

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

September 2, 2020, RPBCWD Board of Managers Monthly Meeting

PRESENT:

Managers: Jill Crafton, Treasurer
Larry Koch
Dorothy Pedersen, Vice President
Dick Ward, President
David Ziegler, Secretary

Staff: Amy Bakkum, Administrative Assistant
Claire Bleser, RPBCWD Administrator
Terry Jeffery, Watershed Planning Manager
B Lauer, Groundwater and Stewardship Program Coordinator
Josh Maxwell, Water Resources Coordinator
Louis Smith, Attorney, Smith Partners
Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Jan Callison, Hennepin County Board of Commissioners
Greg Hawks
Joan Palmquist, CAC

Note: this meeting was held remotely via meeting platform Zoom in abidance with state mandates in response to Covid-19.

1. Call to Order

1 President Ward called to order the Wednesday, September 2, 2020, Board of Managers Regular
2 Monthly Meeting at 6:59 p.m. The meeting was held remotely via meeting platform Zoom.

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2. Approval of Agenda

4 Manager Koch requested removing from the Consent Agenda items 7a – Accept August Staff
5 Report – and 7f – Approve Resolution 2020-012 Authorizing Administrator to Sign Quit Claim
6 Deed and Related Forms for Parcel Exchange with Chanhassen TH1010.

7 Manager Ziegler moved to approve the agenda as amended. Manager Crafton seconded the
8 motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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3. Update from Hennepin County Commissioner Jan Callison

11 President Ward introduced Hennepin County Commissioner Jan Callison. Commissioner Callison
 12 shared a PowerPoint Presentation, “Hennepin County Update 2020,” and talked about COVID-
 13 19, Minneapolis recovery, 2020 elections, the preview of the County’s 2021 budget, a look at
 14 2009-2020 in review. The managers thanked Commissioner Callison for her report and for her
 15 years of service.

4. Matters of General Public Interest

16 No matters of general public interest were raised.

5. Reading and Approval of Minutes

17 **a. August 5, 2020, RPBCWD Board of Managers Monthly Meeting**
 18 Manager Ziegler moved to accept the minutes as presented. Manager Pedersen seconded
 19 the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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6. CAC

22 Ms. Joan Palmquist reported the CAC discussed at its most recent meeting the issues Ms.
 23 McCotter reported to the Board at its August meeting. Ms. Palmquist said the CAC plans to hold
 24 a workshop to identify areas where the CAC can have most impact. She noted that the CAC
 25 envisions the workshop as a way to move forward positively. She reported Administrator Bleser
 26 presented to the CAC the draft 2021 budget. Ms. Palmquist shared the CAC’s plans about
 27 updating information in the City of Chanhassen’s New Homeowners Guide to more clearly
 28 communicate to homeowners that there are watershed regulations in place, the regulations need to
 29 be followed, and how to obtain more information about them.

30 Manager Crafton said she attended the CAC meeting, and she shared her view that she heard a lot
 31 of frustration, as communicated by Ms. McCotter in August. President Ward remarked on the
 32 various ways the Board is working to keep the communication open and moving forward.

7. Consent Agenda

33 Manager Crafton moved to approve the Consent Agenda. Manager Pedersen seconded the
 34 motion. The Consent Agenda included item 6b – Accept August Engineer’s Report, 6c – Accept
 35 August Construction Inspection Report, 6d – Approve Pay App #2 Duck Lake Rain Gardens, and
 36 6e – Approve Pay App #9 Scenic Heights. Manager Koch thanked Barr Engineering for the
 37 excellent work in preparing the pay application information and thanked Barr and staff for the
 38 format of the construction inspection report. Upon a roll call vote, the motion carried 5-0 as
 39 follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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8. Action Items

42 a. Pulled Consent Agenda items

43 i. **Accept August Staff Report**

44 Manager Koch commented he would have issues with turning over any part of the

45 District’s regulatory program to the City of Chanhassen. He said the District
 46 should retain its permitting authority and not delegate it. Mr. Jeffery responded
 47 that staff will be looking closely at the proposed language. Manager Koch asked if
 48 the District conducts regularly scheduled maintenance on its equipment for the
 49 lake level readings. Administrator Bleser responded yes, and Mr. Maxwell
 50 provided details. Manager Koch asked if staff has any preliminary findings
 51 regarding the effectiveness of the iron-enhanced sand filtration. Mr. Maxwell said
 52 the University of Minnesota collected the past few months of data and has the
 53 data. Manager Koch asked if there are results to report about the effectiveness of
 54 the Lake Susan spent lime treatment. Mr. Maxwell responded yes, the system is
 55 having good results and is working well.

56 Manager Koch moved to accept the August staff report as presented. Manager
 57 Ziegler seconded the motion. Upon a roll call vote, the motion carried 5-0 as
 58 follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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62 ii. **Approve Resolution 2020-012 Authorizing Administrator to Sign Quit**
 63 **Claim Deed and Related Forms for Parcel Exchange with Chanhassen**
 64 **TH1010.**

65 Manager Koch asked questions specific to the documents included in the Board
 66 packet and provided to the managers for this agenda item. He provided a
 67 suggestion about including a metes and bounds description or a survey
 68 determination. Attorney Smith noted that the most recent version includes the plat
 69 map.

70 Manager Koch moved to authorize Approve Resolution 2020-012, with any
 71 refinements legal counsel deems necessary, to authorize the Administrator to sign
 72 the quit claim deed and related forms for parcel exchange with Chanhassen
 73 TH1010 and to authorize the Board President or Administrator to sign all related
 74 documents for the parcel exchange. Manager Ziegler seconded the motion. Upon

75 a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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78 **b. Accept July Treasurer’s Report**

79 Treasurer Crafton communicated that she reviewed the July Treasurer’s report, and she
80 moved to accept the report as submitted. Manager Pedersen seconded the motion.

81 Manager Koch asked about the monthly cost of accounting services and asked staff and
82 the Board to consider if the proposed 2021 budget proposed for audit services is
83 sufficient. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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86 **c. Approve Paying of the Bills**

87 Manager Crafton moved to approve paying of the bills. Manager Ziegler seconded the
88 motion. Upon a roll call vote, the motion carried 5-0.

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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d. Liability Coverage

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Attorney Smith reminded the Board that the state sets liability limits for watersheds and the District can waive the limits. He said the District’s historical practice has been to not waive the limits. Manager Koch asked what the cost is to the District to go to the maximum limit of \$2,000,000, and he said once he knows the District’s costs for such, he will be able to form his opinion on whether the District should or should not waive the limits. The Board tabled the item until a future meeting to give staff an opportunity to gather the information Manager Koch requested.

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9. Discussion Items

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a. Manager Reports

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No manager report updates.

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b. Administrator Report

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No Administrator report updates.

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c. Personnel Committee

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Manager Pedersen presented information about the process the Personnel Committee undertook to secure services to conduct the Administrator review. She asked the Board to approve Sharon Klump conducting the review, reminding the Board Ms. Klump conducted this process for the District in 2019. Manager Pedersen moved to approve Sharon Klump conducting the Administrator review at a cost not to exceed \$5,500.

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Manager Crafton seconded the motion. Attorney Smith pointed out the contract language states the cost is not to exceed \$5,000 and authorizes the Board President or District Administrator to execute the agreement. Manager Pedersen made the friendly amendment to her motion for the NTE amount to be \$5,000. Manager Crafton accepted the friendly amendment. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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Manager Pedersen reported the last Personnel Committee meeting was rescheduled for September 3, and she asked the September 9th special meeting agenda to include an agenda item for a discussion about the District’s staffing organizational chart.

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d. Schedule Governance Committee Meeting

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President Ward provided a brief update, noting draft revisions and additions. Attorney Smith said he will bring the updates to the Board at its October meeting.

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e. Lotus Lake Conservation Alliance Letter about Shoreline Stabilization Processes

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Mr. Jeffery reported that the LLCA President communicated to the District issues and questions about shoreline stabilization processes. Mr. Jeffery described the information he provided the LLCA President regarding the District’s processes, requirements, and the timelines involved. Mr. Jeffery asked the Board for direction on further response to the LLCA President. The Board discussed many points, and President Ward said the District needs to send a response letter thanking the LLCA President for his comments and to let the LLCA know the District Board and staff are working on the issues. President Ward directed staff to bring a recommendation to the Board in October regarding talking points and how to proceed and to draft a response letter for the Board’s review. Mr. Jeffery said staff will draft a letter for the Board’s review at its September 9th meeting.

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f. MAWD Resolutions

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Administrator Bleser said the four resolutions being put forward to MAWD are included in the Board meeting packet for information only. Attorney Smith reminded the Board it adopted the resolutions at its August 17th meeting.

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g. Other

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Manager Pedersen stated she would like to participate in the Minnesota Water Resources Conference, being held online October 21 and 22. Administrator Bleser provided more details about the conference and noted the AIS Research Center is hosting a one-day workshop as well. Administrator Bleser recorded the names of which managers wanted to be registered for these upcoming events and asked the managers to let her know of any additions or changes. President Ward moved to authorize any Board member to attend the

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Water Resources Conference and the AIS workshop. Manager Koch seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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10. Upcoming Board Topics

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President Ward noted upcoming Board topics and events and pointed out they are listed on the meeting agenda as well.

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11. Upcoming Events

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- Personnel Committee Meeting, September 3, 2020, 1:00 p.m., virtual meeting

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- Public Hearing for Duck Lake Plan Amendment, 2021 Budget, and Fairway Woods Stewardship Grant Application, September 9, 2020, 7:00 p.m., virtual meeting

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- Smart Salting for Property Managers, September 16, 2020, 9:00 a.m., virtual meeting

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- Citizen Advisory Committee Meeting, September 21, 2020, 6:00 p.m., virtual meeting

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- Board of Managers Public Hearing and Regular Meeting, October 7, 2020, 7:00 p.m., virtual meeting

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11. Adjournment

164 Manager Crafton moved to adjourn the meeting. Manager Ziegler seconded the motion. Upon a
165 roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Aye
Koch	Aye
Pedersen	Aye
Ward	Aye
Ziegler	Aye

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168 The meeting adjourned at 8:56 p.m.

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Respectfully submitted,

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David Ziegler, Secretary