

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

August 8, 2013, Board of Managers Budget Workshop and Monthly Meeting

PRESENT:

Managers: Mary Bisek

Jill Crafton, Treasurer

Perry Forster, President

Ken Wencl, Secretary

Administrator: Claire Bleser

Staff: Scott Sobiech, Engineer (Barr Engineering Company)

Louis Smith, Attorney (Smith Partners)

Recorder: Amy Herbert

Other attendees: Mary Davy, No-Stress Gardening and Landscapes Bill Satterness, CAC and Red Rock Lake

Donna Herman, No-Stress Gardening and Landscapes Bob Shurson, CAC and Mitchell Lake

Tom Lindquist, CAC & Duck Lake Estates Homeowners Association Laurie Susla, CAC and Lotus Lake Conservation Alliance

Sharon McCotter, CAC & Lake Lucy Homeowners Association

Budget Workshop

1. Draft Budget Workshop

President Forster called the budget workshop to order at 5:20 p.m. on Thursday, August 8, 2013, in the Council Chambers at Eden Prairie City Center, 8080 Mitchell Road, Eden Prairie, MN 55344.

a. Staff Presentation

Administrator Bleser noted that since the time of the distribution of the draft 2014 budget in the meeting packet there have been a few adjustments made. She handed out the revised budget and projected the PowerPoint presentation of the budget on the room's screen. Administrator Bleser announced that she would walk the group through the proposed 2014 budget and would highlight some changes compared to the District's 2013 budget. She stated that the proposed total levy for the 2014 budget is \$2,598,000 compared to last year's total levy of \$1,825,255. The first PowerPoint slide showed the 2013 and proposed 2014 budgets for the Administrator, Accounting & Audit, Legal Services, and Manager Compensation. Administrator Bleser provided details on each item.

The next slide was a table of projects from 2013 that would continue in 2014 and listed the projects' 2013 and proposed 2014 budgets. Administrator Bleser provided information on the Lake Lucy aeration project and

recommended that the Board and staff discuss whether the project should be continued or not. She answered Board questions about the project, its results, the data that the Minnesota Pollution Control Agency (MPCA) uses to list and delist lakes, and winter fish kills. The Board discussed the cost of the project, which Administrator Bleser said recent information indicates would be approximately \$20,000. She also noted that the District did not have a contract with the service provider for that project but instead had a contract with CH2M HILL, which contracted with the service provider. President Forster asked Attorney Smith if the District could cancel that contract going forward. Attorney Smith said yes. Administrator Bleser stated that if the Board decides not to move forward with the aeration project on Lake Lucy, she recommends the District use those funds and look at Atlas 14 in the District's other two watersheds.

Administrator Bleser moved on in the PowerPoint presentation and discussed engineering/ projects and responded to comments. Manager Wencl remarked that he would like clarification on ownership of the Lake Lucy aeration equipment and also that he would like the District to go out for bids on the aeration work. Administrator Bleser said that she will check on the ownership and will check on metro-area costs of running an aerator. She reported that CH2M HILL anticipates delivering to the District the Purgatory Creek model by August 15th.

Administrator Bleser advocated that the District extend the contracts of the interns over the winter to continue working with the data, and she recommended that the District consider doing a full-hire in the spring for someone to be in charge of data collection and monitoring and the associated work.

Next Administrator Bleser addressed the topic of new projects. She described the following new projects: Spent lime treatment of Lake Lucy; Wetland restoration (iron-enhanced sand filings) of Lake Susan; Rice Marsh Lake paleolimnology study; Alum treatment of Lake Riley; Study of floodplain elevation of using the model to look at whether the District has the adequate storage capacity if there were a 100-year rain event; and a new UAA (Use Attainability Analysis).

Administrator Bleser continued on to describe the proposed communications and education budgets for 2014, including the cost for the District's continued website enhancements in 2014.

Administrator Bleser provided an update on the project in Minnetonka to restore a section of Purgatory Creek. She said that the City is planning to start construction on that site in 2015. She provided more details on the cost and scope of the project. She also updated the District on the status of its fund with KleinBank.

b. Open Public Comment

Bill Satterness presented a question of fact. He said that it was presented that \$14,000 would need to be spent for weed harvesting on Red Rock Lake but that spending \$10,000 would be sufficient. He commented that the difference of \$4,000 pales in comparison to the other numbers that he has heard here.

Laurie Susla asked if the District's actual 2013 expenditures are coming in pretty close to what was budgeted. Administrator Bleser responded. Ms. Susla commented that the District is proposing to maintain a \$50,000 budget in 2014 for AIS (Aquatic Invasive Species) and she is hoping that there will be some thought or discussion around that number at some point. Administrator Bleser said that it will be raised later at the Board meeting following the budget workshop.

Tom Lindquist remarked that there are 13 lakes in the watershed and asked what can be done for the seven lakes not on the 2014 budget project list in order to get those lakes a piece of the funding. He said that Duck Lake is 2.5% of the surface area of the watershed district's lakes, but it is getting 0% of the funding.

Administrator Bleser responded that in the District's current 10-year plan, Duck Lake is slated to be addressed beyond the District's current 10-year plan. However, she said, in the Duck Lake UAA there was a mention of doing approximately 50 rain gardens in that area. Administrator Bleser said that the District has a cost-share grant program and residents of the Duck Lake subwatershed could apply. There was discussion of Duck Lake, its history, its water flow, and the Minnesota Board of Water and Soil Resources Community Partners Grant program.

President Forster directed Administrator Bleser to look during 2014 at what could be done in 2015 for Duck Lake. He noted that the other lake that the District hasn't worked on is Lake McCoy. Manager Crafton made a note about Hyland Lake. Administrator Bleser remarked that the Three Rivers Park District is doing work on Hyland Lake right now. She pointed out that work is being done within the watershed that wasn't presented tonight, such as work that the City of Eden Prairie conducted last year on Round Lake.

c. Manager's Discussion

Manager Wencl raised the issue of the proposed increase in 2014 for Engineering Services and Permit Review and Inspection. There was a discussion. Manager Wencl asked if the District will be receiving bids for the work. Administrator Bleser said that the District will use its engineer pool. Manager Wencl asked for more detail on the education and outreach expenses. Administrator Bleser provided more detail. Manager Wencl explained that he would like to see the District reach out to residents and get them to adopt storm drains and to keep them clear of debris. He said that he is not sure that the District gets bang for its buck with brochures.

Managers offered their thoughts on the proposed budget and voiced concerns over the proposed increase for the 2014 levy compared to the 2013 levy. Managers discussed the proposed Lake Riley alum treatment project and cost. President Forster asked if the project cost could be split over a couple of fiscal years. Administrator Bleser brought up the Purgatory Creek restoration project and said that she would check with the City of Minnetonka about the project timeline, which would determine whether the project cost could be supplemented by 2015 funds instead of being funded only by 2014 funds. Manager Bisek agreed that because the proposed increase to the levy is large, she supports the idea of spreading some of the project costs over a few years. Administrator Bleser said that she would look into doing so.

President Forster directed Administrator Bleser to schedule for September the Board to come to a budget workshop prior to the District's regular meeting in order to continue discussing the budget. He asked Administrator Bleser to check over the budget numbers and determine what the District would really need to levy, considering if some of the project costs can be spread over several years and taking a second look at project costs to determine that they are the best estimate. Manager Bisek requested that Administrator Bleser check with districts that have a similar land use to the RPBCWD to get information on their permit revenue as a comparison to the District's permit fee revenue estimate for 2014. Administrator Bleser said she would do so. President Forster also asked her to bring to the next workshop an idea of possible grant monies that the District could receive. Administrator Bleser agreed to do so.

d. Workshop Adjournment

Manager Wencl moved to adjourn the workshop. Manager Crafton seconded the motion. Upon a vote, the motion carried unanimously 4-0.

RPBCWD Board of Managers' Monthly Meeting

PRESENT:

Managers: Mary Bisek
Jill Crafton, Treasurer
Perry Forster, President
Ken Wencil, Secretary

Administrator: Claire Bleser

Staff: Scott Sobiech, Engineer (Barr Engineering Company)
Louis Smith, Attorney (Smith Partners)

Recorder: Amy Herbert

Other attendees: Jason Carroll, CH2M HILL Sharon McCotter, CAC & Lake Lucy Homeowners Association
Tricia Christensen, CH2M HILL Bill Satterness, CAC and Red Rock Lake
Mary Davy, No-Stress Gardening and Landscapes Bob Shurson, CAC and Mitchell Lake
Donna Herman, No-Stress Gardening and Landscapes Laurie Susla, CAC and Lotus Lake Conservation Alliance
Tom Lindquist, CAC & Duck Lake Estates Homeowners Association

2. Call to Order

President Forster called the RPBCWD Board of Managers' August 8, 2013, meeting to order at 7:06 p.m. on Thursday, August 8, 2013, in the Council Chambers at Eden Prairie City Center, 8080 Mitchell Road, Eden Prairie, MN 55344.

3. Approval of the Agenda

Manager Crafton requested the addition of a loan update under the Treasurer's Report. Manager Bisek requested the addition of a discussion of the procedure for the Administrator's annual performance review and the addition of an update on the Purgatory model. President Forster stated that the discussion of the procedure for the Administrator review could be added to the agenda as item 10.5 and the Board would move the meeting into Executive mode for approximately 15 minutes meaning the rest of the meeting attendees would be excused for the duration of the Board's discussion. Administrator Bleser recommended that the Purgatory model presentation be added to the agenda after item 7. President Forster added the model update to the agenda as item 7.5. Manager Crafton moved to approve the agenda as amended. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0.

President Forster noted that Mike Casanova's Board term expired on July 31st and it appeared that he decided not to pursue reappointment and the County has been interviewing for the District's open board position.

4. Reading and Approval of Minutes

- a. President Forster asked if there were any clarifications or changes requested to the minutes of the Board's June 5, 2013, meeting. Manager Crafton requested two edits. Manager Wencil moved to accept as amended the minutes of the RPBCWD's June 5, 2013, regular board meeting. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0.
- b. President Forster asked if there were any clarifications or changes requested to the minutes of the Board's June 24, 2013, meeting. Hearing none, Manager Crafton moved to accept the minutes of the RPBCWD's June 24, 2013, meeting. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0.

5. Correspondence

a. Engagement of HLB Tautges Redpath, LTD for Auditing Services for 2013

Administrator Bleser explained that the District received an engagement letter from the Certified Public Accountant firm that conducted the District's 2012 annual audit. She said that the firm requests a response of approval of the agreement for 2013 audit services. She said that the letter is in the Board packet. Manager Crafton moved to accept the contract as submitted to the District. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0.

b. Disruption of Manager E-mail

Administrator Bleser reported that since July 31st she has not been able to receive e-mail through her official watershed e-mail address. She said that in speaking with the service provider she was informed that those e-mails will not be retrievable. President Forster expressed his disappointment with the situation and expressed his hope that the District will get something arranged with CH2M HILL and that the problem will be worked out in the next seven days.

6. Citizen Advisory Committee

Mr. Satterness said that the Board has in its meeting packet the minutes of the Citizen Advisory Committee's (CAC) July 15th meeting. He noted that he remains Chair of the CAC. Mr. Satterness said that the CAC requested a spot on the Board's August 8th agenda for the AIS subcommittee to share its thoughts on how the District should address AIS in 2014. He explained that the group wasn't able to reach consensus, so he will make his own comments when the Board addresses the issue later in the agenda. He pointed out that Kris Langlie resigned from the CAC due to moving out of town, so the CAC is requesting that Board would appoint a new CAC member from of the pool of applicants that previously submitted an application. President Forster said that the District should send Mr. Langlie a letter of appreciation for his services.

7. Hearing and Discussion of Matters of General Public Interest

Mary Davy of No-Stress Gardening thanked the Board for the opportunity to speak. She said that she and her business partner are here tonight on behalf of their client, the owner of the Sanctuary SalonSpa in Eden Prairie and who is also the property owner. Ms. Davy described the projects that have taken place on the property and said that now her company is looking at storm water management on the property. She announced that they will be submitting to the District's cost-share program and said that they are excited about the opportunity to bring a commercial partner to the District's cost-share program.

Bill Satterness of 8597 Red Oak Drive, Eden Prairie, introduced himself and said that he would like to talk about a paragraph in the water quality report being presented in 12a ó Board Action: Water Quality. President Forster asked Mr. Satterness if he would bring up his comments at the time that the Board is discussing that item. Mr. Satterness agreed.

Laurie Susla thanked the District President and Administrator for attending the Lotus Lake Conservation Alliance summer gathering.

7.5. Purgatory Creek & Watershed-Wide Model Presentation

Jason Carroll and Tricia Christensen of CH2M HILL provided an overview of the model, including its history and the purpose and uses of the model. They provided a PowerPoint presentation and showed examples of what a model looks like and how the information is displayed, explained how the model was developed and the calibration process, and detailed what CH2M HILL will be delivering to the District. Administrator Bleser asked if the photos and cross sections will be provided to the District. Mr. Carroll answered yes and said that CH2M HILL will provide all of the raw data that went into the model, too. Ms. Christensen described future efforts and explained that models require continuous improvements. She also provided specific examples of how the model has been used in the past.

President Forster asked when the District will receive the deliverables. Mr. Carroll said next week. There was some discussion about the percentage of the watershed that has been modeled, whether flow data from the other two creeks other than Purgatory Creek needs to be updated and recalibrated, and it was noted that the Hyland Lake area is the only area missing from the model.

President Forster thanked Mr. Carroll and Ms. Christensen for their presentation.

8. Treasurer's Report

Administrator Bleser reported that the Treasurer's Report shows in the 509 Fund that the Purgatory Creek modeling was charged to the data collection line when it should have been charged to the Purgatory Creek Model line and said that staff is working with accounting to rectify the error. Manager Crafton moved to accept the Treasurer's Report with the correction noted. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0.

Manager Crafton moved to approve payment of the District's bills. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0.

Administrator Bleser gave an update on the District's loan with KleinBank. She said that staff and accounting have been discussing the payment of that loan. Administrator Bleser said that she would like to propose that at its next meeting the Board pay \$25,000 toward the loan and then in December pay \$20,000 to close out the loan. The Board approved Administrator Bleser processing \$25,000 in September for the loan repayment.

9. Engineer's Report

Engineer Sobiech said that the Engineer's Report is in the meeting packet. He highlighted some topics including: the Purgatory Creek monitoring station rebuild at Pioneer Trail, the Lake Lucy and Lake Ann UAA update, Rulemaking, the Southwest Light Rail Transit (SWLRT) project, Plan review, Data management-sampling-equipment assistance, and general services.

Manager Crafton moved to accept the Engineer's Report. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0.

10. Attorney's Report

Attorney Smith said that the items that he needs to address are on the agenda. Manager Bisek moved to accept the Attorney's Report. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0.

Executive Session

At 8:00 p.m. President Forster closed the meeting for an executive session to discuss the procedure for conducting a job review of the Administrator. At 8:15 p.m. President Forster re-opened the RPBCWD's regular meeting

11. Administrator's Report

a. Interns

Administrator Bleser reported that she has asked the District's two interns to write up what they have been doing for the District, and she noted that their work has really been a value to the District.

b. SWLRT (Southwest Light Rail Transit)

Administrator Bleser reported that she was disappointed to find out that the RPBCWD was omitted from the SWLRT project's Technical and Environmental panel. She said that when she had met with the Metropolitan Council (Met Council), she made it clear that the District wanted to work together, and now she has made it clear that she is disappointed to find out about the Met Council's omission of the District from the panel. Administrator Bleser said that she has reiterated that the District expects to work together with the Met Council about the SWLRT. She said that this project will require staff time to look at project details, and she commented that what the City is advocating may not be what the District is advocating. There was a long discussion of this item. Manager Wencl commented that it would be helpful for the managers to see a map of the potential SWLRT routes through Eden Prairie. The Board discussed preparing and sending a letter to the Met Council and discussed the content of the letter, the parties to be copied on the letter, and the means of sending the letter.

Manager Crafton moved that the Board send a letter to the Met Council expressing the District's desire to be a stakeholder of the Technical and Environmental Committee and any other pertinent committees and that any relevant parties are copied on the letter. President Forster made the friendly amendment that the letter include the comments that the District had asked to be included as a stakeholder but seems to be getting nowhere and therefore the District is committing these comments in writing to assert the District's right to be part of the discussion. Manager Bisek seconded the amended motion. Upon a vote, the motion carried 4-0.

Manager Crafton moved to accept the Administrator's Report. No further action was taken.

12. Board Action

a. Water Quality

Bill Satterness commented that he is representing himself with these comments. He said that he doesn't think that the write up under 12a ó Water Quality - in the Administrator's Report is an accurate reflection

of the Board's discussion on the issue at its previous meeting. Mr. Satterness provided a handout with his comments, read aloud from his handout, and explained in detail his position that the policy topic is not water quality but instead is the role of this watershed district. He said that his request is for the Board to reaffirm its broader commitment to manage water resources. President Forster brought up the District's long-term and short-term goals and read aloud from those goals as listed in the District's 10-year plan. The managers provided comments. There was discussion of Mr. Satterness's points.

Manager Bisek moved that the Board follow staff's direction that the Board takes no action to modify the District's 10-year plan to include recreation, in particular navigation, to its understanding of water quality and instead to leave the language as it stands. Manager Crafton seconded the motion. Manager Wencil asked Mr. Satterness what he wanted. Mr. Satterness replied that he wanted the Board to talk about a broad policy but it could be a discussion on a future agenda. Upon a vote, the motion carried 4-0. President Forster directed that this item be added to the Board of Managers' October meeting.

Ms. McCotter provided several comments and remarked that she thinks it was a surprise to many of the CAC members to learn that by improving a lake's water quality, recreation could be impeded. She added that for lakeshore owners it is a hard trade-off.

b. Conflict of Interest Policy

President Forster read the resolution "Adopting a Conflict of Interest Policy for the District Cost-Share Program," beginning with the paragraph, "Therefore be it resolved" Manager Crafton moved to approve adopting the resolution. Manager Wencil seconded the motion. By call of roll, the motion carried 4-0.

Manager	Ay	Nay
Bisek	X	
Crafton	X	
Forster	X	
Wencil	X	

c. Website Development

Administrator Bleser provided an overview of the three proposals received from the RFP (Request for Proposals) for the work on the website. Manager Wencil moved that the Administrator select and work with the web developer and to ensure that all of the required information gets on the site. Manager Crafton seconded the motion.

Attorney Smith recommended that with its motion to delegate that authority to the Administrator that the District specifies a not-to-exceed amount. President Forster made a friendly amendment to the motion to include a not-to-exceed amount of \$14,000. Manager Bisek stated that she believes that the District budgeted \$10,000 for the web enhancement and asked if there are funds available for the additional amount. Administrator Bleser said yes. Administrator Bleser asked if the Board had any comments about the submittals received in response to the RFP. The managers provided some comments. Attorney Smith

stated that as a matter of practice, if the Board is going to go above the approved budget, the Board should designate where in the budget the additional funds would come from. Administrator Bleser said that the funds could come from the District's contingency fund. The Board consented. Upon a vote, the motion carried 4-0.

d. Minor Plan Amendment Update

Administrator Bleser said that the meeting packet included the amendment for the cost-share program and the rule-making. She handed out the amendment with modifications in section 7.4.1 and said that she would like Board action to approve staff moving forward with the minor plan amendment with the modifications proposed to section 7.4.1.

Manager Bisek proposed a revision to the amendment's section 1.4 "Watershed Issues." She recommended that the last sentence in the second paragraph on page 1-19 be removed ("For all feasible and practical purposes, the District judges the combination of municipal and state requirements and oversight are adequate.") President Forster asked about tabling this decision until the Board's next meeting. Attorney Smith stated that several months ago the Board approved the minor plan amendment and that tonight Administrator Bleser is presenting one change to what had been approved. He explained that there is some urgency to get the amendment out the door. Attorney Smith added that he concurred with the change proposed by Manager Bisek. Manager Bisek moved that the Board approve the minor plan amendment update with the changes noted. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0.

e. Major Plan Amendment Update

Administrator Bleser stated that earlier tonight in the budget workshop several capital improvement projects were discussed but those projects are not in the District's 10-year plan. She explained that the District would need to do a major plan amendment to amend its 10-year plan to include those projects. Attorney Smith added that the District's existing plan doesn't include a Capital Improvement Program (CIP). He said that as a matter of process, his recommendation is that any levy for the proposed projects be conditioned on the completion of this plan amendment process so that the Board won't be ordering something that is not in the District's plan.

Attorney Smith said that the major plan amendment process will take a minimum of four to five months for the two cycles of review by all of the pertinent state agencies, cities, and counties. Attorney Smith responded to Board questions.

Manager Crafton made the motion that the through the recent UAA updates some capital improvement projects were identified that need to be implemented and based on that information the District is making a major amendment to its watershed plan to include a Capital Improvement Program within the plan. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0.

f. Cost-share Funding

Manager Bisek moved that all of the District's cost-share-grant-program projects listed for 2013, with the exception for the project of the City of Eden Prairie since it requires a public hearing, be approved as presented from the CAC. President Forster clarified that an approval would not preclude other cost share grants from being approved. Attorney Smith concurred. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0.

13. Manager's Discussion

a. AIS Plan

President Forster provided his comments on the issue. Manager Wencl shared information that he heard from local residents about this year's Aquatic Invasive Species inspections on Lotus Lake. CAC and LLCA member Laurie Susla offered her comments, and she noted that the District has an opportunity here to provide leadership and to offer ideas to the cities. She said that she thinks the CAC was hoping to offer ways to kick start the process of identifying ways the parties could determine goals. Administrator Bleser said that the District has funds allocated for AIS education and outreach, and she wondering if some of those funds could be used toward an AIS plan that would identify options. Manager Bisek asked if the District has the \$15,000 that staff is recommending for this purpose. Administrator Bleser said yes. President Forster said that he would like to see at the Board's September meeting a proposal on how the District would spend \$15,000 and what it would get for that money. Administrator Bleser said that she could put out a Request for Proposals in order to determine what the District could get for the \$15,000. The Board indicated consent.

There was discussion about the reporting process from the City of Chanhassen on this year's AIS inspection program. Ms. Susla described what the CAC would be reviewing at its next meeting and what the CAC would present to the Board at its next meeting. President Forster moved to direct staff to investigate what \$15,000 would get the District and to present the information at the Board's September meeting. Manager Wencl seconded the motion. Upon a vote, the motion carried 4-0.

b. Rulemaking

Administrator Bleser described a discussion that came up in the rulemaking meeting. She said that the discussion was about wetland buffers and the question that arose was whether the District also wanted to develop rules for stream and shoreline buffers. Administrator Bleser also brought up the idea of rules for bluffs that have been identified as sensitive to erosion. She said that including such rules would deviate from the Nine Mile Watershed District's rules, which don't include these rules, and so staff would need direction from the Board to develop such rules. There was discussion. Manager Crafton moved that the District develop rule provisions requiring buffer filters or strips on areas identified with steep gradients or needing stabilization to stop degradation. Manager Wencl seconded the motion.

Manager Bisek asked if the rule moved by Manager Crafton would apply to man-made gradients. Attorney Smith recommended that as the rulemaking committee develops the rule language, it consider Manager Bisek's question but that an answer not be developed right now.

Upon a vote, the motion carried 4-0.

Administrator Bleser brought up shoreline and streambank buffers. Attorney Smith recommended that when the District enters into its discussion and deliberation about setting a shoreline buffer rule provision, it allocates enough time and understands that such a rule can attract a lot of attention because a lot of lakeshore owners are sensitive to such proposed rules. Manager Crafton asked if the Board should have someone come in and present on this topic at the Board's next meeting. There was Board discussion. Administrator Bleser asked if the Board was interested in going for a Department of Natural Resources General Permit. Attorney Smith summarized the Board's options. He also described the option from the

perspective of the Department of Natural Resources (DNR), including the fact that lately the DNR has talked about encouraging entities like watershed districts to set rules and monitor the activities of shoreline, collect a fee, and send the fee to the DNR. Attorney Smith said that from the standpoint of narrowly looking at the District's interests, the District could define in its rules what it wants to protect in and not worry about being the collection agent for the DNR.

Manager Wencil moved that the District direct staff to develop rules on the terms that the District isn't going to collect fees for the DNR. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0.

Attorney Smith clarified that although there was no Board action taken during the earlier discussion on rules for shoreline and streambank buffers, he understood that it was the Board's direction that the rulemaking committee is to proceed with developing those rules with input from the CAC and the TAC and to bring in front of the Board for its consideration. The Board indicated agreement.

14. Upcoming Events

- a. **Citizen Advisory Committee** – August 19, 2013, 6:30 p.m., Eden Prairie City Hall
- b. **Board Meeting and Public Hearing**– September 4, 2013, Eden Prairie City Hall

15. Adjournment

Manager Crafton moved to adjourn the meeting. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Ken Wencil, Secretary