as well as learning from Matt and Catherine how to start sampling season. In addition, I have been working mainly with Terrence to onboard Will Roach and welcome him to the inspection team! Looking forward to more onsite meetings and inspections now that the snow has melted, and construction season is beginning!

#### MS4

- ❖ Attended monthly MS4 webinar with MPCA
  - Staff turnover
  - Stormwater Wiki
  - Update MS4 permit website slow start
- ❖ New Brighton WHPP Review

#### Lakes/Streams

- ❖ Sampling equipment maintenance
- ❖ Plant/ Chl-a data entry
- ❖ PIT Antenna site maintenance
- ❖ UMN Plant Survey Data Submit
- ❖ UMN Chloride data entry

#### Meetings

- ❖ City County Partner meeting
- ❖ DNR Filemaker Workshop (Plant Survey Work)
- ❖ BWSR Webinar
- ❖ New Website overview meeting
- ❖ Washington County Consortium
- ❖ MECA presentation
- ❖ New Stormwater Wiki Page meeting (PCA)
- ❖ Project meetings
- ❖ Inspection team meetings
- ❖ Permit Coordination meeting
- ❖ Staff meetings

#### Other

- ❖ New website permitting and water quality pages work
- ❖ Went through interview and hiring process for Will Roach
- ❖ Taking new hires out on-site visits and overall getting to know them!

## MEMORANDUM Rice Creek Watershed District

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**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Matt Kocian, Lake and Stream Program Manager  
**Subject:** Staff Report 3/14 – 4/19/2023

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### Highlights for Preceding Month

**Bold** items required significant time & attention

- Monitoring
  - **Data entry, analysis, and reporting – data submittal to MPCA**
  - Lake chloride monitoring (on the ice)
  - Monitoring Program Plan update (w/HEI)
- **Long Lake Carp Management**
  - **New physical barrier on Johanna Creek –**
    - **Barrier construction – on-site inspections, contractor oversight, troubleshooting**
    - **Arrange for screen fabrication**
    - **Peterson Companies Pay App (Board Meeting)**
  - **2023 Long Lake site prep and equipment installation**
    - **PIT antenna installation and maintenance**
- Potential Centerville Lake Alum project
  - pre-project development and investigation
- **Statewide carp workshop development with MN Aquatic Invasive Species Research Center; goal: improve funding and regulatory processes to benefit carp managers – prepare presentation**
- **City County Partner meeting**
- Kyle transitional items
  - Clear Lake / WCD retrofit project
  - Centerville SWA with ACD
- Meeting with City of Circle Pines re: Golden Lake water quality status and lake management outlook
- Silver Lake homeowner meeting
- U of MN special study – chloride monitoring in the RCWD (support class project, “extra” sample collection from U of MN students)
- RCWD Project Program Manager (Kyle’s replacement) hiring – review resumes and prep interview questions

# MEMORANDUM

## Rice Creek Watershed District



**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Molly Nelson, Watershed Technician/ Water Resources Specialist  
**Subject:** Staff Report 3/16/23 - 4/19/23

### Introduction

The highlights of my work from March 16th to April 19th are as follows:  
(Note that these are highlights and not the full extent of all work that I have done)

### RCWD Cost-Share & Citizen Advisory Committee

I continued efforts with assisting at the monthly CAC (Citizen Advisory Committee) meeting for minutes and other coordination. This month, I presented phase one of my work with creating a cost-benefit analysis for the Water Quality Grant Program. This was received well by the members, and I have had discussions with a few members about how to best utilize the data for reviewing future applications.

Multiple landowners have reached out about potential projects for cost-share, and I have been meeting with them to discuss the program and review their ideas. I have also been increasing targeted outreach efforts in Anoka and Washington counties to increase the number of applicants with intentions to match Ramsey county's output.

I met onsite for two potential large collaboration projects, one in Ramsey County and one in Washington County. Additionally, there have been multiple meetings with Washington Conservation District for potential water quality work on Lost Lake and finalizing the Miron waste storage facility project from 2019 (amended in 2022).

Three new mini grant applications have been reviewed and processed this past month. I am working to provide proper guidance for projects and obtain photos and stories from applicants throughout the project installation process. There is about \$2,500 remaining in the 30-05 budget to award applicants. I have been continuously working to enter data into the MS4front database from past WQ grant projects, as well as transferring all files from the G drive to Laserfiche to free up space.

### Communications and Outreach

I have continued work with Kendra Sommerfeld on Outreach Programs and communications with the Public. This month has been focused on prepping and designing outreach materials for upcoming events in the Spring and Summer.

I am actively working on organizing the database for all materials and historical work when time permits. I have completed additional work with the public by answering questions about the District and directing people to the correct program.

## MEMORANDUM

### Rice Creek Watershed District

**Date:** March 18, 2023  
**To:** RCWD Board of Managers  
**From:** Nick Tomczik, Administrator  
**Subject:** Staff Report – April 2023

#### Highlights for Preceding Month

- ✓ Administrative
  - RCD 2, 3, 5 Project Legislator Efforts, Discussions
  - 6-Month Staff Reviews
  - Hiring process for:
    - Technical Field Assistant
    - Watershed Technician Inspector
    - Program Support Technician
    - Project Program Manager
  - Office Cubicle Project
  - Water Resource Policy Plan Advisory Group
  - Accounts Payable Review
  - Personnel Leave Requests
  - Board Delegation for Contracts
  - Board Meeting & Staff Meeting
  - Bylaw Review
  - HR Consultant (human resource manual, salary administration, on boarding)
- ✓ Communication & Outreach
  - City, Cty, Partner Mtg
  - MPCA Grant - Resiliency Workshops
  - Website Meeting
  - MPCA Resiliency Grant
- ✓ Information Management
  - District Boundary Adjustment Process
  - Task Order Annual updates
- ✓ Restoration Projects
  - Restoration Approaches, Opportunities Discussion
- ✓ Regulatory
  - Metro Shooting / Trost Settlement Discussions
  - Regulatory / PDS Coordination
  - Inspection Team Meeting
- ✓ Ditch & Creek Maintenance
  - RCWD Public Drainage Obligations and Approach Presentation
  - MS4 Permit PDS Designation
  - ACD 10-22-32 alternatives Presentation
  - ACD 53-62 Discussions
  - RCWD PDS and District Facilities Meeting
- ✓ Lake & Stream Management
  - District Approach to Resource Goals, Program Discussions
  - Golden Lake Considerations
- ✓ District Facilities
  - Facility Review Discussions
  - Priebe Lake Outlet Next Steps Discussion

**MEMORANDUM**  
**Rice Creek Watershed District**

**Date:** April 19<sup>th</sup>, 2023  
**To:** RCWD Board of Managers  
**From:** Patrick Hughes, Permit Coordinator/Wetland Specialist  
**Subject:** Staff Report for 03/15/23 to 04/19/23

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Summary

- Created new permit and review files for the online database
- Sent notice of replacement plan application – 23-003
- Sent notices of replacement plan decisions – 22-109
- Assisted in the drafting of engineer's reports – 22-116, 23-009, 23-013
- Attended the 03/22/2023 and 04/12/2023 Board Meetings
- Hosted pre-application meeting for Washington County Northern Environmental Center
- Began preparations for Level 2 regulatory audits
- Drafted TEP Findings of Fact for Park Construction project (22-109)
- Hosted pre-application meeting for CSAH 14 and CR 53 roundabout project
- Attended TEP meeting for MN State Emergency Operations Center project
- Attended kick-off meeting for new website development
- Attended meeting to discuss regulation of 37<sup>th</sup> Ave project between RCWD and Minneapolis
- Attended MECA Stormwater "Awakening from your Erosion Hibernation" presentation
- Attended CSAH 32 monthly planning meeting in March
- Attended 2023 BWSR Spring Training opportunities
- Drafted successful replacement determination for Rice Creek Meander (15-071)
- Hosted follow-up meeting regarding 37<sup>th</sup> Ave jurisdiction and permitting
- Shared permit and application updates for City of Forest Lake monthly staff meeting
- Discussed EOR permit files housed off-site
- Attended City of Forest Lake monthly meeting
- Attended April MN WPA meeting
- Coordinated wetland bank presentation with BWSR
- Attended CSAH 33 final design meeting
- Hosted pre-application meeting for 35W Logistics Center in Blaine
- Hosted Anoka TEP meeting for Bonfire Homestead/Blaine Brothers replacement plan
- Met with City of Fridley and City of Mounds View regarding jurisdiction of Stinson Blvd project
- Gave regulatory program introduction presentation to new employee Will Roach
- Met with Lennar and City of Lino Lakes to discuss permitting requirements for Watermark Park
- Attended MN Stormwater Seminar: Biofiltration Media
- Attended sitemap and wireframes discussion for new website
- Presented with Ben Meyer (BWSR) to Blaine Natural Resources Conservation Board



## **MEMORANDUM**

### **Rice Creek Watershed District**

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**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Tom Schmidt, Public Drainage Inspector  
**Subject:** Staff Report April 2023

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#### **Highlights for this month**

Responded to and addressed constituent concerns/questions about the public drainage system district facilities.

Continued working on Public Drainage and District Facility program planning.

Continued engaging with regulatory staff and consultants on the ongoing public drainage/pipeline conflict issues.

Created notices for upcoming public hearings and informational meetings.

Worked with Anna on the layout and procurement of new office workstations.

Set the agenda for and led the public drainage system and project coordination biweekly meetings.

Attended board meetings and workshops presenting on public drainage system items.

Completed several spring flooding/runoff inspections.

Began preparing for the upcoming season.

## **MEMORANDUM**

### **Rice Creek Watershed District**

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**Date:** April 19th, 2023  
**To:** RCWD Board of Managers  
**From:** Kendra Sommerfeld, Communications/Outreach Coordinator  
**Subject:** Staff Report 3/14/2023- 4/19/2023

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#### **Water Stewards**

- Monthly check-ins, attended workshops
- Working on capstone projects with City of Roseville

#### **Blue Thumb**

- Completed April Resilient Shoreline workshop
- May workshop in progress- Turf Alternatives/Pollinator Lawns

#### **2022 Annual Report**

- Completed and Board approved
- Distributed to staff, city/county contacts, posted on website, and posted on social media accounts

#### **Partnerships/Collaborations**

- Supported partner shoreline restoration and pollinator workshops
- Storm drain stenciling activities with local schools in Shoreview
- Contributed to various city newsletters
- Supported new water quality education initiative with Growing Green Hearts
- Completed spring City/County Partner meeting on April 12<sup>th</sup>
- Completed RCWD Climate Change Resiliency workshops
  - Community Climate Change Resiliency Plan in progress with Freshwater
  - Planning next steps
- Planning Earth Day Events at Wargo Nature Center and Mahtomedi
  - Providing materials for other events that RCWD can't attend

#### **RCWD Website**

- Kick-off meeting complete
- Planning with staff and consultants in progress

#### **Project Outreach**

- Various outreach activities for Johanna Creek Carp Barrier in progress
- Various outreach activities and sign creation for Middle Rice Creek Restoration



## **MEMORANDUM**

### **Rice Creek Watershed District**

**Date:** 4/19/23  
**To:** RCWD Board of Managers  
**From:** Catherine Nester, District Technician/Inspector  
**Subject:** Staff Report 3/14/23 – 4/18/23

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#### Highlights from Preceding Month

- Maintained and tested water monitoring equipment in preparation for the 2023 monitoring season.
- Prepared supplies and finalized plans for the 2023 monitoring season.
- Assisted with chloride monitoring on selected lakes in the District.
- Conducted routine stream monitoring at various stream and ditch locations throughout the District.
- Reviewed and provided comments on the draft RCWD Monitoring Program Plan.
- Reviewed draft monitoring data submittal to the MPCA Environmental Quality Information System (EQulS).
- Completed various tasks for the Met Council's Citizen-Assisted Monitoring Program, including:
  - Contacted and confirmed lake monitoring volunteers for 2023.
  - Inventoried, restocked, and delivered monitoring supply kits.
- Ongoing coordination with affected cities/watershed management organizations/HEI/staff on boundary updates in the southwest portion of District (between RCWD and MWMO, CRWD, RWMWD, & VLAWMO) in Ramsey, Anoka & Hennepin counties, including:
  - Received & reviewed feedback and comments on the recommended legal boundary from affected watershed management organizations and cities.
- Ongoing coordination with Stormwater Management Grant recipients to finalize grant agreements.
- Reviewed & finalized information on the Stormwater Management Grant Program for the RCWD 2022 annual report.

## MEMORANDUM

### Rice Creek Watershed District



**Date:** April 18<sup>th</sup>, 2023  
**To:** RCWD Board of Managers  
**From:** Kelsey White, Permit Review Technician  
**Subject:** Staff Report 3/15/2023 – 4/18/2023

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- Drafted and sent one WCA Wetland Boundary/Type NOA.
- Drafted and sent one WCA Wetland Boundary/Type and two WCA Exemption NODs.
- Completed staff review for 3 permit applications.
- Provided comments on one engineer's report for administrative approval.
- Sent 10 administrative action notices to the Board.
- Drafted and sent one invoice for total permit review costs.
- Sent notice of permit issuance for 9 permit applications and 2 Amended Permits.
- Sent 11 CAPROC notices and 2 Amended CAPROC notices.
- Coordinated with applicants on submittal and review of CAPROC items for 20 permit applications.
- Sent one notice of MN Statute 15.99 decision timeframe extension.
- Attended 3 pre-application meetings.
- Participated in weekly permit coordination meetings and monthly permit triage.
- Attended monthly inspection team meeting.
- Attended one BWSR spring training webinar.
- Responded to email and telephone inquiries about RCWD permitting requirements.
- Responded to landowners about general WCA questions and questions regarding wetlands on or near their properties.
- Conducted interviews for the Program Support Technician position with Nick and Ashlee.

## MEMORANDUM

### Rice Creek Watershed District



**Date:** April 19, 2023  
**To:** RCWD Board of Managers  
**From:** Theresa Stasica, Office Manager  
**Subject:** Staff Report

- Coded invoices for payment this month which were reviewed by Administrator Nick Tomczik and Treasurer Marcie Weinandt and sent to our accountant Nancy Martinson and Bonnie Burns via an excel spreadsheet
- Provide bi-monthly payroll template to Redpath, updated information as needed
- Gathered and reviewed employee timesheets for administrator's final review
- Track accounts receivable and deposit checks as needed
- Review and track monthly financial reports
- Tracking expenses for Rule C permits that exceed \$9,000
- Tracking expenses for ACD 10-22-32 petition bond and notify staff of low-balance
- Tracking grant expenses for Peltier/Centerville Lakes Feasibility Study, MPCA Planning Grants for SWC Resilience, and FY2023 WBIF Grant
- Tracking HEI project task orders
- Handled HR/Benefit issues with departing employees and two new employees
- Provided benefits materials and conducted on-boarding with two new employees
- Provide minute templates to TimeSavers for meetings. Reviewed and edited regular Board minutes. Provided workshop minutes
- Monitor District financial accounts, US Bank and 4M
- Provide requested information to Board members and Administrator as needed
- Assisted Board and Staff as needed
- Worked with Terrence and Anna to clear a file cabinet from area where new cubicles will be placed
- Scheduled carpet cleaning for office open space after removal of file cabinets
- Provide information, assembled and distributed board packets for regular meetings and workshops, post regular meeting agenda packet on website, provided notice to web server
- Attended board meetings, board workshops and staff meetings
- Placed orders for supplies as needed
- Maintain Laserfiche filing system and scanned documents District receives into Laserfiche
- Organized resumes received for 1 job announcements, redacted resumes for interview team review, provided selected candidate resume to teams, scheduled interviews for candidates selected by interview team.
- Finalized notices and postcards for a public info meeting and public hearing. Published in multiple publications, website, mailing to governmental agencies, posted at office.
- Participate in website meeting with Plaudit Design

## **ITEMS FOR DISCUSSION AND INFORMATION**

### **3. May Calendar**



APRIL						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

MAY						
S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## MEMORANDUM

### Rice Creek Watershed District

**Date:** April 17, 2023  
**To:** RCWD Board of Managers  
**From:** Theresa Stasica, Office Manager  
**Subject:** May Calendar

**Wednesday, May 3, 5:30 p.m.** Citizen Advisory Committee Meeting,  
 Board Liaison Manager Bradley  
 RCWD District Conference Room and remotely\*

**Monday, May 8, 1 p.m.** Board Workshop  
 RCWD District Conference Room and remotely\*

**Wednesday, May 10, 9 a.m.** Regular Board of Managers Meeting  
 at Shoreview City Hall Council Chambers and remotely\*

**Wednesday, May 24, 9 a.m.** Regular Board of Managers Meeting  
 at Shoreview City Hall Council Chambers and remotely\*

**Monday, May 29** Memorial Day Holiday, Office Closed

**Deadline for submission of per diem claims is May 11, 2023**