



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, April 9, 2025

Mounds View City Hall Council Chambers
2401 County Road 10, Mounds View, 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, 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, Regulatory Manager Patrick Hughes, Outreach & Grant Technician Molly Nelson, Lake & Stream Manager Matt Kocian, Communications & Outreach Manager Kendra Sommerfeld, Drainage & Facilities Manager Tom Schmidt, Program Technician Emmet Hurley (video-conference), Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI) (via electronic means); District Attorney John Kolb from Rinke Noonan (via electronic means)

Visitors: Chris Stowe and Catherine Decker

SETTING OF THE AGENDA

District Administrator Tomczik stated that there had been a public request to utilize technology at Open Mic and that the item be moved to later on the agenda and suggested that it be moved following 'Items Requiring Board Action'. He continued that virtual technology was not currently available for the meeting but hoped that it would be up and running in about 15 minutes. He explained that District Engineer Otterness and District Attorney Kolb were available, via telephone, while they were working on the technical issues.

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**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

Motion by Manager Bradley, seconded by Manager Weinandt, to approve the agenda as amended, moving Open Mic after Items Requiring Board Action. Motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the March 26, 2025, Board of Managers Regular Meeting. Motion by Manager Robertson, seconded by Manager Weinandt, to approve the minutes as presented. Motion carried 5-0.

CONSENT AGENDA

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

Table of Contents-Permit Applications Requiring Board Action

No.	Applicant	Location	Plan Type	Recommendation
25-015	Brighton and American Sandblasting	Blaine	Final Site Drainage Plan Floodplain Alteration Public/Private Drainage System	CAPROC 14 items

It was moved by Manager Wagamon and seconded by Manager Robertson, 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 2, 2025. Motion carried 5-0.

WATER QUALITY GRANT PROGRAM COST SHARE APPLICATION

No.	Applicant	Location	Project Type	Eligible Cost	Pollutant Reduction	Funding Recommendation
R25-02	Charlotte Reed	White Bear Lake	Raingarden	\$12,825.41	Volume: 5,733 cu-ft/yr TSS: 19.52 lbs/yr TP: 0.107 lbs/yr	75% cost share of \$12,825.41 not to exceed 75%; or \$10,000 whichever cost is lower

Outreach & Grant Technician Nelson clarified that the rain garden would be located on the north end and not the south, as was stated in the memo for this item. She explained that there was also a typographical error on the Ramsey County SWCD estimate. She noted that there was a correction made to the bid with some updated numbers for materials, and explained that the new estimate was \$9,619.06 for the grant award was based on the most current information the District had received.

It was moved by Manager Bradley and seconded by Manager Weinandt, to approve the Water

Quality Grant Cost Share application, as outlined in the above Table of Contents in accordance with RCWD Outreach and Grants Technician's Recommendations dated April 3, 2025, with the amendment to the award amount to be \$9,619.06 based on the most current information the District had received, not to exceed 75% of the eligible project costs. Motion carried 5-0.

President Bradley stated that he felt this would solve a flooding problem that had existed for a number of years.

Manager Weinandt encouraged people to watch the video located on the District website prepared by Outreach and Grants Technician Nelson because she felt she did an excellent job promoting the grant programs available through the District.

ITEMS REQUIRING BOARD ACTION

1. Open Meeting Law – RCWD

District Administrator Tomczik explained that this item was for board consideration of its open meeting protocols of, past COVID declaration, current state statute, and how virtual participation would best serve the District and its members. He noted that the declaration the Board had adopted was included in the packet information and reminded them that it was adopted under the COVID-19 health pandemic and stated that with the pandemic essentially in the past, this declaration no longer seemed to have a reasonable basis and staff felt that the Board should consider rescinding this declaration. He explained that MN Statute 13D provides opportunities for Managers to participate remotely and noted that the District could look at the further development of a policy position on this item. He stated that in consideration of virtual public participation and review of the virtual software limitations and reminded the Board of the recent meeting that was interrupted when someone disrupted the meeting with inappropriate material. He noted that the District has shifted to a different software that does allow for secure links, but explained that the State law did not guarantee public remote participation, but rather for monitoring of meetings. He stated that his main staff recommendation today was to rescind the past COVID declaration and to proceed under the stated Open Meeting Law and how the board may amend.

Motion by Manager Bradley, seconded by Manager Wagamon, to authorize rescinding Revised Declaration under Minnesota Open Meeting Law, §13D.021 April 7, 2022.

President Bradley noted that he was a bit leery about taking this action because COVID-19 still existed and had appreciated the Board's position that they appreciated people not showing up if they had COVID. He shared that he hoped the Board would continue to be adults and choose to act according to the best health interests of the entire Board. He explained that he felt it was more information to protect people's health than it was to show up for a meeting.

Manager Waller stated that he felt the language in the memorandum gave the Board the flexibility to provide a person who was ill or the public to participate virtually.

107 Manager Robertson stated that she agreed with Manager Waller and explained that the
108 State Statute allowed for some flexibility in this area. She noted that she felt this
109 encapsulated some of the disruptions that have taken place and stated that she felt that
110 this action was more than appropriate and did not believe anyone was trying to stifle the
111 public's ability to participate. She explained that she would remind the public that they
112 can send e-mails and ask that they be read into the public record.

113
114 Manager Weinandt asked that when District Attorney Kolb was present with the Board,
115 they continue their conversation about what things may look like going forward. She
116 stated that she wanted to be sure that, as presenters, for example, District Attorney Kolb,
117 to be able to join remotely and noted that they also recently had a situation where a
118 Manager ended up not being able to attend the meeting with a 'doctor's note' but were
119 still able to participate. She noted that she did not think this action took away that
120 ability but wanted to get some clarity about what is and is not allowed from District
121 Attorney Kolb.

122
123 ***Motion carried 5-0.***
124

125 **2. Curlyleaf Pondweed Management Agreements**

126 Lake and Stream Manager Kocian stated the District had been working on the
127 management of curlyleaf pondweed for over 20 years. He reminded the Board that the
128 District had an Aquatic and Invasive Species (AIS) Policy that was drafted in 2017, which
129 had the general idea of making sure that their activities related to AIS were consistent
130 with the Watershed Management Plan and explained that a copy of the policy was
131 included in the meeting packet. A key point in the District's AIS policy is that we only
132 actively manage AIS that are directly linked to water quality degradation. He noted that
133 there was a statement within the policy that says that every so often, the District would
134 review current science and make changes, if necessary, such as adding or removing
135 species. He explained that he had taken a look at the science recently and gave a brief
136 overview of the most recent study information related to curlyleaf pondweed. He stated
137 that he felt one of the biggest takeaways is that from the time the District had developed
138 the AIS policy in 2017 to now, there was even more research information that suggested
139 that curlyleaf pondweed contributes to water quality decline, and therefore, it was within
140 the District's purview for management.

141
142 Manager Wagamon asked if Lake and Stream Manager Kocian had also seen this in his
143 testing.

144
145 Lake and Stream Manager Kocian stated that there was sufficient scientific evidence that
146 links curlyleaf pondweed to water quality degradation. He noted that the DNR had just
147 hired a new researcher, who came from the University of Minnesota and had done their
148 PhD work on curlyleaf pondweed. He explained that in the District's monitoring data,
149 he felt what they were seeing was that curlyleaf pondweed management alone was
150 probably not enough to 'fix a lake' but in combination with other management actions

151 such as alum treatments or carp management, it fits into the larger plan. He explained
152 that every year, the District cost-shares with lake associations to manage curlyleaf
153 pondweed. He noted that every year, the District, contractors, and the DNR conducts
154 surveys to determine where the curlyleaf pondweed is and where they want to do the
155 treatments and explained that they only treated dense areas where there was no native
156 vegetation.

157
158 President Bradley stated that there was very little snow this past winter and stated that
159 he assumed that would mean that there would be a bumper crop of curlyleaf pondweed.

160
161 Lake and Stream Manager Kocian stated that there was some research about 12 years
162 ago from the University of Minnesota linking low snow cover years to higher curlyleaf
163 pondweed years. He stated that he felt that there was a lot of variability within that and
164 noted that last year there was a very mild winter with low snow cover, and the
165 expectation was for a bumper crop of curlyleaf pondweed, but that was not how it
166 actually played out.

167
168 Manager Waller stated that the District has best management practices and asked if Lake
169 and Stream Manager Kocian was saying that herbicide should be done in early spring.

170
171 Lake and Stream Manager Kocian stated that was correct.

172
173 Manager Waller noted that a long time ago, lake associations would harvest the curlyleaf
174 pondweed, and the District was finally able to convince them that this was not the correct
175 action because it ended up spreading the root system.

176
177 Lake and Stream Manager Kocian noted that occasionally, lake associations still do some
178 harvesting, but it was fairly rare, and those that have done it have generally been unhappy
179 with the results of their efforts.

180
181 Manager Waller explained that the District was no longer providing funding for that
182 management practice because of its poor outcomes.

183
184 Lake and Stream Manager Kocian noted that there may be some lakes where harvesting
185 the curlyleaf pondweed may make sense, but on larger, recreational lakes, it does not.

186
187 ***Motion by Manager Bradley, seconded by Manager Weinandt, to authorize the District***
188 ***Administrator to enter into cost-share agreements with lake associations for curlyleaf***
189 ***pondweed treatments in 2025. Motion carried 5-0.***

190
191 ***Motion by Manager Bradley, seconded by Manager Weinandt, to authorize the District***
192 ***Administrator to enter into professional services agreements for herbicide treatment of***
193 ***curlyleaf pondweed with the total costs not to exceed \$35,000. Motion carried 5-0.***
194

195 **3. RCWD Annual Report Approval**

196 Communications & Outreach Manager Sommerfeld stated that she was looking for feedback from
197 the board in the District's annual report and authorization to release it to the public.
198

199 President Bradley noted that it was a lengthy report.
200

201 Communications & Outreach Manager Sommerfeld explained that it kept the same format as it
202 had in the past and noted that she had tried her best to reduce the text and add additional
203 pictures, but because the District does a lot of great work, that is sometimes hard to do.
204

205 Manager Weinandt stated that the audience for the District's annual report was BWSR as well as
206 anybody within the District to be able to find out what all the District had been involved in. She
207 stated that she felt this information continued to illustrate that there was much more that
208 happened within the District than is often seen. She thanked Communications & Outreach
209 Manager Sommerfeld for making the annual report something that she felt was very easy to read.
210

211 ***Motion by Manager Weinandt, seconded by Manager Wagamon, to approve the 2024***
212 ***Annual Report with any necessary formatting and non-substantive changes and***
213 ***authorize submission to the Board of Water and Soil Resources and other required***
214 ***recipients by the deadline. Motion carried 5-0.***
215

216 Communications & Outreach Manager Sommerfeld clarified that she had received the
217 comments and suggested edits that were submitted by President Bradley and had
218 incorporated them into the most recent version of the report.
219

220 **4. Anoka County Ditch #72 Maintenance Work Order**

221 Drainage & Facilities Manager Schmidt explained that they were seeking approval for tree
222 and vegetation removal as well as minor sediment and debris removal on the outlet
223 channel of ACD-72 in Lino Lakes, which was adjacent to the Eagle Brook Church campus.
224 He explained that the tree work exceeded the amount delegated for approval by
225 President Bradley, which is why they were bringing this to the full Board.
226

227 ***Motion by Manager Wagamon, seconded by Manager Waller, to approve the work***
228 ***order for Hugo Tree Service, estimated at \$22,500.00. Motion carried 5-0.***
229

230 **5. Check Register April 9, 2025, in the Amount of \$109,611.87 Prepared by Redpath and**
231 **Company**
232

233 ***Motion by Manager Weinandt, seconded by Manager Wagamon, to approve the check***
234 ***register dated April 9, 2025, in the Amount of \$109,611.87 prepared by Redpath and***
235 ***Company. Motion carried 5-0.***
236

237 **OPEN MIC/PUBLIC COMMENT**

238 Chris Stowe, 426 Pine Street, addressed the work done on West Pine Street, highlighting the need
239 to lower the pipe to prevent water stagnation and flooding. He expressed concerns about the

impact on the water table and wetlands, and suggested the need for a different engineering firm. Mr. Stowe also presented videos of the Pine Street and West Pine Street culverts, emphasizing the issue of water stagnation and the need for further action.

Catherine Decker, 614 Pine Street, Lino Lakes, expressed dissatisfaction with the lack of detail in the prior meeting minutes, particularly regarding her own statement. Ms. Decker raised concerns about unfair treatment of Mr. Stowe and the behavior of District Board, staff and consultants. She criticized the handling of her neighbor's concerns and the potential impact of development under Lino Lakes on her property. She called for the board to maintain the size of the floodplain, take all residents' concerns seriously, and treat them professionally. Lastly, Ms. Decker suggested that addressing the potential development of the sod farms before it happens would be more sensible. Ms. Decker provided the Board and the Office Manager a copy of her statement to be included in the District's meeting file.

The Board discussed with staff the concerns raised. The Board directed staff to research and bring back to the Board meeting protocol for minute approval and open mic.

ITEMS FOR DISCUSSION AND INFORMATION

1. District Engineer Updates and Timeline

2. Administrator Updates

District Administrator Tomczik stated staff would bring the street sweeping report to the May Workshop meeting and noted that they were also will be developing a Task Order for municipal BMP maintenance support for Board consideration. He reminded the Board that the next city-county partner meeting would be held in the fall. He explained that the City of Columbus had thanked the District for its financial support as they move through their wetland issues associated with Hornsby St trail and Clear Lake. He shared that the Pitney Bowes mail machine issue had been resolved with the help of Rinke Noonan. He noted that yesterday, he had testified at the House Capital Investment Committee hearing for HF 204 for RCD 2,3,5 project. He stated that on April 15, 2025, he would be speaking at the Roseville Library to the League of Women Voters about watersheds and stated that was also the date for the Metro Watershed, so he would not be able to attend the Mn Watershed meeting.

3. Managers Update

Manager Waller stated that he had attended the Washington County Consortium along with Drainage & Facilities Manager Schmidt and Regulatory Manager Hughes, where they heard a presentation regarding beavers and an update from BWSR on WCA rule changes.

Manager Weinandt noted that she and President Bradley had attended the hearing that took place yesterday and expressed her gratitude for the representative that introduced the bonding request. She stated that later today, she would be meeting at the District offices with District staff and the 4M Fund manager to review the District's investments. She noted that tomorrow morning, she planned to attend the Ramsey County elected

officials meeting where there would be a presentation regarding RCD 2, 3, and 5. She noted that next week's Metro Watersheds meeting would be in person, not virtual, which she planned to attend.

Manager Wagamon stated that he had attended the CAC meeting, which he felt was a really good meeting.

President Bradley shared that he felt that District Administrator Tomczik had done a great job testifying before the House.

ADJOURNMENT

Motion by Manager Robertson, seconded by Manager Wagamon, to adjourn the meeting at 10:00 a.m. Motion carried 5-0.