RICE CREEK WATERSHED DISTRICT

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, October 28, 2026

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. Jess Robertson, Treasurer Marcie Weinandt, Secretary Janet Hegland (video-conference)

Absent: None

Staff Present: Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Drainage & Facilities Manager Tom Schmidt, Project Manager Jen Oknich, Program Support Technician Emmet Hurley (video-conference), Watershed Technician/Inspector Will Roach, Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI) & District Attorney John Kolb-Rinke Noonan (video conference)

Visitors: Aaron Nemitz, Mark Blocher, Sandy Ryan, Jim Ryan, Mary Zastrow, Tim Zastrow, Randy Grubbs, Bonnie Grubbs, Ron Hanegraaf, Aaron Berg, Tim Chamberlain, Rob Busch, Bill Bergeron, Karen Fleming, Warren Tracy, Liz Wilsonlopp, Frank Lopp, Larry Poppler, Jake Jensen, John Smythe, Pete Schlosser

Visitors monitoring via Zoom: Michael Miller

OPEN MIC/PUBLIC COMMENT

No public comments were made.

SETTING OF THE AGENDA

Administrator Tomczik suggested that the Board reverse the order of the public hearings listed on the agenda so the item related to ACD 46 partial abandonment and impoundment is first.

Motion by Manager Weinandt, seconded by Manager Bradley, to approve the agenda as amended to place the public hearing for ACD 46 partial abandonment and impoundment first. Upon a roll call vote, the motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of October 12, 2026 Workshop and October 14, 2026, Board of Managers Regular Meeting.

***Motion by Manager Hegland, seconded by Manager Robertson, to approve the* October 12, 2026 Workshop, as presented. Upon a roll-call vote, the motion carried 5-0.**

Motion by Manager Hegland, seconded by Manager Bradley, to approve the* October 14, 2026, regular *meeting minutes, with a change on page 7, line 266, to indicate that the motion failed with a vote of 1-4. Upon a roll-call vote, the 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
25-080	City of Shoreview	Shoreview	Floodplain Alteration Wetland Alteration Erosion and Sediment Control	Post-Issued Amended CAPROC 2 items

It was moved by Manager Weinandt and seconded by Manager Robertson, to approve the consent agenda permit 25-080 as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated October 16, 2026. Upon a roll call vote, the motion carried 5-0.

PUBLIC HEARING: ANOKA COUNTY DITCH 46 (ACD46) DRAINAGE SYSTEM PARTIAL ABANDONMENT & IMPOUNDMENT PETITION

President Bradley recessed the regular meeting and read aloud an explanation regarding the purpose of the public hearing for consideration of a partial abandonment and impoundment of ACD 46, Branch 5, and briefly reviewed the order of things that would take place within the hearing.

Drainage Attorney Kolb explained that Lake Drive Properties, L.P., co-petitioner with Jake Jensen, has petitioned the District to impound and abandon portions of ACD 46, Branch 5 to facilitate restoration of wetlands. He noted that the petition was filed on July 10, 2026, and was filed

under Statutes Sec. 103E.227 and 103E.806. He explained that the petition acknowledges that the petitioners are responsible for construction costs for the modifications of ACD 46, Branch 5, and for all costs in the proceedings. He stated that the drainage authority met on August 12, 2026, and accepted the petition, at which time it also directed District Engineer Otterness to prepare a report on the petition, which was filed on September 15, 2026. He reviewed the decision criteria for Board consideration and explained that the Board did not need to make a decision on the petition during today's meeting.

District Engineer Otterness gave a brief presentation on the petition for partial abandonment and impoundment of ACD 46, Branch 5. He reviewed the basis for the review; site location; locations of the proposed abandonment and impoundments; details of the Branch 5 headwaters; purpose of the petition to facilitate development of a wetland banking site, create shallow permanent pools along the existing ditch, and remove obligations of the drainage authority where the system benefit no longer existed; effects of a partial abandonment/impoundment; effects of neighboring properties; potential for groundwater effects; and regulatory considerations. He stated that the proposed impoundment and abandonment of ACD 46, Branch 5 will not impair the utility of the system or deprive landowners of benefit. He explained that the proposed portion for abandonment doesn't serve a functional purpose to landowners other than the petitioner, nor does it provide public benefit. He noted that the Engineer was recommending approval of the partial abandonment and impoundment of ACD 46, Branch 5, subject to the petitioners notifying District staff prior to construction and providing 'as-built' plans upon completion.

President Bradley stated that the District had received information that the City of Columbus objected to the project and wanted to understand their role in this project versus the District's role in the project.

District Attorney Kolb explained that he had reviewed the objection letter submitted by the City of Columbus. He noted that they do have a role to play in this because this is ultimately a land use matter for the City of Columbus to consider under its current ordinances. He stated that if the Board chooses to move forward with this partial abandonment and impoundment under the Drainage Code, it doesn't give the applicant authority to go out and construct the project if it is contrary to other approvals that may be needed. He noted that the City had other objections that go to the Statutory criteria related to the Board's approval or denial and that may cause the Board to ask the applicant or the District Engineer to do some further analysis to either resolve the questions asked in the letter or demonstrate their veracity.

President Bradley invited the petitioners to address the Board.

Administrator Tomczik stated that documentation of the District's proper notice of the public hearing could be found on page 63 of the meeting packet.

John Smythe, Stantec, Project Manager for the petitioner, stated that they had provided Columbus Township with the construction plans for the project over a year ago, and again about 2 months ago. He noted that they had not received any comments on the plans that had been submitted. He noted that the letter that the District had received earlier today was the first time they had seen any comments on the project.

Mary Zastrow, 6917 153rd Avenue NE, stated that she had already submitted a letter to the Board and to Columbus. She explained that she also wanted to share it with them again because she felt it would have more effect when they listened to it, and read aloud her letter expressing concerns about the proposed partial abandonment and impoundment. She explained that she had about 8 questions for the Board but noted that she understood they may not be able to answer them today, but expected them take a look at them and bring back answers in the future, and read aloud her list of questions related to potential effects on Branch 2, impacts to the surrounding properties where Branch 5 would remain open, financial responsibility for future flooding issues, any local ordinances to not create a wetland on property where homes would be built, the location, size, and depth of the wetlands, the location of the proposed berm and what land it would protect, whether Lake Drive Properties would construct any other berms to protect surrounding properties impacted by the creation of the wetlands, and whether the Board had determined the impact to the underground water tables and their ability to absorb additional water for the surrounding areas. She handed a copy of her statement and questions to District staff.

President Bradley stated that he had also gotten a copy of the email Ms. Zastrow had submitted to Drainage and Facilities Manager Schmidt, which he would also enter into the record.

Ms. Zastrow noted that the postcard sent out regarding the meeting stated that people could not comment unless they had personally attended the meeting, and she found out later that wasn't true. She stated that she felt this may have caused a lot of people not to submit comments to the Board because of the wording on the postcard and suggested that the language on the cards be fixed for future hearings. She stated that the time of the public hearing may also be difficult because this was a 9:00 a.m. meeting and many people are still working.

Randy Grubbs, 14950 Potomac Street NE, stated that his family property would be affected more than has been indicated on the map in the presentation. He stated that the lowland water increases in the spring and, in heavy, wet years, gets into the backyard and has caused issues with the septic system and the basement. He stated that any further load on the water system would make things worse and would be a huge problem. He stated that he did not believe the elevations were complete, as indicated on the map, and shared examples of questions he had about drainage. He explained that he had distinct fears about what may happen with abandonment of this ditch. He stated that he felt the District should look at water flow and whether it may be impeded by improper culverts because there would just be a further burden if there is a water problem south of his property. He stated that he didn't think this had been addressed at all, according to the information on the map. He noted that he had known the headwaters area included in the presentation materials since he was a kid and every wet year,

the water goes to the west, and did not foresee it flowing in a northwest or east direction at all, and reiterated that the water goes to the west.

Manager Weinandt asked staff to pull up the map so the Board was able to see where the commenters' properties were located.

Manager Waller suggested that the people who had already spoken come up and point out their properties on the map staff had displayed.

Mr. Grubbs and Ms. Zastrow pointed out their properties and reiterated the concerns they had about the project.

Mark Blocher, 6947 153rd Avenue NE, pointed out his property location and explained that there are three branches that come into his property from the north, west, and southwest. He stated that with a 4-inch rain, the culvert is filled, and if additional water is brought through, it will not be able to handle it. He stated that there was a wide spot in the ditch that was established in 1965 by the previous property owner, and when it was dug out, the wide spot was removed. He explained that the wide spot was created to absorb water and would like it to be restored, but the District said that they had to go back to the 1902 survey and couldn't deviate from it. He stated that now it appears that the District is saying that they are going to deviate from the 1902 survey, which he didn't understand.

President Bradley asked which culvert Mr. Blocher was referring to.

Mr. Blocher left the podium to show the Board on the map the location of his property, the ditches, and the culvert locations. He reiterated that if the Board changes this, they will change a lot of things in the area. He asked if there were any plans to change any of the culvert sizes.

President Bradley stated that if the Board abandons them, there would not be any plans to change the culvert sizes.

Mr. Blocher asked if members of the audience could have the letter sent by the City of Columbus read aloud.

Aaron Berg, Assistant City Administrator, City of Columbus, indicated that the letter would be read aloud at the end of the public hearing.

Jim Ryan, 6893 153rd Avenue NE, stated that he lived across the ditch from the Zastrow's and stated that to the north, south, and west of them it was all connected by a cattail swamp. He stated that part of that area belongs to Coon Creek Watershed District and asked why they weren't also at this meeting.

Aaron Berg, Assistant City Administrator, City of Columbus, read aloud the letter submitted by the City of Columbus that outlined their formal objection to the proposed partial abandonment and impoundment of ACD 46, Branch 5.

Mr. Blocher asked if they were located within a floodplain.

District Engineer Otterness stated that there is a District-identified floodplain, but did not believe that this was a FEMA-identified floodplain.

Mr. Blocher asked if it would change anything with the proposed abandonment.

District Engineer Otterness clarified that the proposed abandonment would not change the floodplain.

Aaron Nemitz, Stantec, explained that he was the drainage engineer who helped design the project. He stated that he wanted to make a few distinctions related to the design of the project. He explained that they were talking about a partial abandonment of the most upstream end of ACD 46, Branch 5, and drainage would still be maintained to the north. He stated that the culvert under 153rd Avenue NE was a 36-inch culvert, inverts would not be changed, and drainage would still be facilitated to the north. He explained that they were proposed to impound sections of the ditch and create floodplain pools, but noted that water would effectively flow as it does today, to the north, with the one distinction that a berm was being proposed to disconnect the southern lobe of the wetland, that current drains in multiple directions. He explained that they had done an analysis of the modeling to look at the effective flows to ACD 46, Branch 2, and evaluated high water levels at the culvert and stated that the 50- and 100-year peak water surface elevations are reduced at the culvert inlet.

President Bradley asked for a depiction of the berm location.

Mr. Nemitz suggested that they use the wetland figure and noted that because water flows in two directions, naturally at this point, and noted that the berm was proposed to prevent water from backflowing from Branch 5 into Branch 2, which is why they saw reductions. He stepped away from the podium and pointed out areas on the map of the area and the plans for a berm. He clarified that their modeling had looked at the full ditch system.

Mr. Smythe, Stantec, stepped away from the podium to the map and noted that one of the reasons for their plans was to protect Branch 2 by lowering the 50- and 100-year water levels because they won't allow water to back up and flow into it from the impoundment area. He stated that their proposed embankment will keep the water on the property.

Mr. Grubbs stated that he was not against the project and would like to see the best use for the property, but felt adding pads and houses may just add more residents with more water problems. He stated that he has a lot of unanswered questions related to elevations and flow, and explained that he did not want to be there with a forever problem because of them.

Mr. Smythe, Stantec, noted that there was something he should have mentioned earlier and stepped to the map to point something out. He stated that the embankment they were creating would also serve as an access road to develop the property, but on the south side of the embankment they would create a ditch system to carry flows from the south all the way back down to the ditch to ensure they don't affect any offsite properties.

Ms. Zastrow stated that she was confused about the information just presented about the flow and noted that she wasn't sure anyone really knew what was really happening. She stated that when they start adding more ditches and berms, it just shifts water everywhere and wasn't sure they knew exactly where it was going to actually go. She reiterated that she was very confused about the comments made by Stantec representatives about how the water is moving.

President Bradley noted that when staff had initially prepared paperwork for action at today's meeting, they had not anticipated the information that has been shared by the City of Columbus and the public.

Motion by Manager Bradley, seconded by Manager Waller, to close the public hearing. Upon a roll call vote, the motion carried 5-0.

President Bradley asked District Attorney Kolb for guidance on the steps the Board needed to take to remand this issue back to staff to consider the information just shared with the Board.

District Attorney Kolb stated that the Board had just heard a lot of important and relevant information during the public hearing, including potential impacts to Branch 2. He stated that he felt all the information shared about things like the berm and the flow paths were worth investigating further. He asked the Board if they could identify items they would want examined more closely, how they would like the information presented to them, and if they could pick a date for continuation of this item. He stated that he believed the Board was going to choose to continue the public hearing and noted that language would be part of the motion.

Manager Waller referenced the comments made by Ms. Zastrow and others who had wanted to participate that were named within her letter, but due to confusion in the notice language, they didn't feel they would submit information to the Board. He stated that he wanted to be certain that the Board had submitted information from all the individuals that were interested and suggested that the Board continue the public hearing to a future meeting.

Manager Robertson asked District Attorney Kolb to clarify the information he wanted from the Board and whether it needed to be included in the motion language or could just be an administrative discussion.

District Attorney Kolb explained that any motion should contain at least minimal guidance to the District Engineer and the applicant on what issues the Board felt needed to be addressed in order to further satisfy the information requirements of the Board in support of a decision. He stated

that there should also be language regarding the continuance and noted that he believed that Manager Waller was in support of renoticing the public hearing and determining its date sometime in the future, in order to give all of the landowners who may have had interest in submitting comments a better opportunity to digest the additional information before the Board moves forward with any continued hearing. He noted that he felt those two items were the critical elements that should be included within the motion language.

Motion by Manager Robertson, seconded by Manager Bradley, to require additional information regarding concerns heard during the public hearing related to long-term impact on ACD 46, Branch 2, the existing high water table, differences between a District floodplain and a FEMA floodplain, whether the Coon Creek Watershed should be engaged in this process, and the comment made regarding incomplete elevations, the role of the District in this regulatory pocket versus the role of the City of Columbus for land use and permitting.

Manager Hegland stated that she agreed with what was mentioned by Manager Robertson, but also wanted to be more specific. She stated that Ms. Zastrow asked 7 questions in her statement and felt the District should respond to all of the questions. She stated that there were also questions shared by others during the public hearing about how things may impact their land, and she wanted to hear more about the groundwater issue because that continues to be a bugaboo in their City, when projects have gone through when the District has looked at surface water and clearly stated that groundwater is not the purview of the District. She stated that what has happened is that projects go through and they end up having continued flooding in areas that presumably should not. She expressed concern about the language used related to 'potential' effect and would prefer that the District use clearer language such as 'no' effect or that the District didn't know if there would be any effect.

President Bradley stated that Manager Hegland was asking for a friendly amendment to the motion to make sure the groundwater issue was included, which Manager Robertson had already included. He stated that an additional friendly amendment could be made to direct staff to answer the specific questions asked by Ms. Zastrow and others during the public hearing.

Manager Robertson accepted the friendly amendment to the original motion to also direct staff to answer the specific questions asked by Ms. Zastrow and members of the public during the public hearing; Manager Bradley seconded acceptance of the friendly amendment. Upon a roll call vote, the motion carried 5-0.

Manager Robertson noted that the Board had technically closed the public hearing, when perhaps they should have suspended the public hearing.

District Attorney Kolb agreed and stated that he viewed it as the Board had closed the public comment portion of today's public hearing.

Administrator Tomczik suggested that the Board keep the record open so the District has all the concerns until November 13, 2026. He stated that the comments were what the District

wanted to respond to and suggested that they schedule the continuance to the December 9, 2026, Board meeting. He noted that the December 9, 2026, meeting was scheduled for 6:30 p.m., which may allow others to comment due to it being an evening meeting.

District Attorney Kolb noted staff's recommendation to continue the public hearing on December 9, 2026, at 6:30 p.m.

Motion by Manager Robertson, seconded by Manager Weinandt, to suspend and continue the public hearing on the proposed partial abandonment and impoundment of ACD 46, Branch 5, until December 9, 2026, at 6:30 p.m. and encourage other interested parties to submit comments or questions to the District.

Manager Robertson asked about the postcards sent out to notice the public hearing and stated that she wasn't sure where the confusion would come from that residents couldn't submit their comments in writing on an item.

Ms. Zastrow spoke from the audience and asked if Manager Robertson would like to see the postcard.

Manager Robertson confirmed that she would like to see the postcard.

Administrator Tomczik noted that it could be found on page 63 of the packet materials.

Manager Robertson read aloud from the postcard Ms. Zastrow handed her and stated that she understood where the confusion came from. She stated that she felt the District could clean up the language to explain things more clearly.

Ms. Zastrow asked if the District would send out another postcard before the December meeting.

Administrator Tomczik stated that they could send out another postcard, but noted that it wouldn't be required per Statute.

Manager Robertson asked staff to clean up the language within the notice to make things clearer so there wasn't confusion about the District accepting comments.

Administrator Tomczik acknowledged that clarity was important to the District and asked District Attorney Kolb if he could help the District make some language modifications to make things clearer.

President Bradley stated that the paragraph in question is accurate and explained that the District has had problems in the past with Zoom, so they cannot open Zoom to the public because it can cause problems.

Administrator Tomczik asked if there was consensus of the Board to renotice the public hearing postcard even though the motion had been continued to a specific date.

President Bradley stated that was correct.

Upon a roll call vote, the motion carried 5-0.

Manager Waller stated that there are a number of organizations that are involved in giving authority, such as the Army Corps of Engineers, DNR, BWSR, City of Columbus, and the District. He asked if this wasn't a bit premature because the City of Columbus was the land use authority, and they did not know what other authority or contingencies may be attached by the Army Corps of Engineers or BWSR.

District Attorney Kolb stated that for the District, considering the petition, as the drainage authority, doesn't give the applicant full authority to do the project or to receive any wetland credits. He noted that there were no fewer than 3 things happening simultaneously with this project that included the application for wetland banking, regulatory approvals from the City of Columbus, and the approvals they were seeking from the District. He stated that the applicant will require approvals from all 3 before they can consider moving forward with their project, but noted that he believed the District could proceed with consideration of the application, because any approvals the District may give would be conditioned on all the other necessary approvals.

President Bradley recessed the Board meeting at 10:36 a.m. and reconvened at 10:43 a.m.

PUBLIC HEARING: ANOKA-WASHINGTON JUDICIAL DITCH 3 (AWJD3) DRAINAGE SYSTEM PARTIAL ABANDONMENT & REALIGNMENT PETITION

President Bradley read aloud a statement explaining the purpose of the public hearing related to the petition received regarding consideration of a partial abandonment and realignment of AWJD 3.

District Attorney Kolb explained that the petition received by the District was dated August 14, 2026, and was filed pursuant to Statute 130E.227 and 130E.806. He stated that within the petition, the petitioner acknowledged that they are responsible for construction costs of any modifications that are authorized and for all costs related to the proceedings. He noted that the drainage authority met on August 24, 2026, and received the petition and directed the District Engineer to prepare a report addressing the decision criteria found in the Statutes. He stated that District Engineer Otterness had filed his report of findings on September 16, 2026, and the Board had authorized setting the public hearing date and providing notice. He explained that the standard of decision was the same as it was for the last public hearing on today's agenda. He noted that the District had sent the required notices, which could be found on page 31 of the meeting packet materials.

District Engineer Otterness gave a brief presentation on the petition for the realignment/abandonment of AWJD 3. He reviewed the basis for review, site location, the location of the proposed realignment, details about the purpose of the realignment, effects of the realignment, and other regulatory approvals that will be required. He stated that the Engineer concluded that the proposed realignment and partial abandonment will not impair the utility of the system or deprive landowners of benefit and would recommend approval subject to the following conditions: realignment contingent upon approval of Frenchman Village under RCWD Rule I; petitioners shall notify District staff prior to ditch realignment and coordinate access for inspection; and plans shall provide an 'as-built' drawing upon completion.

Warren Tracy, Maplewood Development, stated that there are a lot of constraints on the site that have essentially forced this relocation. He noted that District staff and their consultants have been a pleasure to work with on this project.

Manager Waller asked what they were planning to do next to the ditch right-of-way and noted that he hoped they weren't planning to put buildings right next to it.

Mr. Tracy explained that they were planning for a public park area and compensatory ponding.

Manager Waller pointed out the portion of the map that had a blue line and explained that was the area he was concerned about near the railroad.

Mr. Tracy stated that area would be a mix of medium-density townhomes and the City of Hugo's downtown commercial plans. He stated that there would be a road along the alignment that accesses the area and clarified that there would not be any homes fronting the ditch.

Manager Waller stated that this was a very important drainage area east of Highway 61, but was also an important junction area for things north of Frenchman's Drive. He stated that he wanted to mention this to Mr. Tracy so he understood the importance of the area where many branches come together.

President Bradley invited the public to address the Board. There were no public comments.

Motion by Manager Waller, seconded by Manager Bradley, to close the public comment portion of the public hearing. Upon a roll call vote, the motion carried 5-0.

Motion by Manager Waller, seconded by Manager Bradley, to adopt Resolution 2026-14 Findings And Order Granting Petition To Realign Drainage System Waters And Partially Abandon A Portion Of Anoka/Washington Judicial Ditch 3, Branch 2

Therefore, based on the foregoing findings, the Board makes the following:

ORDER

A. The SPQR Hugo, LLC to realign drainage system waters is granted, subject to all conditions stated in this Order.

B. The original drainage system records shall be modified to reflect the partial abandonment of the drainage system authorized herein and as described in the project concept plans and engineer's report of findings.

C. The Drainage Authority shall have jurisdiction over and shall be responsible for inspecting, maintaining, and repairing all portions of AWJD 3, Branch 2 remaining or modified as authorized herein.

D. Petitioner and future owners of properties underlying the Petitioner's Project shall be solely responsible for the routine inspection, maintenance, and repair of the Petitioner's proposed Project.

E. Petitioner shall protect the outlets for the project and is prohibited from modifying or allowing any outlet to be modified in any way that would adversely impact lands upstream in the drainage system.

F. This Order is contingent upon the following additional conditions:

   a. Partial abandonment and realignment shall be contingent upon approval of a Rice Creek Watershed District permit for the Frenchman Village development under RCWD Rule I.

   b. Petitioner shall notify Drainage Authority staff prior to the start of construction of the ditch realignment and coordinate access for inspection of the ditch construction.

   c. Petitioner shall provide the Drainage Authority with record (as-built) drawings of the realigned ditch, new culverts (including those proposed on other branches of AWJD3) and surface water outlets into AWJD 3.

President Bradley referenced page 58 of the packet materials and asked about the items that were highlighted.

District Attorney Kolb explained that in paragraph 14, he wanted to ensure the Board was satisfied with how the public comments were handled and read aloud the language in this paragraph. He stated that for paragraph 15, the carets could be taken off this paragraph and include this item as proposed because it addressed the specific requirements, in case there is some change as to impacts to adjacent properties. He stated that for paragraph 16, there was an open caret and suggested that they complete that sentence by saying, "…that the partial abandonment as described herein will be of public and private benefit by allowing more efficient use of the subject property." He stated that if this clarification was okay with the motion maker and seconded, he would suggest this language be inserted into the final findings.

President Bradley asked if any written comments had been received.

Drainage & Facilities Manager Schmidt stated that the District had not received any written comments or phone calls.

President Bradley stated that for paragraph 14, he would state that no comments were submitted and read aloud his proposed language for this item to state, "During the public hearing, the Board President called for comments from the public and no comments were submitted." He noted that the second sentence in the paragraph could be left in as it was written.

Motion by Manager Bradley, seconded by Manager Waller, to approve the language amendments to items 14, 15, and 16, as discussed. Upon a roll call vote, the motion carried 5-0.

ROLL CALL:
Manager Bradley – Aye
Manager Hegland - Aye
Manager Robertson – Aye
Manager Waller – Aye
Manager Weinandt – Aye
Motion carried 5-0.

ITEMS REQUIRING BOARD ACTION

1. Moore Lake Feasibility Grant Amendment

Project Manager Oknich explained that the District had been asked by the MPCA if they would be interested in more money to investigate opportunities for stormwater Best Management Practices (BMPs) in the Moore Lake sub-watershed. She noted that the District had received a grant in 2025 and briefly explained why there were leftover funds that could be used in addition to the initial grant funding.

Manager Weinandt stated that she wanted to be clear that this was federal Environmental Protection Agency money that flows through the state's Minnesota Pollution Control Agency. She explained that this was a competitive grant process that the District had received. She asked if this was a project that the District had already planned to do whether or not the District received grant funding.

Administrator Tomczik stated that the District had planned to do this project regardless of the grant funding.

Manager Weinandt noted that this was another example of how the District received money from another grant source for a project that they had already indicated was on its calendar.

Motion by Manager Weinandt, seconded by Manager Robertson, to approve the Sewer Overflow and Stormwater Reuse Municipal Grants Program grant in an amended amount of $84,695.58 and further authorize the District Administrator to sign the agreement, upon advice of counsel. Upon a roll call vote, the motion carried 5-0.

Motion by Manager Weinandt, seconded by Manager Robertson, to approve the amended Houston Engineering Incorporated change in scope of services agreement in a total amount not to exceed $90,000 and further authorize the administrator to sign. Upon a roll call vote, the motion carried 5-0.

2. 2024 Stormwater Management Grant Extension, City of White Bear Township – Bellaire Ave Storm Pond

Watershed Technician/Inspector Roach gave an overview of the extension request the District had received from White Bear Township for the 2024 Stormwater Management Grant. He stated that White Bear Township has had some delays in construction and has asked for a one-month extension of the deadline from October 30, 2026, to November 30, 2026.

Motion by Manager Robertson, seconded by Manager Bradley, to amend the 2024 Stormwater Management Grant Agreement between Rice Creek Watershed District and the City of White Bear Township by amending the construction completion deadline to November 30, 2026, and delegate signature authority of the extension memo to the District Administrator. Upon a roll call vote, the motion carried 5-0.

3. Anoka County Ditch 10-22-32–Petition for the Partial Abandonment and Realignment of Branch 3

Drainage & Facilities Manager Schmidt explained that the District had received a petition for a partial abandonment and realignment of ACD 10-22-32, Branch 3. He noted that this branch was not directly related to the other areas of ACD 10-22-32 that the District had been dealing with in the recent past, but is located within the same system.

Manager Robertson suggested that the Board put a pin in this request until they have the broader discussion on this corridor. She stated that she believed there was already a plan to discuss this corridor at a November Work Session meeting and asked if the District had a specific timeline to respond to this type of petition. She stated that if there was not a legal timeline to move this forward, she strongly suggested that the Board not do anything with this petition until the Board is able to have a thorough conversation about ACD 10-22-32. She noted that she felt this may be very similar to the first public hearing item from today's meeting, where they heard from property owners outside of the project area that may have impact from this proposed change.

District Attorney Kolb explained that the Board did not have a timeline issue for this action and noted that this was not subject to Statute 15.99. He stated that if the Board believed that it would be beneficial to take more time, given other things that were

occurring, they could defer action on this request to a different meeting. He explained that they could take this action by either tabling or deferring it.

Manager Waller gave the example of the Board accepting the petition and asked if there was a timeline that arose for the Board to take action on the petition once it was accepted.

District Attorney Kolb stated that there would also not be a timeline from the scenario described by Manager Waller.

Motion by Manager Robertson, seconded by Manager Waller, to defer action on adopting Resolution 2026-13 accepting the petition for partial abandonment and realignment of ACD 10-22-32, Branch 3.

District Engineer Otterness noted that this development had submitted a permit request to the District, which does have the Statute 15.99 timeline requirements.

President Bradley asked how long it would take District Engineer Otterness to get to the normal next stage of filing a report on this request.

District Engineer Otterness stated that after reviewing the material provided, there is a substantial amount of information that will be required from the petitioner. He stated that he would not anticipate a report coming from him anytime soon after acceptance of the petition. He noted that the earliest there could be an engineer's report would most likely be the December Board meeting, but that would depend on how quickly the petitioner can get him the additional information he needs.

Manager Weinandt clarified that the applicant has already submitted a permit for the development, which means they are subject to Rule I.

District Engineer Otterness clarified that they were subject to all of the Rules.

President Bradley stated that he was sympathetic to the notion of not sending mixed messages shared by Manager Robertson, but one of the District's messages was that they were open for business, and he wasn't sure that the motion on the table was the best they could do.

Manager Robertson explained that she felt it was the best they could do and asked if the application for this project had been made to the City of Lino Lakes for formal review, or if it was part of the pre-application process with the District for permitting. She noted that Lino Lakes is very averse to housing development, so she felt it would be very interesting to see how this played out on the City of Lino Lakes side. She explained that was also

why she wasn't feeling that the Board needed to rush through this so they don't stall the process, because she suspected the City's process may stall it on its own.

Regulatory Manager Hughes stated that the applicant had filed for a permit with the District, but wasn't sure if they had filed one with the City of Lino Lakes. He noted that the earliest the application would come before the Board would be the December 9, 2026 Board meeting and explained that he also anticipated that there may be a lot of public comment on this proposal.

Manager Waller stated that this piece of property was just west of 4th Avenue, north of County Road 14, and asked if it had a drainage impact on anything north of it.

Drainage and Facilities Manager Schmidt explained that this branch drains along the road ditch of Main Street to the east and then goes south under the main crossing at the main trunk.

President Bradley stated that he would vote in favor of the motion on the table if the Board set a specific time to bring it back for Board consideration, such as December 9, 2026.

Amended motion by Manager Bradley, amended second by Manager Robertson, to add language to the motion on the table that this item be brought back for Board consideration at the December 9, 2026, meeting. Upon a roll call vote, the motion carried 5-0.

ROLL CALL:
Manager Bradley – Aye
Manager Hegland - Aye
Manager Robertson – Aye
Manager Waller – Aye
Manager Weinandt – Aye
Motion carried 5-0.

4. Check Register Dated October 28, 2026, in the Amount of $367,572.51 and October Interim Financial Statements Prepared by Redpath and Company

Motion by Manager Weinandt, seconded by* Manager Bradley, *to approve check register Dated October 28, 2026, in the Amount of $367,572.51 and October Interim Financial Statements prepared by Redpath and Company. Upon a roll call vote, the motion carried 5-0.

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports

Manager Weinandt asked Administrator Tomczik to give a brief report on how many staff members attended the Water Resources Conference and noted that the District handled two presentations.

Administrator Tomczik stated that 3 staff members presented at the Water Resources Conference regarding GIS matters and Iron Enhanced Sand Filters.

2. November Calendar

Manager Weinandt stated that she will attend the Minnesota Watersheds meeting and would be able to attend the Citizens Advisory Committee (CAC) meeting.

President Bradley explained that he could switch dates with Manager Weinandt for attendance at the CAC meeting. He noted that he did not believe that Manager Hegland would have to drive back and forth to attend the Minnesota Watersheds meeting because they would already have a quorum.

Manager Hegland stated that it would be fine with her, but explained that she had been willing to make the drive because there wasn't a Zoom option for attendance.

Manager Weinandt noted that the District wasn't pushing any specific issues this year, so she agreed that Manager Hegland would not need to make the drive to the meeting.

Administrator Tomczik reminded the Board that November and December had curtailed meeting schedules for the Board and would only hold workshop and one meeting per month.

3. Administrator Updates

Administrator Tomczik stated that he attended the Minnesota Metro Watersheds meeting last week and noted that the Watershed received an award from the Minnesota Nursery & Landscape Association for Partner of the Year for stormwater reuse. He reviewed the legislative platforms that were brought forward by the Watershed. He noted that the Met Council was having its subregional conversations regarding priorities. He stated that the DNR had engaged the District to let them know that they are working with Anoka County on its public waters inventory project to ensure the accuracy of the map.

4. Manager Updates

Manager Waller attended the Minnesota Metro MAWD meeting and gave a brief overview of the presentations that were given.

Manager Weinandt stated that she stopped at the Blaine Anoka County Library at Northtown to see the We Are Water exhibit and encouraged others to take the time to check it out.

Manager Hegland noted that next year's Minnesota Watersheds Summer Conference would be hosted by the Minnehaha Watershed District. She noted that the Met Council had reported that they would pull part of their sustainability funds to support stormwater reuse grants.

President Bradley stated that he had attended the Bald Eagle Area Association meeting last week and commended Lake & Stream Manager Kocian for being a great envoy for the District.

Manager Weinandt reminded President Bradley that the District had received an evaluation in an email.

District Attorney Kolb stated that similar to last year, the District had sent out, by email yesterday, and had provided to Manager Waller a hard copy, copies of the Administrator's self-evaluation, the job and duties description, and also a form fillable document for the Managers to fill in their evaluation of Administrator Tomczik. He explained that this information would be compiled and provided to President Bradley and noted that they will not attribute the Board's specific comments unless they indicate that they can be shared with the Administrator. He asked that the Board take time to fill in the evaluation and send it back in a timely manner.

Manager Robertson stated that the statement 'in a timely manner' was subjective and asked when the Board needed to turn in the evaluation forms.

District Attorney Kolb asked that the Board have the evaluation forms turned in by Wednesday, November 4, 2026.

ADJOURNMENT

Motion by Manager Robertson, seconded by Manager Bradley, to adjourn the meeting at 11:51 a.m. Upon a roll-call vote, the motion carried 5-0.