

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

September 7, 2016, Board of Managers Monthly Meeting and Public Hearing

PRESENT:

Managers: Mary Bisek, Secretary

Richard Chadwick

Jill Crafton, Treasurer

Perry Forster, President

Leslie Yetka, Vice President

Staff: Claire Bleser, District Administrator

Michelle Jordan, District Technician and Compliance Officer

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Robert Adomaitis, CAC

Marc Riedel, Shorewood Resident

Brock Austin, Shorewood Resident

Madison Rogers, WSB & Assoc.

Brandon Barnes, Barr Engineering Co.

Laurie Susla, CAC

Paul Bulger, CAC

Dennis Yockers, CAC

Dorothy Pedersen, CAC

David Ziegler, CAC

1. Call to Order

President Forster called the Wednesday, September 7, 2016, Board of Managers Monthly Meeting and Public Hearing to order at 5:17 p.m. at Eden Prairie City Hall, 8080 Mitchell Road, Eden Prairie, MN 55344.

2. Closed Session: Annual Administrative Review

President Forster announced that the Board would move into closed session to conduct an annual administrative review. Manager Yetka made a motion to move into closed session. Manager Crafton seconded the motion. The Board moved into closed session at 5:18 p.m.

3. Approval of the Agenda

President Forster reconvened the public meeting at 7:12 p.m. and called for any change requests to the meeting agenda. Ms. Susla said that she has a question about Task Order 17 on the Consent Agenda. President Forster responded that based on Roberts Rules of Order, the Managers are the only ones who can request a change to the meeting agenda. Manager Chadwick requested the removal of Task Order 17 from the Consent Agenda. President Foster moved it to Action Item 10c. Manager Bisek requested moving Agenda item 11d ó Office Space Update ó to Action item 10d.

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

4. Budget Public Hearing

President Forster opened the public hearing on the 2017 proposed budget for the Riley Purgatory Bluff Creek Watershed District. Administrator Bleser pointed out that the actuals listed with the proposed budget are up-to-date with last month's accepted Treasurer's Report but not yet with the Treasurer's Report presented in tonight's meeting packet.

Administrator Bleser noted that the proposed 2017 budget of \$2,859,000 is an increase over the 2016 budget and that the version being presented tonight is slightly different than the version reviewed by the CAC. She went through the draft budget as handed out line by line, noting where each item increased, decreased, or stayed the same over the 2016 budget or was a proposed new budget item. She presented the reasons for the proposed budgets for each line.

Administrator Bleser finished her presentation of the proposed budget and fielded manager comments. President Forster opened the public hearing for public comments on the proposed budget and stated the guidelines for providing comments. He also noted that the Board has received a letter from Larry Koch with comments on the proposed budget.

Mr. Paul Bulger of Southrun Road, Eden Prairie said that he appreciates the budget explanation document. He said that he believes in transparency for the RPBCWD as a public agency and encourages the organization to go one step further than what has been done so far. Mr. Bulger asked if the expectation is that any project that the District might take on during 2017 is already identified on the proposed budget spreadsheet.

Administrator Bleser said that Capital Improvement Projects have to be identified in the District's 10-year plan and if they are not, the District would need to go through a plan amendment process first. Mr. Bulger said what about in the case that a potential program arises that needs staff time or consultants' time. Administrator Bleser responded that such work would require Board direction. She continued by saying that sometimes there are opportunities that arise that were not anticipated during the budget process. Mr. Bulger recommended that the 2017 budget have a contingency line item with an additional allocation of \$50,000 or \$100,000.

Mr. Bulger spoke about line item 20, the District Groundwater Assessment, and said that it needs further description including objectives because right now it is unclear what that line item is trying to accomplish. He said that the Education and Outreach line item contains a note about maintaining the website. He said that he understands that there have been requests to enhance the website, and he recommends dedicating a chunk of the website budget to making more information available on the website. Mr. Bulger stated that the need for more information on the website also came across on the survey.

Mr. Bulger brought up line item 23 Plant Restoration U of M and said that he didn't see any costs associated with the carp removal at Staring Lake that has been done the past couple of years. He asked where those costs are being captured. Administrator Bleser responded that line 23 is just a plant restoration piece and is not the carp removal. She stated that the District is working with the Minnesota Department of Natural Resources (Minnesota DNR) as part of the monitoring and that is captured with the data collection program. He asked that the budget identify the carp monitoring as a separate cost.

Mr. Bulger stated that line 27 Bluff Creek Fish Passage and Creek Stabilization notes that it is a multi-year project with a balance of \$375,000 and no expenditures and the information about this line item is very unclear to him. He said he would like the budget to clarify this line item such as to identify if the funds being set aside or used for other purposes. President Forster commented that the funds were collected two years ago but the project has met a roadblock due to the property owner not providing access to the property. Mr. Bulger requested that the budget

explanation state this information such as, "these funds are being held in reserve until the access issues are resolved."

Mr. Bulger requested that the references to the CRAS II use the same wording in all budget materials. He also requested for more detail in the annotation, "Committed funds from past levies to multi-year projects or programs," such as identifying if these funds are separate funds being held in reserve.

Mr. Robert Adomaitis of Highview Drive, Eden Prairie, provided to the Board a written copy of his comments and also presented them. He stated that in mid-2015, the Permit Reviews and Inspections incurred costs were approximately \$75,000 and the Board decided to budget \$100,000 for this line item in 2016. Mr. Adomaitis pointed out that the 2015 expenditures for Permit Reviews and Inspections were \$155,420.03, requiring the Board to allocate \$80,000 in January 2016 from the District's contingency fund to cover the budget overrun. Mr. Adomaitis stated that the 2016 year-to-date expenditure for Permit Reviews and Inspections is \$91,218 and the 2016 budget is \$100,000. He said that based on history, it could be expected that the 2016 expenditures for this line item would be around \$180,000, meaning that funds would need to be taken from the Contingency Fund to cover the expenditures for a second year in a row. He noted that the proposed 2017 budget for Permit Reviews and Inspections is only \$90,000.

Mr. Adomaitis explained that the same situation exists in the Legal Services line item. He said that \$55,000 had to be allocated from the Contingency Fund in 2015 and the to-date expenditures for 2016 are \$59,982 versus the budget of \$75,000. He points out that the proposed Legal Services budget for 2017 is only \$75,000. Mr. Adomaitis stated that the Board has a fiduciary responsibility to the tax payers to accurately and honestly predict the reasonably expected costs associated with District activities. He said that using the Contingency Fund as a slush fund to cover grossly under budgeted accounts is not a practice that should continue. Mr. Adomaitis asked the Board to instruct staff to correct in the 2017 proposed budget the accounts he discussed to accurately reflect expenditures that reasonably could be expected.

Ms. Laurie Susla of Dakota Avenue, Chanhassen, commented that at last month's CAC meeting one of the questions asked was what is considered as far as trying to hold the budget steady from 2016 to 2017 particularly in light of the fact that the District has \$3,000,000 in the bank and only \$1,500,000 committed to projects. She said that the District has resources already available instead of having to raise taxes. Ms. Susla remarked that a comment presented at a previous meeting was that the District is at a tax rate lower than neighboring districts and she discovered that is incorrect. She said that the District's tax rate is higher than Minnehaha, Nine Mile, and Lower Minnesota. Ms. Susla suggested the Board consider holding the budget instead of increasing it. She remarked that the District's survey showed that people are willing to spend a bit more to get projects done, but she said that the District does have quite a bit of reserve funds.

Ms. Susla recommended reducing the proposed 2017 CAC budget from \$4,000 to \$2,000. She also said that she is very confused on how increasing staff by two people increases that budget line by 70%. She said that \$185,000 seems like a lot of money to bring on two people. Ms. Susla asked for clarification on the two proposed positions. Also Ms. Susla asked if the District is trying to amass a larger Aquatic Invasive Species (AIS) emergency response fund because there is close to \$25,000 remaining in that budget and \$75,000 is proposed for 2017.

Ms. Susla highlighted budget line 22 Education and Outreach. She said that to-date this year \$19,000 has been spent and \$114,000 is proposed for the Education and Outreach budget for 2017. She said that the proposed budget seems like a lot compared to what has been spent this year. She said that regarding line 24 Repair and Maintenance Fund, she said that she doesn't know if it is the District's responsibility to fix city storm water systems.

Ms. Susla said that regarding line 45 Riley Creek Restoration (Reaches E and D3), the proposed budget is a lot of money to be spending at one time on a relatively new, exploratory project. She suggested cutting the budget and seeing how things go before committing so much money in one year.

Administrator Bleser clarified that previously she talked about tax base for other districts and not tax rate. She described the budgets of other districts with a similar tax base and pointed out that the RPBCWD has had the most conservative budget in comparison. Administrator Bleser clarified the roles of the two proposed new full-time District staff positions. She explained that one role would be a professional outreach and permit coordinator and this role would work with the permit applicants and liaison with property owners and developers to bring them to the table as advocates and perhaps implement more than what the District rules require. Administrator Bleser said that the second proposed position would be a full-time water resources technician. She said that at the Board's budget workshop, the Board suggested also adding part-time clerical help to assist with staff's day-to-day activities. She explained how she calculated the costs of the proposed new staff and what the costs includes.

Administrator Bleser said that regarding the Education and Outreach budget, a fairly large chunk of that budget is related to the Master Water Stewards program. She said the Minnesota Pollution Control Agency (MPCA) grant for climate change also falls in the Education and Outreach budget, and both of these expenditures fall toward the end of the District's fiscal year.

Administrator Bleser reminded the group that the District is one of only two Districts that are able to levy funds specifically for repair and maintenance and not only for storm water infrastructure but also for elements related to water resources. She provided an example of how these funds have been used in the past. She said that the District's Technical Advisory Committee sees a lot of value in this fund. Attorney Smith provided more specifics about the fund and stated that the fund is generally for the repair and maintenance of District projects but in this budget, the District is not restricted to that requirement and is able to address repair and maintenance needs as the District sees fit in implementing its watershed plan.

Administrator Bleser addressed Ms. Susla's comment about the Riley Creek Restoration project. Administrator Bleser said that the District recently completed its plan amendment for this project and it is not a new idea. She said that the District had a study in 2005 looking at the feasibility of restoring that section of the creek. Administrator Bleser explained that as part of the District's CRAS (Creek Restoration Action Study), it was determined that this reach is in a high-risk erosion area and is an important area to address. She said that the reach is not an easy area to stabilize, which is why the cost is so high. Administrator Bleser noted that the plan amendment for the project identifies the project cost at \$1,200,000.

Administrator Bleser spoke about the importance of having funds held in reserve because of the fact that the District receives funds only twice a year and needs funds available for all twelve months in order to pay all monthly expenses. She said that the District should have funds available in reserve in case of emergency and in case of government shut-downs. Administrator Bleser pointed out also that some of the Districts funds currently held in reserve are committed funds.

There was a discussion about the Permit Review and Inspection expenditures in previous years, the change in the District's permit review fees, and the proposed 2017 Permit Review and Inspections budget amount.

Ms. Susla said that she thought the District would have seen reduced monitoring costs by bringing some of the tasks in house but so far it hasn't seemed to lower the monitoring expenditures. She asked if it is a District goal to reduce the monitoring budget by bringing the tasks in house. Administrator Bleser said that those tasks are already handled in house. She explained that staff not only collects the data but also assesses and analyzes it. Ms. Susla asked if the goal of bringing on another staff person is to reduce costs in another area and to add value. Ms.

Bleser said that she doesn't understand Ms. Susla's reference about adding value but that the purpose of the proposed new technician position is to support that program.

Ms. Susla referenced again line 22 Education and Outreach in the proposed 2017 budget. She said it is an example of a column in the budget that displays a projected year-end balance would be very good to have and is a very standard budget item. Ms. Susla said that she hopes such a column will be added to the proposed 2018 budget. Ms. Susla said that regarding the discussion about line 45 Riley Creek Restoration (Reach E and D3), she knows that the project has been approved. She explained that her concern is that the District hasn't done a restoration project like this in the past. She said that if the District spends this much money and the project fails instead of the District first trying a few things that might work, it seems like a lot of money to spend right out of the gate.

President Forster called for any additional comments on the proposed 2017 budget. Upon hearing no more comments, he called for a motion to close the hearing.

Manager Crafton moved to close the public hearing. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

President Forster said that the proposed 2017 budget is a maximum amount. He said that the District will come back to the public on November 2 and at that time there will be a second pass at it. He said that the District will not be able to go higher than this proposed budget but will be able to lower it.

Attorney Smith reminded the group of the legal process of how the District goes about setting its budget and levies. He stated that the District is required by watershed law to hold this public hearing and to formally adopt a budget and certify the levies to the Hennepin and Carver County Auditors by September 15. He said that those are the District's final budgets and levies. Attorney Smith said that the District needs to take no further action and those budgets and levies are final. He explained that the District is required under the Truth in Taxation law to provide one more opportunity for the public to comment on the District's budget and levies and the timing of that opportunity is at the District's November 2nd meeting as President Forster has already announced. Attorney Smith said that at the November meeting, the District is only obligated to hear any public comments that are offered at that informational meeting and the Board does not need to take any further action if it does not wish to. He said that the Board could take action to lower its budget and levies. Attorney Smith stated that the action in front of the Board tonight is to adopt its final 2017 budget and certify its final levies to the counties.

Manager Chadwick thanked Administrator Bleser for her work on the budget and its expanded format. He said that a couple of other columns that he would like to see and that would help with transparency and understanding is a column at the beginning of the figures with a statement of an anticipated total cost of the projects that are listed so there is an understanding of what the final costs might be. He suggested adding immediately before the final proposed next coming year budget the anticipated budget carry over from prior years that would be utilized toward for the projects. President Forster noted that there are two types of carry-over funds, and they discussed the two types.

Manager Yetka commented that she is comfortable with where the budget stands right now and is in support of it. Manager Bisek concurred.

President Forster stated that there are two resolutions in front of the Board. Attorney Smith said that the first resolution to address is the resolution to adopt the 2017 budget. He recommended and read aloud revised language to the resolution as follows:

BE IT RESOLVED that the Board of Managers of the Riley-Purgatory-Bluff Creek Watershed District, pursuant to Minnesota Statutes Section 103D.911, hereby adopts its 2017 annual budget as presented on September 7, 2016, in the amount of \$2,859,000.

Manager Crafton moved to adopt the Resolution to Adopt 2017 Budget. She read aloud the resolution. Manager Yetka seconded the motion. Upon a roll call vote, the motion carried 4-1.

Manager	Aye	Nay	Abstain	Absent
Bisek	X			
Chadwick		X		
Crafton	X			
Yetka	X			
Forster	X			

Manager Crafton moved to adopt the Resolution to Adopt 2017 Metropolitan Surface Water Management Act Levy. She read aloud the resolution. Manager Yetka seconded the motion. Upon a roll call vote, the motion carried 4-1.

Manager	Aye	Nay	Abstain	Absent
Bisek	X			
Chadwick		X		
Crafton	X			
Yetka	X			
Forster	X			

5. Floodplain Vulnerability Assessment

Administrator Bleser introduced Brandon Barnes, Principal Engineer at Barr Engineering, to present on the project that evaluated the District's floodplains beyond Atlas 14. She said that the project looked at predicted rainfall for this area and how that affects flood levels in the District adjacent to the creeks.

Mr. Barnes said that this project is basically an extension of the project the District wrapped up in 2015 with the updating of the District's hydrologic and hydraulic models. He said that the project evaluated what the change to the flood profiles with Atlas 14 means for impacts to road crossings, creek crossings, and structures adjacent to

the creeks. He said the evaluation also looked at the uncertainty band and looked to the future to address impacts of future increases to rainfall depths to flood profiles along the creek and how will it impact infrastructure in the District.

He presented PowerPoint slides and described the evaluation process, explaining that Barr Engineering took the hydrologic and hydraulic model and ran different rainfall events through it. He described evaluating the variability, or uncertainty, in the 100-year water surface elevation along the creek. Mr. Barnes noted that the final deliverable being submitted to the District is flood-risk figures that are a communication tool to inform the District and its residents of how the flood risk level changes depending on the location along the creek.

Mr. Barnes explained that prior to 2013 when people talked about the 100-year rainfall event, they were referring to 6.0 inches of rainfall over a 24-hour period. He said that in 2013 Atlas 14 was published and the 100-year rainfall event changed to slightly less than 7.5 inches over a 24-hour period plus an uncertainty band. Mr. Barnes stated that the probability band indicates that there is a 90% probability that the 100-year rainfall depth would be somewhere between 5.5 inches and 10 inches in 24 hours.

Mr. Barnes went into detail about running the model using the different rainfall depths in order to see how the water surface elevations along the creek vary. He said that Barr Engineering also looked at potential future increases in rainfall depths. Mr. Barnes reminded the group that this was a desktop study and did not include field analysis. He also pointed out that the analysis focused on creek crossings and structures. Mr. Barnes summarized the final deliverables, which were three sets of figures: one set showing the variability in the 100-year floodplain, one set showing the annual flood risk along the creek, and one set showing the flood risk over the 30-year period, which is the average period of a residential mortgage.

Mr. Barnes reported that this information was presented to the District's TAC, and he described feedback from the TAC. He said that next steps for the District include considering how new risk areas will be addressed and cooperating with the cities to continue providing flood protection and minimizing impacts to the creek.

Mr. Barnes and Administrator Bleser responded to questions and comments. There was discussion about rainfall depths, rain duration, future climate scenarios, super storms, and possible ground water impacts from such rainfall events.

Administrator Bleser announced that there is a hard copy of the information available here tonight for anyone's review.

6. Matters of General Public Interest

No matters were raised.

7. Reading and Approval of Minutes

a. August 3, 2016, RPBCWD Board of Managers Monthly Meeting and Budget Workshop

Manager Crafton requested two spelling corrections. Attorney Smith requested the rewording of a sentence on page 2, paragraph 1, so the sentence would read, "He explained that on November 2nd the managers will have a final opportunity to review the budget and the public will have a

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

8. Consent Agenda

President Forster read aloud the Consent Agenda items: a. Accept Engineer's Report; b. Accept Staff Report; c. Approve Permits with Staff Recommendations: i. 2015-005 CSAH 101 in Minnetonka; ii. 2015-036 Saville; e. Approve Master Water Steward project funding; f. Approve paying of the bills; g. Accept June Treasurer's Report; h. Approve Cavel Homeowners Association Cost-share; i. Approve Chanhassen Carver Beach Buffer Restoration Cost-share; j. Letter of Intent with City of Minnetonka & Scenic Heights

Manager Crafton moved to approve the Consent Agenda as read aloud by President Forster. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

9. Citizen Advisory Committee (CAC)

President Forster said that Board has the CAC's meeting minutes. No comments were raised.

10. Action Items

a. Plan Amendment – Scenic Heights

Administrator Bleser reported that this plan amendment is in relation to the District's partnership with the Minnetonka School District on the school forest project. She said that staff recommends starting the plan amendment process but pointed out that if the grant is not awarded for this project, the Board does not need to approve the plan amendment. She provided a summary of the project.

Manager Bisek moved to authorize distribution of the proposed plan amendment to the reviewing bodies for comments. Manager Yetka seconded the motion. Manager Bisek pointed out a spelling error on page 2, bullet point and requested that it be corrected. Upon a vote, the motion carried 5-0.

b. 2016-025 18374 Heathcote Lane (including variance request)

Engineer Sobiech said the applicant is proposing to construct a new three-car garage as well as a small addition to an existing single family home. He said that the applicant is not able to achieve the floodplain requirement and one of the portions of the storm water requirements, so the applicant has requested a variance. Engineer Sobiech explained that the applicant is proposing to construct its additions to the existing home at the same elevation as the existing low floor of the existing home. He said that the elevation of the existing low floor is lower than the two feet of required free board per the District's storm water rule and floodplain rule. Engineer Sobiech said that the applicant is asking for a variance to be able to provide only 0.75 feet of free board for the proposed construction.

Engineer Sobiech noted that the proposed elevation of the free board is above the emergency overflow from the existing wetland. He stated that from a variance perspective the engineer is recommending granting the variance with the condition that the applicant provide to the RPBCWD for approval a written indemnification to the RPBCWD against all claims and causes of action for flood damages to the applicant's property.

Attorney Smith said that being mindful of subsequent purchasers of the property, he recommends that the Board require the applicant not only to indemnify the District but also to record the declaration on the title so subsequent purchasers are aware. There was significant discussion.

Manager Yetka moved to approve permit 2016-025 for 18374 Heathcote Lane with the variance and with the conditions as noted including requiring the submission to the RPBCWD for approval written

indemnification and with an additional condition that the applicant be required to record on the property title records the variance from the 2.0 low floor elevation requirement, at a low floor elevation of 0.75 feet. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

c. Task Order 17- Creek Restoration Action Strategies – Upper Riley Creek

Manager Chadwick asked if this project is laid out as a priority in the District's 10-year plan.

Administrator Bleser responded that Riley Creek was identified within the Use Attainability Analysis (UAA) regarding loading to Lake Susan and the creek was also identified in the District's CRAS. She said that the City of Chanhasen expressed interest in partnership in restoration efforts for that area.

Administrator Bleser explained that this task order is to determine more about costs that would be involved in further restoration of that area.

Engineer Sobiech stated that this task order is not for a project design for this reach of the creek. He said that the District knows there is a problem in this area and wants to know why there is a problem and what is causing it. Engineer Sobiech said that this information would help the Board understand what is going on in this area and what is needed there.

Manager Chadwick wondered if this study is a priority at this time or if it could be put off for six months to two years. Administrator Bleser said that funds were budgeted last year for this type of study for this year. Engineer Sobiech provided more background on findings from the UAA and achieving water quality goals for Lake Susan. He reminded that it was discovered that streambank erosion was identified as a fairly large source of external loading to Lake Susan. There was discussion.

Ms. Susla said she had a question on this item. President Foster responded that technically the audience is not supposed to ask questions during this portion of the meeting. Ms. Susla said that she couldn't bring up her questions during the Matters of Public Interest portion of the agenda because the item is on the agenda. President Forster said that she could go ahead and make her comments, and he recommended that in the future she put her questions and comments in writing in advance and submit them to the Administrator. Ms. Susla stated her concern that this task order is seemingly the beginning of another project on Riley Creek. She said that she doesn't see that this project has been assessed compared to other possible projects and she doesn't know how this reach scores on the CRAS as compared to some of the more urgently needed reaches. Ms. Susla said she doesn't know how this work would be prioritized compared to lakes that are in need. She stated that Lake Susan has had a ton of work on it and there are other lakes that have had very little work. She said that at some point it seems fair that the District starts doing work on other lakes, too.

Administrator Bleser said that the District will be working on prioritization within the next few months as part of its work on the 10-year plan. She said that the CRAS identified problem areas and this task order is the next step in identifying where the sources and considering how to restore these areas.

Manager Crafton moved to approve task order 17. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Chadwick abstained from the vote].

d. Office Space

Administrator Bleser provided an update on the office space and recommended that the Board direct her to start looking for a different office space and report back to the Board. Manager Bisek moved to direct the Administrator to work with legal staff and the current landlord on possible remedies to the issues with the current office space and seek remedies from the landlord such as costs of the move, reduction of rent, costs of office improvements that the District has made, and for the Administrator to look for alternative

office space. Manager Crafton seconded the motion. Attorney Smith said it would be helpful to set an expectation of when the Board would like to make a decision. There was discussion. The Board directed Administrator Bleser to report back to the Board in November with options. Upon a vote, the motion carried 5-0.

11. Discussion Items

a. Bluff Creek Update

Attorney Smith commented that it is possible that gaining property rights to access the site could fall into place. He said that there is not yet a proper agreement with the District partners on this project. He flagged this as a need. Administrator Bleser recommended getting at least to a term sheet with the District's partners to identify the roles and responsibilities.

Manager Crafton moved to direct Legal Counsel and Administrator Bleser to start the process of the cooperative agreement for the Bluff Creek project. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

b. 10-Year Plan Update

Administrator Bleser stated that she would like to hold a Board workshop to continue talking about prioritization as well as District organizational structure. The Board agreed to hold a workshop on September 28 at 5 p.m.

c. Silver Lake: wetland, shallow lake designation

Administrator Bleser reported that the District received a data request from the Silver Lake Homeowners Association regarding the communication about the designation between the MPCA and the District. Administrator Bleser stated that this classification of Silver Lake meeting wetland standards are for regulation in terms of what water quality standards should apply to that water body. She explained that Silver Lake will still be Silver Lake, but based on the Minnesota Pollution Control Agency standards, Silver Lake fits more wetland criteria than shallow lake criteria. Administrator Bleser said that eventually the MPCA will develop wetland standards, which will be the standards that will apply to Silver Lake in order to determine if that water body is impaired or not.

Administrator Bleser said that the Silver Lake Homeowners Association would like to meet with her to discuss why the District is talking about applying wetland water quality standards instead of shallow lake standards to Silver Lake. She said that she had a conversation with the City of Shorewood about this classification, too. Administrator Bleser reported that the meeting with the Homeowners Association is in the process of being scheduled.

There was discussion about the MPCA's classification of water bodies, the characteristics of wetlands and shallow lakes per the MPCA's classification table, District staff's process of evaluating the characteristics of Silver Lake and determining that it has more of the MPCA's characteristics of a wetland than characteristics of a shallow lake. Administrator Bleser said that the MPCA concurred with District staff's determination. She explained that this wetland designation means that wetland standards apply to Silver Lake. Manager Chadwick said that the District should be sure that the residents around Silver Lake and anyone else interested has notice of this situation and can comment. There was lengthy discussion about the designations, the standards, the communications between the MPCA and the District.

Manager Yetka recommended that the MPCA and the District together meet with the Silver Lake

Homeowners Association. President Forster directed Administrator Bleser to let the Board know when the meeting gets scheduled.

d. Governance Manual

Administrator Bleser reported that she is waiting on clarification from the accountant and hopes to have the draft manual ready for the next meeting packet.

e. Upcoming Meetings

President Forster announced that the Clean Water Summit will be held September 22. He reminded the CAC that it has a budget and could use the budget for such items like registration. Administrator Bleser said that CAC members could send her an email and she can register them for the summit or the CAC members can submit their receipts for reimbursement if they have already registered.

12. Upcoming Events

- Clean Water Summit, Thursday, September 22, 2016, "Rethinking Redevelopment and Retrofits," Minnesota Landscape Arboretum

13. Adjourn

Manager Chadwick moved to adjourn the meeting. Manager Crafton seconded the motion. The meeting adjourned at 10:19 p.m.

Respectfully submitted,

Mary Bisek, Secretary