



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, January 24, 2024

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

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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, 1st Vice-Pres. John Waller, 2nd Vice-Pres. Steve Wagamon, Secretary Jess Robertson, and Treasurer Marcie Weinandt

Absent: None

Staff Present: District Administrator Nick Tomczik, Permit Coordinator/Wetland Specialist Patrick Hughes, Lake & Stream Manager Matt Kocian, Drainage & Facilities Manager Ashlee Ricci, Communications & Outreach Manager Kendra Sommerfeld (via electronic means), and Office Manager Theresa Stasica

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

Visitors: Scott Robinson

(Zoom Audio was not working properly during the meeting and staff was unable to resolve the technical issues.)

SETTING OF THE AGENDA

District Administrator Tomczik requested the addition of a new #8 to the agenda, District Professional Development Assistance and renumber the remainder of the agenda accordingly.

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 January 8, 2024 Board Workshop and January 10, 2024 Board of Managers Regular Meeting. Motion by Manager Robertson, seconded by Manager Weinandt, to approve the minutes as presented. Manager Wagamon noted that he would abstain from voting because he was not in attendance for the regular meeting. ***Motion carried 4-0-1 (Manager Wagamon abstained).***

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
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30 **CONSENT AGENDA**

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

33 **Table of Contents-Permit Applications Requiring Board Action**

34 No.	Applicant	Location	Plan Type	Recommendation
35 20-024	Tom & Mary Lakner	Columbus	After-the-Fact	CAPROC 15 items
36			Land Development	
37			Floodplain Alteration	
38			Wetland Alteration	
39				
40 23-072	Harker Projects	Forest Lake	Final Site Drainage	CAPROC 6 items

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42 ***It was moved by Manager Wagamon and seconded by Manager Waller, to approve the consent agenda***
43 ***as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and***
44 ***Recommendations, dated January 16 & 17, 2024. Motion carried 5-0.***

45 **OPEN MIC/PUBLIC COMMENT**

46 None

47 **ITEMS REQUIRING BOARD ACTION**

48 **1. Board Election of Officers**
49 ***Motion by Manager Weinandt, seconded by Manager Robertson, to approve the slate of existing***
50 ***officers which includes: Michael Bradley – President; John Waller – Vice President; Steve***
51 ***Wagamon – Second Vice President; Jess Robertson – Secretary; and Marcie Weinandt – Treasurer.***
52 ***Motion carried 4-1 (Manager Waller opposed).***

53
54 **2. Centerville Lake Internal Phosphorus Load Reduction Project BWSR Grant**
55 Lake & Stream Manager Kocian clarified the title within the grant would be different than what he
56 used to refer to this project. He explained that he would be referring to it as the Centerville Lake
57 Alum Project, for clarity and brevity. He noted that the District had been awarded a Clean Water
58 Fund grant for this project and noted that the grant agreement could be found on page 40 of the
59 packet. He stated that the plan is to do the first portion of the treatment this coming spring and
60 reminded the Board the partners for this project are the City of Centerville, the City of Lino Lakes,
61 and Anoka County and noted that they were asked to contribute equal amounts to the project,
62 where each partner would contribute approximately 3% and the District would contribute 5% of the
63 total cash costs. He explained that with the language in the grant agreement the District would be
64 responsible for covering the full grant match, and contributions from the partners would be
65 distributed to the District on a reimbursement basis. He stated that he has had preliminary
66 meetings with the partners which have gone well and they all appear willing to contribute but
67 wanted to make it clear to the Board that through the grant agreement, the District is responsible
68 to provide the financial match.

69 Manager Wagamon asked if the District was able to set up a taxing district if something goes wrong
70 with the partners.

71 Lake and Stream Manager Kocian noted that the Board had discussed this at their workshop and
72 believes that they landed on falling back to the Water Management District (WMD) if a third,
73 smaller, alum booster treatment was needed.

74 Manager Wagamon clarified that he was talking about this because the District had not gotten a
75 commitment from the partners yet and the Board was planning to sign the grant agreement.

76 Lake and Stream Manager Kocian stated that in the unlikely scenario that the partner cities do not
77 participate as expected, the District has budgeted enough funds in 2024 to cover the costs.

78 Manager Wagamon acknowledged that he had seen that information but questions if, at that point,
79 the District could set up a taxing district.

80 Lake and Stream Manager Kocian confirmed that the Board could set up a taxing district at that
81 point but the funds would not start coming in until a year or two later. He cautioned with the
82 amount of \$35,000 per partner, he would question whether the administrative costs of setting up
83 the taxing district would be worth it.

84 Manager Wagamon stated that it may only be worth it if all 3 partners said no.

85 District Administrator Tomczik stated agreement that there is an administrative cost to setting up a
86 WMD and noted that the District's mission and existence is for water quality and flood control and
87 the District has championed a lot of efforts around Centerville Lake in order to get to this point. He
88 stated that, in his opinion, he feels it is reasonable for the District to cover unforeseen match costs,
89 but also appreciates the idea of 'skin in the game' with the partners and if the District does not
90 complete the water quality project, he does not see an entity that would.

91 Manager Waller stated that he would hate to lose these grant funds so he was in favor of signing
92 the agreement even though it encumbers the District for \$200,000 and feels they can address that
93 later if the partners do not contribute. He clarified that he felt the important thing to accomplish
94 right now is to secure the grant funds.

95 Manager Wagamon stated that he completely agreed but wanted to raise the question about the
96 partners' contributions.

97 Lake and Stream Manager Kocian clarified that a 10% match would be roughly \$150,000 and not
98 \$200,000 as stated by Manager Waller. He reviewed details from the agreement, the work plan, and
99 the budget.

100 ***Motion by Manager Weinandt, seconded by Manager Robertson, to authorize the Administrator,***
101 ***on advice of counsel, to execute a grant agreement with the Board of Water and Soil Resources***
102 ***for the Centerville Lake Alum Project. Motion carried 5-0.***

103 Manager Weinandt stated that Clean Water Funds were being used for this grant and explained that
104 this grant was competitive but they also have money that is targeted watershed money that comes
105 as a result of the watershed planning that is done that goes out to watersheds based on various
106 calculations by BWSR. She noted that she had heard some comments from those in the watershed
107 that not enough money was being put into implementation from the Clean Water Fund and wanted
108 to assure the Board and anyone else who may be listening that well over half of the Clean Water
109 Funds go towards implementation. She commended Lake and Stream Manager Kocian and District

110 staff for putting in the work to get the grant, developing the project and for the aggressive calendar
111 they put together in order to get this project going by the spring.

112 President Bradley noted that he had inadvertently skipped the Open Mic item on the agenda and
113 asked if there was anyone present or on-line that would like to address the Board.

114 No one wished to address the Board.

115 **3. Centerville Lake Alum Project: Hire Project Engineer**

116 Lake & Stream Manager Kocian shared some history of past work on Centerville Lake in 2016 by Joe
117 Bischoff of Wenck Associates and explained that Mr. Bischoff had moved to Barr Engineering. He
118 explained that based on the background and experience of both Mr. Bischoff and Barr Engineering,
119 he believed Barr would be efficient and provide the necessary expertise. He proposed that the
120 District hire Barr to act as project engineer for the Centerville Lake Alum Project.

121 ***Motion by Manager Waller, seconded by Manager Bradley, to authorize the Administrator, on
122 advice of counsel, to enter into an agreement with Barr Engineering Company, for services to
123 support the Centerville Lake Alum Project, for an amount not to exceed \$28,000. The Administrator
124 is authorized to approve contract amendments not to exceed 10% of the contract price (\$2,800).***

125 Manager Waller noted that Mr. Bischoff had also been involved in the initial studies for Bald Eagle
126 Lake and that program has turned out well. He stated that Mr. Bischoff has a long history of doing
127 excellent work within the District.

128 ***Motion carried 5-0.***

129 **4. Houston Engineering, Inc. Task Order 2024-001: Anoka County Ditch 10-22-32 Documentation
130 Review**

131 District Administrator Tomczik stated that this item had been on the January 8, 2024 Board
132 workshop meeting agenda and explained that President Bradley brought up the idea. He noted
133 that the intent was information and consideration regarding process and the materials that Houston
134 Engineering reviews and the impact/weight of those views on determining the ACSIC. He
135 explained that District Engineer Otterness was attending today's meeting on-line.

136 ***Motion by Manager Bradley, seconded by Manager Waller, to authorize the President to sign HEI
137 Task Order 2024-001 for ACD 10-22-32 Documentation Review.***

138 Manager Waller asked if District Engineer Otterness could outline the purpose and goals and provide
139 a bit more 'color' for the Board on what he intends to do.

140 Permit Coordinator/Wetland Specialist Hughes explained that there were currently technical
141 difficulties and those participating via Zoom were unable to hear the meeting.

142 District Administrator Tomczik placed a phone call to District Engineer Otterness and explained the
143 technical difficulties and the attempt to have him communicate with the Board via speaker phone.

144 District Engineer Otterness explained that the plan for Workshop #1 would be to establish an
145 overview of how a determination of ACSIC is completed. He noted that Workshop #2 was intended
146 to focus and drill down more on ACD 10-22-32 materials and what some of the challenges were on
147 the system.

148 ***Motion carried 3-2 (Managers Robertson and Wagamon opposed).***

149 **5. Ramsey County Lake Monitoring Services**
150 Lake & Stream Manager Kocian stated that the District’s Water Quality Management Program
151 consists of several different partners that collect data in addition to District staff. He explained that
152 Ramsey County monitors about 9 lakes and has been monitoring them since the early 1980s
153 establishing a significant record and since 2016, the District has been reimbursing Ramsey County
154 for these services.

155 Manager Weinandt asked how many lakes the volunteer group was handling for this monitoring and
156 asked how good of a job they were doing.

157 Lake and Stream Program Manager Kocian explained that the volunteer program is called the Citizen
158 Assisted Monitoring Program and is run through the Met Council and noted that the District is
159 considered a partner. He stated that the volunteers do a fantastic job and their results have been
160 comparable with non-volunteer monitoring results.

161 ***Motion by Manager Weinandt, seconded by Manager Robertson, to authorize the Administrator***
162 ***to enter into an agreement with Ramsey County for lake monitoring services in 2024 for an***
163 ***amount not to exceed \$27,542.23. Motion carried 5-0.***

164 **6. Letter of Support Washington Conservation District (WCD) Soil Health Grant**

165 District Administrator Tomczik explained that the Washington Conservation District has asked the
166 District to consider supporting its efforts to secure a State Soil Health Supplemental Staffing grant.
167 He noted that soil health is important to the District mission in maximizing infiltration and
168 prevention of erosion and noted that a draft letter had been included in the packet.

169 ***Motion by Manager Waller, seconded by Manager Bradley, to approve RCWD Letter of Support***
170 ***for Washington Conservation District Soil Health Grant and authorize the Board President to sign.***

171 Manager Weinandt pointed out that Washington County has 8 watershed districts.

172 Manager Waller noted that in addition to the 8 watershed districts there are also a number of other
173 water maintenance organizations.

174 ***Motion carried 5-0.***

175 **7. Citizen Advisory Committee (CAC) Member Appointment**

176 District Administrator Tomczik explained that the Zoom audio technical issues were still present and
177 noted that he had Communications & Outreach Manager Sommerfeld on speaker phone to address
178 the Board.

179 Communications & Outreach Manager Sommerfeld noted that there were two new CAC members
180 that were appointed last fall and also had two members from Anoka County, Dave Anderson and
181 Heidi Schleicher, who will no longer be serving in 2024 so she was currently recruiting for those
182 openings. She stated that until those positions are filled, the CAC will have 10 members.

183 Manager Weinandt asked if there were any plans to recognize Dave Anderson’s long tenure on the
184 CAC.

185 Communications & Outreach Manager Sommerfeld stated that they had sent thank you letters to
186 Mr. Anderson and Ms. Schleicher, but they could do other recognition if the Board would like.

187 Manager Weinandt explained that she did not know what the precedent was but believed that Mr.
188 Anderson had served on the CAC for about 8 years. She stated that if the CAC cannot do any
189 recognition then perhaps the Board could formally honor Mr. Anderson for his service.

190 ***Motion by Manager Weinandt, seconded by Manager Bradley, to appoint the 10 individuals***
191 ***proposed on the slate for membership on the Citizen Advisory Committee for 2024. Motion***
192 ***carried 5-0.***

193 ***Motion by Manager Bradley, seconded by Manager Weinandt, recognizing and expressing the***
194 ***appreciation of the Board to Dave Anderson for his long service and valued participation on the***
195 ***Citizen Advisory Committee. Motion carried 5-0.***

196 Manager Robertson suggested that if there was something that the Board wanted to do to recognize
197 Mr. Anderson's service she would suggest that they talk about it in a workshop setting. She
198 explained that she felt a less formal and more personal approach would be well received.

199 District Administrator Tomczik stated that staff will investigate options and protocol for showing
200 appreciation to CAC volunteers.

201 Manager Robertson stated that she would reach out to the Anoka County Commissioners to see if
202 they had any ideas of people who may be a good fit for the two open positions on the CAC.

203 Manager Wagamon stated that he will also seek to identify candidates.

204 **8. District Professional Development Assistance**

205 District Administrator Tomczik stated that Communications & Outreach Manager Sommerfeld was
206 seeking professional development assistance as outlined in the Employee Handbook. He explained
207 that Communications & Outreach Manager Sommerfeld was in pursuit of a Master's degree and her
208 last class is *Advanced Ecosystem Restoration and Education*. He noted that the syllabus for this
209 class had been included in the Board's packet information.

210 ***Motion by Manager Waller, seconded by Manager Bradley, to approve reimbursement of***
211 ***Advanced Ecosystem Restoration and Education course at Colorado State University when Ms.***
212 ***Sommerfeld demonstrates successful completion of the course with a "C" or better.***

213 Manager Waller noted that Communications & Outreach Manager Sommerfeld has been a previous
214 recipient of this program and had even made the statement at the last meeting that she was getting
215 all A's in her studies. He stated that he believes this is a wise investment for the District.

216 Communications & Outreach Manager Sommerfeld noted that her graduation application was
217 approved and she is on track to graduate in May.

218 ***Motion carried 5-0.***

219 President Bradley noted that District Administrator Tomczik had included a note in the packet that
220 the Board may want to consider an approach of progressive reimbursement and asked him to
221 outline what was meant by that statement.

222 District Administrator Tomczik stated that his comment was meant to respect the Board's fiscal
223 responsibility and that if the amount was concerning to the Board, that reimbursement could be
224 done in a stepped fashion where it would, for example, reimburse a certain amount after one year
225 and the rest thereafter.

226 **9. Check Register Dated January 24, 2024, in the Amount of \$351,684.13 and January Interim**
227 **Financial Statements Prepared by Redpath and Company**

228 Manager Weinandt stated she had reviewed the check register and statements.

229 ***Motion by Manager Weinandt, seconded by Manager Robertson, to approve check register dated***
230 ***January 24, 2024, in the Amount of \$351,684.13 and January Interim Financial Statements as***
231 ***prepared by Redpath and Company. Motion carried 5-0.***
232

233 **ITEMS FOR DISCUSSION AND INFORMATION**

234 **1. Staff Reports**

235 Manager Weinandt stated that in the near future she would like to have an update on RCD 2, 3, and
236 5 status, both what is happening on the ground and what is happening with bonding efforts.

237 President Bradley noted that they have a Senate author who has helped work on changes to the
238 draft bill and noted that they will be meeting a potential House author later this afternoon. He stated
239 that once the bills are introduced they will start to broadcast them to all the people who serve Rice
240 Creek and perhaps find additional co-authors.

241 District Administrator Tomczik stated that on the technical side, the District has engaged with
242 MnDot as the modeled flooding waters are on I35W and have also engaged with New Brighton and
243 the DNR.

244 Manager Weinandt stated that it sounds like project management and asked which staff member
245 would be leading the charge in this area.

246 District Administrator Tomczik explained that the largest responsibility will come with
247 implementation of the design so at this early stage, the involvement of Ali Chalberg will come first.

248 Manager Weinandt stated that she continued to be impressed with the breadth of work
249 accomplished by District staff.

250 **2. February Calendar**

251 President Bradley stated that he would not be physically present for the workshop meeting on
252 February 12, 2024 or the regular Board meeting on February 14, 2024, but may listen remotely.

253 Manager Robertson stated that she will be unable to attend the February 14, 2024 Board meeting
254 as well.

255 **3. Administrator Updates**

256 District Administrator Tomczik stated that he had sent an e-mail about the JD3 repair project and
257 the Branch 4 challenges with the excavators that sunk into the earth. He noted that the excavators
258 have been removed and explained that it had been quite a challenge. He stated that because the
259 area in question is public waters, staff will be meeting with the DNR this Thursday to ensure that the
260 contractor is in compliance with DNR regulations.

261 The Board discussed the location of this repair project, if and how the project may be able to
262 continue, and ways to try to ensure that this type of issue does not arise again.

263 District Administrator Tomczik noted that it is clear within the contract that the means and method
264 of completing the work is completely up to the contractor and not the District. He stated that the

265 District will not abandon the contractor in this type of situation and will continue to have dialogue
266 with it about options.

267 District Administrator Tomczik stated Gallagher, the Human Resources salary firm, was continuing
268 its work and has evaluated positions based on duties and level of responsibilities from which to
269 categorize positions and develop a salary schedule consistent with the market. He noted that he
270 had also attended the Northwest Metro Sub-Regional Water Supply Planning meeting.

271 **4. Managers Update**

272 Manager Waller noted that the Legislative Committee on water will be holding a meeting on
273 February 6, 2024 at 1:00 p.m. that he plans to attend.

274 Manager Weinandt stated that she had attended the Metro Minnesota Waters meeting last week
275 and a Clean Water Council meeting on Monday.

276 **ADJOURNMENT**

277 ***Motion by Manager Wagamon, seconded by Manager Robertson, to adjourn the meeting at 9:59 a.m.***

278 ***Motion carried 5-0.***

279