

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

March 1, 2017, Board of Managers Plan Workshop and Monthly Meeting

PRESENT:

Managers: Mary Bisek, Secretary

Richard Chadwick

Jill Crafton, Treasurer

Perry Forster, President

Leslie Yetka, Vice President

Staff: Claire Bleser, District Administrator

Zach Dickhausen, District Staff

Michelle Jordan, Water Quality Outreach Coordinator

Josh Maxwell, Water Resources Coordinator

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Paul Bulger, CAC*

Dave Modrow, City of Eden Prairie*

Kristie Elfering, Elfering & Assoc.*

Justin Schmidt, Life Time Fitness*

Larry Koch, Chanhassen Resident

Laurie Susla, LLCA

Sharon McCotter, CAC*

David Ziegler, CAC

*Indicates attendance at the monthly board meeting but not the plan workshop

1. Plan Workshop

President Forster called to order the Wednesday, March 1, 2017, Board of Managers Plan Workshop at 5:40 p.m. in the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

Administrator Bleser stated that the 10-year plan is a guiding document outlining what the next 10 years may look like. She pointed out that some components in the plan may move from one year to another based on logistics. She said that the District is always re-evaluating and at the last meeting the Board discussed reassessing halfway through the 10 years.

Administrator Bleser updated the group on what has been happening with the plan since the previous Board workshop. She noted that staff met with the Technical Advisory Committee (TAC) and the Citizen Advisory Committee (CAC) and gave them the same presentation staff had presented to the Board. She reported that the TAC had no concerns with the scoring of any projects in their communities.

Administrator Bleser said she had told the TAC about the Board's interest in wetlands and all of the TAC members agreed that there was a need to do something with wetlands. She explained that the idea of wetland banking was raised along with the huge concern that right now if wetlands are impacted it is necessary to go to Blue Earth County to find a replacement to that wetland. She said that the current process doesn't benefit the local region. Administrator Bleser reported that the TAC was in favor of the District looking further into the wetlands and to consider revising the first draft of the 10-year plan to include wetlands. She noted that the City of Chaska

TAC representative talked about wetland restoration and possibly wetland banking outside of the watershed district but within their community, such as wetland that drains to the lower Bluff Creek and Minnesota River area. She said that there is interest in the overall regional approach.

Administrator Bleser gave the highlights of what was discussed with the TAC, including that alternative ideas of water quality projects were provided.

Administrator Bleser talked further about the meeting earlier this week with the Citizens Advisory Committee. She said that the CAC raised the idea of possibly increasing funds to Education and Outreach. Administrator Bleser reported that there were pretty favorable comments about the wetlands element. She said that staff shared with the CAC what the TAC had shared with staff about wetland banking. She noted that the CAC asked for additional time in which to comment and so the CAC has until March 13 to provide comments.

Administrator Bleser responded to questions.

Administrator Bleser said that she would like to spend time now discussing possible ideas about what the District would like to do with wetlands and their management. She pointed out that the District hasn't really done wetland data collection. She talked about the idea of conducting a functional value inventory. She reviewed the District's goals and strategies related to wetlands:

- The District would create a wetland inventory based on available data.
- Preserve and enhance the quantity as well as the function and value of wetlands.

She said that in talking with the TAC, it seems that there is an interest in the District possibly leading a wetland banking system. Administrator Bleser stated that the first step would be the inventory and then deciding how to protect and restore the wetlands in the area. She explained that staff would like to engage the Board in discussion about the idea of a banking program and the idea of an incentive program. She asked for the managers' thoughts. President Forster asked Administrator Bleser to describe how the wetland banking system works. She described the system. She talked about the Wetland Conservation Act and how the cities have the authority regarding the Wetland Conservation Act.

Administrator Bleser stated that if the Board is interested in the wetland inventory, she would encourage including it in the District's 10-year plan. Manager Yetka commented that she would support including it in the 10-year plan. Engineer Sobiech noted that the cities in the watershed do have data but it is dated. There was discussion. Manager Bisek asked if the cities would be willing to help pay for the costs of the research. Administrator Bleser responded that they might be interested.

Administrator Bleser said that she is hearing that the Board is interested in pursuing this discussion and this direction further. She said that the other concept the Board could consider is an incentive program that would help with wetland restoration.

Manager Chadwick stated that he believes it is the sense of the Board to work to have these issues of wetlands in the 10-year plan. He said that he thinks it is important to preserve as much of the wetlands as possible, even enhancing and enlarging the existing wetlands. Manager Crafton mentioned that corporate campuses could be a sector that would be interested in partnering with the District in such work. Administrator Bleser said she thinks staff has enough direction to be able to move forward with working on a wetland section for the 10-year plan.

Administrator Bleser touched on the 10-year plan process timeline. She said that the District is running two to three months behind the timeline originally presented to the Board. She explained that the District is entering the draft plan development phase and is estimated to enter the 90-day plan review by the end of this year.

Administrator Bleser handed out a first working draft of the 10-year plan table of contents and talked about the requirements of state statute 8410. She went through the table of contents with the group. There was discussion about the implementation section, and Administrator Bleser noted that rules and regulations should be identified as well and that the cost share program should be taken out of this section. Manager Yetka commented that the Goals and Strategies under the Public Input Process section could be a separate section unto itself.

Administrator Bleser reported on the Community Resiliency Workshop that took place. She asked the Board for comments on her idea of incorporating some of those findings into the 10-year plan. President Forster asked where. Administrator Bleser said that it could fit under the Goals and Strategies subsection related to climate change. Manager Yetka noted that the individual watersheds will have their own sections, so the information could fit there, too. The Board indicated favor with including workshop findings into the plan.

Administrator Bleser stated that the idea was raised during previous 10-year plan workshops about working into the plan opportunity projects. She said these are projects that arise that present an opportunity for the District to participate and achieve steps toward District goals. Administrator Bleser said that the idea is to build a little flexibility into the plan and it is not yet known whether the Board of Water and Soil Resources will accept this. Attorney Smith said that he thinks there is a growing interest to make sure that watershed plans are dynamic in that way and the key thing is to show that the District has thought about its goals and that it isn't going to respond to just any project that knocks on the door and that aren't relevant to the District's goals. President Forster said that he thinks the District needs to have a reference in the document explaining that while the document may seem fixed, it is not and that other things could come into play.

Manager Chadwick requested that the District Attorney keeps the District's 10-year plan consistent with the other watersheds, to the extent possible, because it would be helpful for the District in working with its partners, cities, and the other watershed districts. Manager Chadwick requested from Administrator Bleser a copy of the management table.

President Forster closed the Plan Workshop at 6:47 p.m.

2. Monthly Board Meeting Call to Order

President Forster called to order the Wednesday, March 1, 2017, Board of Managers Monthly Meeting at 7:05 p.m. in the District Office, 18681 Lake Drive East, Chanhassen, MN 55317. He noted that immediately prior to this meeting, the Board had a 10-year plan workshop starting at 5:30 and ending at approximately 6:45 p.m.

3. Approval of the Agenda

President Forster requested the addition of Discussion item 9b ó Bob Adomaitis letter. He noted that the agenda lists 8b as the December Treasurer's Report but it should be listed as the January Treasurer's Report. Manager Chadwick corrected the date of the Board's next monthly meeting as listed on the agenda in upcoming events.

Manager Chadwick moved to approve the agenda as amended. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

4. Matters of General Public Interest

President Forster explained the procedure for bringing forward matters of general public interest, and he opened the floor.

Ms. Laurie Susla of Dakota Lane, Chanhassen, complimented the Board and staff on the District's new office space. She noted that she won't be able to stay at tonight's meeting for the agenda item about the letter submitted to the Board by Bob Adomaitis. Ms. Susla said she thinks the letter contained a lot of very important information and that she agrees with him that there were several members let go from the Citizens Advisory Committee (CAC) who were working diligently at fulfilling the statutory role of the CAC and so she fully supports the letter that Bob wrote.

She asked if any of the projects that are being considered for the new 10-year plan and that are being fed into the prioritization tool are coming from anything other than just from the Use Attainability Analyses. Administrator Bleser responded yes. Ms. Susla remarked that the City of Chanhassen is going through its 10-year Surface Water Management Plan planning process at this time and there is a lot of movement in organizations in getting their 10-year plans together. She explained that a project that doesn't seem to have made it into a project pool is working on the antiquated storm water systems that are dumping untreated storm water into lakes such as Lotus Lake. Ms. Susla said this seems like a good opportunity to reach out to the cities to get partnerships going for projects that would result in significant phosphorous reductions for the lakes.

Ms. Susla talked about the internal phosphorous loading in Lotus Lake and said that she doesn't know what percentage of the internal load is from phosphorous release from sediment and wondered if that information is available anywhere. Ms. Susla said that she thinks that until the District includes in the ten-year plan something to address the Curlyleaf pondweed and the carp, there may remain an internal phosphorous loading problem in Lotus Lake even after the alum treatment. She wondered what was the District's process for adding, changing, and reconsidering projects that are making their way at this point into the 10-year plan. President Forster said that the TAC met and is working hard on coordinating what is in the District's 10-year plan and the cities' plans. He said that the goal of having a level of flexibility in the District's plan will help the District and the cities capitalize on opportunity projects. Ms. Susla reiterated that she thinks this would be a golden opportunity to attack some of the storm water issues.

Mr. Larry Koch of Bighorn Drive, Chanhassen, echoed Ms. Susla's comments about the District's new office space. He commended Attorney Smith about the presentation he gave to the CAC at its last meeting. Mr. Koch said that the suggestions that Attorney Smith would be good suggestions for the Board to make regarding running its meetings. Mr. Koch requested a copy of the scoring presentation given to the TAC. He said he has some concerns about the scoring. He said he doesn't understand it. He said he has a difficulty reconciling those projects with any logic. He said that with the looks given him, he would like to remind everyone that with the Bylaws adopted at the Board's previous meeting, the Board adopted a statement that people would keep an open mind and would listen so he asks everyone to follow that. Mr. Koch asked if there is an open permit on Hunter Trail because he goes by there every day and he wanted to bring that project to the District's attention.

President Forster called several times for additional comments on matters of public interest. Upon hearing none, he moved on to the next agenda item.

5. Reading and Approval of Minutes

a. February 1, 2017, RPBCWD Board of Managers Plan Workshop and Monthly Meeting

President Forster requested a correction to the attendee list to clarify that Laurie Susla is no longer a member of the CAC. He requested that the minutes reflect that Dennis Yockers is the one who pointed out that the District did not have the wetland information in the plan. President Forster requested that the title for agenda item 5 be amended to include the address of the permit. President Forster requested that

addition of the word "some" into the fourth sentence under 12b. on page 8, so that the sentence reads, "the District reallocates some funds" Manager Bisek noted that staff member Michelle Jordan has a new position title that should be reflected in the minutes. Manager Crafton requested the removal of the word "to" under agenda item 1, page 1 second paragraph, third sentence. She also noted that the District was awarded "Watershed District of the Year" and asked that the word District be added to the sentence on page 3, under item 4, paragraph 3. She requested that a correction be made on page 6 under item 8 to correctly label CRAS as Creek Restoration Action Strategy. Manager Crafton asked that on page 8, under item 12b, paragraph 4, that the public hearing date be correctly listed as March 1. Manager Chadwick requested to amend his comments on page 2 under item 1, paragraph 7 to read, "that we also previously talked about including recreational activities as a factor." He requested to amend his comments on the same page and in the same section, paragraph 10 to read, "that he would hate to see recreational activities left out"

Manager Crafton moved to accept the minutes as amended. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

6. Consent Agenda

President Forster read aloud the Consent Agenda items: a. Accept Engineer's Report (with attached inspection report); b. Accept Staff Report; c. Approve TO 23 Scenic Heights Restoration; d. Approve Permit 2016-0046 Chanhassen Life Time Fitness; e. Approve Permit Review Timeline Extension for Permit 2017-001 Kopesky 2nd Addition; f. Approve Master Water Steward Capstone Project Cost-share Application; g. Approve Advertising of Permitting and Natural Resource Project Manager; h. Approve Advertising of Professional Services Solicitation.

Manager Crafton moved to approve the Consent Agenda as read. Manager Chadwick asked that item 6b "Staff Report" be removed from the Consent Agenda and asked that Agenda items 8a "Approve Paying Bills" and 8b "Accept December Treasurer's Report" be taken in reverse order. President Forster commented that in the future, requests to amend the agenda should be raised during that agenda item and not during the Consent Agenda item. He moved item 6b to Action Item 8e. There was no second to Manager Crafton's motion.

Manager Crafton moved the Consent Agenda as revised. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

7. Citizen Advisory Committee (CAC)

Sharon McCotter updated the Board on what the CAC went through at its meeting on Monday. She said that the CAC appreciated Attorney Smith's presentation and guidance. She reported that the CAC held elections and Dorothy Pederson will be the 2017 CAC president, Sharon McCotter will be the vice president, and Joan Palmquist will be the recorder. Ms. McCotter stated that for 2017 the CAC will continue to hold its meetings on the third Monday of each month at 6:30 p.m. and will address any conflicts with the meeting time at least two months in advance. She reported on clauses that the CAC adopted and will discuss at its next meeting. Ms. McCotter described the number of comments raised at the CAC's meeting about the meeting minutes of the Board's January 2017 meeting. She said that there is a level of discomfort within the CAC regarding how the CAC appointments were made. She said that the CAC is interested in making the process more transparent. Ms. McCotter reported that the CAC made a motion that the CAC requests that the Board articulate the CAC selection process, qualifications, and criteria and share this information by summer 2017. She listed the topics that the CAC plans to cover at its March meeting.

8. Action Items

a. **Accept the January Treasurer's Report**

Manager Crafton moved to accept the Treasurer's Report as submitted. She highlighted an item on page 2 in the fund performance analysis that shows a negative amount. She explained that it indicates that money that is still going to come in from partners. She recommended that the incoming funds be recognized as other income. The Board agreed with her recommendation. Manager Chadwick pointed out a correction to be made where the report lists the 2016 budget that should be labeled 2017. He asked Manager Crafton, as Treasurer, to highlight each month the Treasurer's Report items that she sees as most significant. He also commented that if there is something unusual in the report that the report uses a footnote to explain it. Manager Bisek seconded the motion to accept the Treasurer's Report. Upon a vote, the motion carried 5-0.

b. **Approve Paying of the Bills**

Manager Crafton described the process undertaken to review the bills. She moved to pay the bills. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

c. **MAWD Special Meeting**

President Forster explained that the Minnesota Association of Watershed Districts (MAWD) will need to hold a special meeting in July during its summer tour because there is a need to change MAWD's bylaws and the process in which it collects dues. He went into further detail about the issues and stated that Administrator Bleser is asking for Board authorization to send a letter to MAWD indicating that the District would like to participate in the special meeting. Manager Crafton moved to authorize Administrator Bleser to send the letter. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

d. **Recycling Association Minnesota Rainbarrel Sale**

Ms. Jordan described staff's proposal for doing a District coupon toward the cost of a rainbarrel at the May 5 and 6 Recycling Association of Minnesota rainbarrel sale that the District is hosting. She provided details and talked about the educational component of the rainbarrel sale. Ms. Jordan asked for Board authorization to use up to \$1,250 of education and outreach funds toward the coupon initiative. Manager Crafton moved to approve use of education and outreach funds up to \$1,250. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

e. **Staff Report**

Manager Chadwick requested that the staff enlighten the Board about two or three items that are on the horizon and that the Board may need to take action on at an upcoming meeting. Administrator Bleser provided the information. Manager Chadwick moved to accept the Staff Report. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

f. **January 24, 2017, Letter from Robert Adomaitis to the Board**

Attorney Smith said that the Board received a January 24, 2017, letter from Robert Adomaitis raising his concerns about the District's CAC appointment process. Attorney Smith said he would like to do four things:

- Speak to the main issues that are raised in the letter and offer a response from a legal point of view about the issues that are raised;

- Distribute the survey forms that the Board members completed for the CAC process late last year, and he is going to discuss that process;
- Share a draft letter responding to Mr. Adomaitis's concerns;
- Share a draft amendment to the Board's bylaws, prepared at the request of the Administrator, regarding dealing with this information gathering and balloting process as it was used in the CAC selection.

Attorney Smith stated that the decision the Board made regarding the CAC appointments was a lawful decision. He talked about the authority that the Board has in selecting CAC members. He addressed the specific issues that Mr. Adomaitis raised including:

- The process had too much staff control;
- The CAC's will that the CAC be a 15-member committee in 2017 was ignored and instead the opinion of staff that the committee be a 13-member committee was controlling of the Board's decision;
- The Open Meeting Law;
- The elimination of three incumbent members of the CAC resulted in a lack of proper geographic representation especially of Riley and Lotus lakes not having representation on the CAC.

Attorney Smith stated that none of the role of the staff ends up in a legal sense controlling the advice offered by the CAC or controlling the decisions that the Board made or makes. Attorney Smith said that the CAC is very free to offer the advice that a 15-member committee is what it sees is in the best interest of the watershed and the staff is free to offer an opinion and information on why a different number is in the best interest. He pointed out that the CAC's bylaws say that a 12-member committee is the typical arrangement. He said the Board is free to consider the issue of the number of members and to make a decision.

Attorney Smith stated that the Open Meeting Law's legal requirement is that no quorum of the Board can discuss or consider anything related to watershed business without doing so in a noticed meeting that is open to the public. He said that based on his understanding, the District staff sent out a survey document, each Board member individually completed it and sent it back to the staff, and no quorum discussed it, the staff gathered and compiled the information and included it in the meeting packet. Attorney Smith said that the requirement of the Open Meeting Law was fully met because all discussion that involved a quorum occurred in an open public meeting.

Attorney Smith pointed out that two of the three incumbent members that Mr. Adomaitis references in his letter voluntarily withdrew their application to be on the CAC. He described the legal requirement of membership, which is that citizen members of the committee be residents of the watershed and the statutory requirements that where practicable the membership includes a representative from the soil and water conservation districts, a representative from the counties, a representative from a sporting organization and a representative from an agricultural organization. speak to seeking broad representation of the watershed. He stated that in his view the CAC that the Board selected still broadly represents the various areas and communities of the watershed. He said that the Board does not legally need to appoint CAC members from any specific place.

Attorney Smith then addressed Mr. Adomaitis's concerns regarding transparency. Attorney Smith said

that he thinks the interest of transparency in the process could be advanced by his passing out copies of the five completed evaluation ballots from the managers and the managers identifying for the record which of the five evaluation ballots was the one he or she completed and returned to staff. Attorney Smith said that the discussion the Board had at its meeting revealed that each manager had a point of view about the appointments. He said that the managers were able to express their points of view and the discussion allowed the managers and the public and the managers to know each manager's point of view.

Attorney Smith requested that each manager identify his or her own comments on the evaluation ballot. President Forster read aloud his comments and identified survey C as his. Manager Crafton read aloud her comments and identified survey B as hers. Manager Bisek identified survey D as hers and noted that she made no additional comments on her form. Manager Yetka identified survey A as hers and read aloud her comments. Manager Chadwick stated that his unofficial ballot, identified in emails to him as not being an official poll or vote, was E. He read aloud his comments and explained his thought process about completing the form. He noted that he emailed to the Administrator in response to one of her emails that he felt that the "unofficial ballot" was inappropriate at this stage in the process. He reiterated previous comments that he thinks that this year's CAC appointment process reflects poorly on the staff and the Board through staff initiating a matter in a staff report without direction from the Board and orchestrating the ballot the way it was and he still feels that the process was tainted.

Manager Yetka remarked that she had no problem with the way the process was handled because it gave the managers a basis on which to have a conversation. She said that she felt in no way was staff trying to direct the Board's discussion or decision and the Board made its own decisions, the Board members made their opinions clear, and the Board had a good, long, and robust discussion. Manager Yetka said that in the discussion the Board members went down the line and stated his or her opinions. She said she respectfully disagrees with Manager Chadwick's statements and said that she thinks it was a fine process, the Board members were forthright in their opinions, there were no violations of the Open Meeting Law, and the Board made a decision as a Board.

President Forster said there are different opinions here, but it seems like the Board needs to come back with a different process next year. He said that doesn't think that staff was trying to manipulate the process and was trying to be helpful, and he stated that there is no one that respects the Open Meeting Law more than he does.

Manager Bisek moved that the structure of the CAC remains as it was voted on it the Board's previous meeting and that in the future there be a subcommittee to talk about how to possibly format in the future the discussion of the appointments. President Forster asked Manager Bisek to break that into two resolutions. Manager Bisek restated her motion to move that the CAC membership remains as the Board previously appointed. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-1 [Manager Chadwick voted against the motion].

Manager Bisek moved that the Board have a committee to discuss a process for CAC appointments with the timing of such being well in advance of the appointment process for 2018. Manager Chadwick said that he would like to be on that committee and to be sure that the committee, Board, and staff solicit actively members for the CAC within the directives of the statute. Manager Yetka volunteered as well. President Forster noted that the committee membership is separate from the motion put forth by Manager Bisek. Manager Crafton seconded Manager Bisek's motion. Upon a vote, the motion carried 5-0. The Administrator collected the handouts passed out earlier in the discussion of this agenda item.

Attorney Smith read aloud the draft letter with the District's response to Robert Adomaitis and responding to his concerns. Manager Crafton stated that she supports the letter. Manager Chadwick remarked that it is a very good letter and if he was the attorney representing the Board he would put the same spins on the letter. He said that the courts are the only ones that ultimately do interpret the actions and intents and wording and interpretation of the Open Meeting Law. He said that the City of Victoria just went through several years of litigation over the Open Meeting Law and what it meant and several of the former members of the City Council were reprimanded by the court for actions involved. He said that in order to avoid litigation and negative comments, he thinks that the process was inappropriate and in his opinion was tainted by process because he doesn't believe the Board of Managers ever involved the staff and the staff took it upon itself in sending out their suggestions and the ballots without the direction from the Board, be it with the suggestion of a manager or two he doesn't know. Manager Chadwick said that one or two managers do not constitute the Board or direction from the Board and he thinks his feelings have been expressed here.

Manager Bisek reiterated the comment that she made at a previous Board meeting that she suggested to staff that a ballot would be a way to move the discussion along, make it more efficient, and help the Board members proceed through a large number of candidates for the CAC. She said that she did not put the ballot together but she suggested it and said it was a good idea and that she has been a member of other organizations that use that format to make decisions regarding appointments. She stated that was her involvement. Manager Chadwick said that he appreciated her coming forward with that and he doesn't imply any ill will or improper conduct on her part or on the staff. He said he just thinks the process that the Board went through without an opportunity for full discussion by the Board was not a proper and good reflection of the staff or the Board.

Manager Crafton commented that she thought it was a great tool that made her think about how she wanted to vote and what she wanted to do and why.

Manager Yetka said that throughout the discussion of this issue she has heard statements and read written comments including the phrase "statutory requirements" and the connotation is to the point that there is a statutory requirement regarding who exactly the Board appoints, where the appointees exactly live, what exactly are the backgrounds of the appointees, and the exact number of CAC members that the Board appoints. She addressed Attorney Smith asking him if he can confirm, in order to be absolutely clear, that the Board has fulfilled its statutory requirements in its decision-making process related to the CAC. Attorney Smith responded definitely yes.

Manager Crafton moved that the District proceed with the publication and distribution of the letter under President Forster's signature. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-1 [Manager Chadwick voted against the motion].

Attorney Smith circulated a draft amendment to the Board's bylaws. He reminded the Board that it must provide 30-days advance notice before taking action to change its bylaws so tonight the draft amendment is simply being introduced. Attorney Smith said that from a legal perspective, the Board is not legally required to adopt this amendment and that the amendment is merely a response to the Administrator's questions of how the bylaws could provide guidance in light of the questions about the CAC appointment process. He read aloud the draft amendment to Section V of I of the Riley Purgatory Bluff Creek Watershed District Bylaws:

Voting – When the chair puts a question to the Board, every manager present will vote, except as

a manager elects to abstain. The manner of voting on any business coming before the Board may be by voice vote. An affirmative or negative vote by any member will be entered in the minutes on his or her request. Affirmative and negative vote will be recorded on any motion at the request of a manager and the results entered in the minutes. Unless provided otherwise by law, any vote or ballot completed by a manager, whether binding or not, will be disclosed at the meeting at which it is taken; a survey of managers shall be presented at the next scheduled meeting at which the relevant item of business is considered, including the vote results and vote of each member.

Attorney Smith noted that there will be some circumstances in which items need to be handled in executive closed session and those items would not be subject to this proposed amendment to the bylaws. There was discussion about the intent of the bylaw change.

Manager Crafton moved to add this proposed amendment to the RPBCWD's bylaws onto the Board's next meeting agenda. Manager Yetka seconded the motion. Manager Chadwick said that he thinks it is important that any ballot be designated as official or unofficial. Attorney Smith said that Manager Chadwick's language suggestion can be considered as part of the discussion at the meeting in which the Board considers the proposed change. Manager Chadwick asked if Attorney Smith could provide a revised draft. Attorney Smith said that he could bring some options. Upon a vote, the motion carried 5-0.

Manager Yetka moved to appoint Manager Chadwick and Manager Yetka to the subcommittee tasked with discussing the process of appointing the 2018 CAC. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

9. Discussion Items

a. Upcoming Meetings

Administrator Bleser announced that President Forster and Manager Crafton are going to the Legislative Days organized by MAWD. She said that any other managers interested in attending Legislative Days should contact her. President Forster said that he provided a letter to Administrator Bleser that will be sent to all of the state senators that fall within this watershed district to make them aware of the Legislative Days events.

10. Upcoming Events

- District Board Workshop, Public Hearing, and Monthly Meeting, Wednesday, April 5, 2017, 18681 Lake Drive East, Chanhassen, 5:00pm

11. Adjourn

Manager Crafton moved to adjourn the meeting of the Board of Managers. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0. The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Mary Bisek, Secretary