

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

December 2, 2014, Board of Managers Monthly Meeting and Public Informational Meeting

PRESENT:

Managers: Mary Bisek, Vice President

Jill Crafton, Treasurer

Perry Forster, President

Ken Wencil, Secretary

Leslie Yetka

Staff: Claire Bleser, RPBCWD Administrator

Michelle Jordan, RPBCWD Water Quality and Education Outreach Coordinator

Josh Maxwell, RPBCWD District Technician II/Compliance Officer

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Recorder: Amy Herbert

Other attendees: Jim Boettcher, CAC

Dr. Peter Sorensen, UMN

Laurie Susla, CAC

1. Call to Order

President Forster called the RPBCWD Board of Managers Tuesday, December 2, 2014, Board of Managers Monthly Meeting and Public Informational Meeting to order at 6:02 p.m. at the Chanhassen American Legion, 290 Lake Drive E, Chanhassen, MN 55317.

2. Approval of the Agenda

President Forster requested the addition to the agenda a statement on the executive session held by the Board last month in closed session. Manager Yetka moved to approve the agenda as amended. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

3. Statement on Executive Session Held November 2014

Attorney Smith reported that at the closed Executive Session held November 5, 2014, the Board conducted a performance review of the District Administrator and staff salary adjustments were made. Manager Bisek announced that the District Administrator's salary adjustment was a 5% increase retroactive to August 1, 2014. Administrator Bleser stated that the salary adjustment for staff member Josh Maxwell was an increase of \$4,000 and a change in title to District Technician II and Compliance Officer and the salary adjustment for staff member Michelle Jordan was a 3% increase. She noted that these two salary adjustments were retroactive to October 1, 2014.

Manager Yetka reminded the Board that it plans to add to a future agenda a review of a salary adjustment policy.

4. 2015 Budget Public Informational Meeting

Attorney Smith said that watershed law requires the District to adopt a budget and levy by September 15th, which the District did. He explained that there is an additional law for Truth in Taxation that generally provides that before the District finalizes its budget by end of the year the District provides one additional public informational meeting. Attorney Smith stated that the meeting provides opportunity for anyone who has additional concerns or input about the budget to provide comments. He noted that the District is authorized to adjust its budget and levy downward and if it would like to do so, it needs to do so by December 20th.

Attorney Smith announced that this informational meeting was noticed and said that if there is anyone who wishes to comment they may do so at this time. President Forster called for comments three times. Upon receiving no comments he closed the public informational meeting.

5. Correspondence

Administrator Bleser reported that the Board's resolution packets for the MAWD (Minnesota Association of Watershed Districts) delegates and alternates have arrived, and she handed them out. The Board members discussed several of the proposed resolutions.

6. Reading and Approval of Minutes

a. November 5, 2014, RPBCWD Board of Managers Meeting

Manager Bisek noted several places in the minutes where the Administrator's name was not spelled correctly and noted a misspelling of the word "stream" on page 6. President Forster noted a correction to be made to the name of a meeting attendee. There was a short discussion of the number of plants proposed in the planting project with Family of Christ Lutheran Church, and the Board determined that the minutes reflected the correct proposed number. Manager Crafton moved to approve the minutes as amended. Manager Wencl seconded the motion. Upon a vote, the motion carried 5-0.

7. Hearing and Discussion of Matters of General Public Interest

No matters were raised.

8. Citizen Advisory Committee (CAC)

CAC member Laurie Susla reported that the CAC spent the vast majority of its most recent meeting discussing Aquatic Invasive Species (AIS). She said the Committee talked about the efforts the District has made this past year and in years past. Ms. Susla said the group talked about its request for the District to put together a plan for AIS management and ideas about why it hasn't been done. She stated that the CAC unanimously passed a resolution to ask the Board of Managers to consider doing an AIS management plan in 2015 for the upcoming season.

9. Treasurer's Report

Manager Crafton announced that there is an additional invoice, which is an invoice from Dennis Yonkers. Administrator Bleser explained that the invoice is for reimbursement in the amount of \$488.30 for a cost-share project of a rain garden on his property. Manager Crafton provided some details of clarification on the Treasurer's

Report.

Manager Crafton moved to accept the Treasurer's Report with the additional invoice in the amount of \$488.30. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

Manager Crafton moved to pay the bills. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

10. Engineer's Report

Manager Bisek asked about the item on page 3 regarding the pump that was installed that stopped working 30 minutes after installation. She wanted to make sure that the pump was replaced at no cost to the District. Engineer Sobiech said yes.

Manager Yetka asked for more details on the Minnetonka Street Reconstruction Project, and Engineer Sobiech provided more details. She asked about the Highway 101 reconstruction project, and Engineer Sobiech responded that the way those plans were originally submitted they did not fully comply with the District's rules. He reported that after a meeting with them they said that they would make revisions so that the project will fully comply.

Manager Yetka asked about the Bloomington H & H model and whether there would be issues migrating the XP-SWMM to EPA-SWMM. Engineer Sobiech said that the conversion is not a complete one-to-one conversion but about 95% of the model is captured through the conversion function. He gave more details about the process.

Manager Yetka asked for more information about the Lake Lucy Spent Lime Treatment project and the newest plan to put it underground. Engineer Sobiech provided an update on the project. He said that previously the property owners were resistant to having the spent-lime treatment installation on their properties. He reported that staff has subsequently talked to the City of Chanhassen about the idea of putting the spent-lime chamber underground in the road right-of-way and initial discussions with the City were very positive. Engineer Sobiech stated that the City wants to see a 30% design before providing further buy-in. He said that once the City has given approval to the 30% design, a meeting would be set up with the one property owner that would need to grant a temporary construction easement.

Manager Crafton moved to accept the Engineer's Report as submitted. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

11. Administrator's Report

a. CAC Application Updates

Administrator Bleser announced that she believes that the number of CAC applications will exceed the number of CAC positions. She said that she will provide to the Board a copy of the applications and guidelines on reviewing and ranking the applications. Administrator Bleser said that the Board members will return their reviews to her and she also will conduct a review. She said she will bring the results to the Board in January. Administrator Bleser noted that as of this time there are no applicants from Minnetonka and if by the December 15th deadline there still are no applicants from Minnetonka, she suggests that the Board maintain two openings on the CAC to allow for future applications from under-represented areas of the District.

b. Education and Outreach Signage Master Plan

Administrator Bleser stated that some District signs in Eden Prairie at road-creek crossings pre-date the District's current logo and name and since the District has been discussing throughout this year

signage opportunities with projects, the idea of a signage master plan for the District has evolved. She said she asked two staff members at Barr Engineering for a proposal for a signage master plan and that she recommends using Education and Outreach funds for this plan. Administrator Bleser said she also asked the Barr Engineering staff for ideas for fine tuning the District's logo, since the current logo depicts two streams whereas the District comprises three streams. She said the proposal will be in the Board packet for the January meeting.

Manager Bisek moved to accept the Administrator's Report as presented. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

12. Board Action

a. Creek Restoration Assessment Strategies

There was a discussion of the options as presented in the Board packet and of the District Engineer's recommendation to move ahead with Tier II, which was described in the report as a medium assessment. Manager Bisek clarified that if the District moved forward with Tier II that it would include Tier I and the District also could add Tier III in the future. Engineer Sobiech said that is correct. He explained that he sees the end product as being a living document that can be continually updated as new assessment information is made available and that the document will continually focus and re-focus the District's stream bank project priorities.

There was discussion of the cost, and Administrator Bleser stated that the cost of Tier II is \$40,000 - \$45,000. She reminded the Board that for 2014 the District over-budgeted for the University of Minnesota contract not realizing that the amount was already fully paid. Administrator Bleser said that the result is that the District has \$250,000 remaining in that budget. She recommended that the District do this assessment and utilize the funds in the UMN budget for the assessment. Engineer Sobiech pointed out that the assessment proposal states that District staff will be utilized as much as possible to do the work.

Manager Bisek moved to direct staff to move forward with the Tier II stream assessment. Manager Crafton seconded the motion. Manager Bisek made the friendly amendment that the cost is not to exceed \$45,000. Manager Crafton accepted the friendly amendment. Upon a vote, the motion carried 5-0.

Manager Yetka moved that the District approve transferring up to \$45,000 from the UMN fund to support the CRAS project. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

b. Purgatory Creek Hydrology and Hydraulics Model

President Forster reported on the letter that the District is sending to a senior person at CH2M Hill in St. Louis, Missouri. He noted that a few minor edits still need to be made before it is sent. Manager Crafton moved to approve sending the letter as corrected. Manager Wencil seconded the motion. Upon a vote, the motion carried 5-0.

c. Institutional Grants Restrictions

Administrator Bleser said that she and District Legal Counsel are working on developing a resolution that would restrict institutional grants in terms of what type of overhead the institutions can charge the District. There was discussion of the types of restrictions the District staff is considering, and Administrator Bleser said that the resolution will come in front of the Board at its January meeting.

d. University of Minnesota Grant Extension

Administrator Bleser summarized that at the end of this year more than \$500,000 remain from the

District funds that were distributed to the University of Minnesota and Peter Sorensen's lab through a main contract and one addition. She explained the District's contact is done at the end of this year. She reminded the Board that the District received a request from Dr. Sorensen to extend the grant for one year. She noted that her understanding is that if the District doesn't do the extension, then those funds will be absorbed into the UMN's general fund.

Dr. Sorensen provided more details on the original contract, which was a fixed-price contract. He noted that under that contract, the remaining budget goes back to the University and that normally under the discretion of the dean of the University the funds go back to the investigator. He described why there is money left in the budget and said that rather than his group keeping the money he would like to do a one-year extension of the contract with the District. Dr. Sorensen said that he would like his group to continue the work it has been doing with the carp, particularly since there are approximately 6,000 carp remaining in Staring Lake. He said that there needs to be a decision about the proposed grant extension by the end of this month.

There was discussion and Dr. Sorensen responded to questions. Dr. Sorensen said that he had given to the District a short proposal on what the funds could be used for during the one-year extension. He reminded the District that he proposed a project in the amount of \$250,000 with a small reserve to keep the Staring Lake carp removal project going. He noted that the UMN will keep approximately \$130,000 in overhead. Dr. Sorensen noted that he brought tonight to distribute to the Board the report on the project.

Manager Bisek moved to authorize the District Legal Counsel and Administrator to finalize the one-year extension of the contract with the University of Minnesota before the end of December. Manager Wencil seconded the motion. Upon a vote, the motion carried 5-0.

13. Manager's Discussion

a. RPBCWD Open House

President Forster announced that the District is holding its open house on January 21, 2015, from 3 p.m. to 7 p.m. at the District office.

b. District Board of Managers Meetings in December

President Forster announced that the District's Board of Managers will be meeting on December 3, 4, 5, 6, and 7 at the MAWD conference.

c. District Board of Managers Meeting Location in 2015

President Forster announced that the District's Board of Managers meeting in January will be held at Eden Prairie City Hall and that starting in February 2015 the District's meetings will be held at the District office.

14. Upcoming Events

- **Board Meeting and Evening with the Watershed**, Tuesday, December 2, 2014
- **Winter Parking Lot and Sidewalk Workshop**, Thursday, December 11, 2014, 9 a.m. to 2:30 p.m.
RPBCWD Office

- **RPBCWD Open House**, January 21, 3 p.m. ó 7 p.m., RPBCWD Office

15. Adjournment to Evening with the Watershed

Manager Wencil moved to adjourn the meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0. The meeting adjourned at 6:58 p.m. and the Evening with the Watershed began at 7:00 p.m.

Respectfully submitted,

Ken Wencil, Secretary