

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

October 2, 2013, Board of Managers Monthly Meeting and Public Hearing

PRESENT:

Managers: Mary Bisek, Vice President

Jill Crafton, Treasurer

Perry Forster, President

Ken Wencl, Secretary

Leslie Yetka

Administrator: Claire Bleser

Staff: Scott Sobiech, Engineer (Barr Engineering Company)

Louis Smith, Attorney (Smith Partners)

Recorder: Amy Herbert

Other attendees: Lorin Hatch, HDR Engineering

Bill Satterness, CAC

Laurie Susla, CAC, LLCA

1. Call to Order

President Forster called the RPBCWD Board of Managers Wednesday, October 2, 2013, monthly meeting and public hearing to order at 7:00 p.m. in the Council Chambers at Eden Prairie City Center, 8080 Mitchell Road, Eden Prairie, MN 55344.

2. Approval of the Agenda

Attorney Smith requested adding an item under the Administrator's Report for an update on rulemaking. President Forster recommended adding it as item 9e. Manager Yetka requested adding an item under the Managers' Discussion to talk about manager involvement and manager appointments or liaison roles to the Citizen Advisory Committee (CAC) and the Rulemaking Committee. President Forster recommended adding it as item 11b. Manager Yetka moved to approve the agenda as amended. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

3. Reading and Approval of Minutes

- a. President Forster asked if there were any clarifications or changes requested to the minutes of the Board's September 4, 2013, Budget Workshop and Regular Meeting. Attorney Smith, President Forster, and Manager Crafton requested edits. Manager Crafton moved to accept as amended the minutes of the RPBCWD's September 4, 2013, Budget Workshop and Regular Meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

4. Correspondence

Administrator Bleser announced that on October 8th Asian carp expert Duane Chapman of the United States Geological Survey will be speaking at a public event in the lower level of the student center at the University of Minnesota's St. Paul campus.

5. Citizen Advisory Committee

President Forster stated that the minutes from the September 16, 2013, CAC meeting were in the packet and asked CAC Chair Bill Satterness if there were any objections or changes to the minutes. Mr. Satterness said there are no changes. Manager Crafton moved to accept the minutes from the September 16, 2013, CAC meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

6. Hearing and Discussion of Matters of General Public Interest

Laurie Susla of the Lotus Lake Conservation Alliance (LLCA) thanked the RPBCWD for participating with the City of Chanhassen to fund AIS (Aquatic Invasive Species) inspections at Lotus Lake for the month of September and on weekends through October. She provided details of the inspection schedule at Lotus Lake for the months of September and October. Ms. Susla commented that Lotus Lake is the heaviest used lake in the watershed, and she said that the LLCA appreciates working together with the RPBCWD to protect the lake. She provided brief update on Peter Sorensen's work with the carp tagging on Lotus Lake.

President Forster announced that he was sorry to hear the news that Gerald Obremski passed away this past weekend. He stated that Mr. Obremski had been the treasurer of the RPBCWD until 2006 and had been a valuable contributor to the RPBCWD.

7. Treasurer's Report

Manager Crafton reported that the District has discovered some problems with the model delivered by CH2M HILL. She said that staff recommends holding onto the CH2M HILL payment that is being approved by the Board tonight until the issues are resolved. Administrator Bleser provided details on the issues with the model and steps that have been taken to ameliorate the issue. President Forster directed Administrator Bleser to send an e-mail to Jason Carroll of CH2M HILL to let him know that the check from the District has been cut but it will not be mailed until the District receives a satisfactory model. There was further discussion on what needed to be corrected in the model, what data was missing, and what versions of SWMM had been and are being used. Administrator Bleser said that CH2M HILL has communicated that in two weeks the District will receive an updated report containing updated numbers and all of the data.

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

Manager Crafton moved to pay the bills including paying President Forster's per diem of \$900.53 and holding on to the payment to CH2M HILL as discussed. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

8. Engineer's Report

Manager Wencil commented that this was the best report that he has seen and it was detailed and clear and he

commended Engineer Sobiech on the work. President Forster echoed the comment. Manager Yetka asked for a clarification of the plan review work and asked if the engineer is reviewing plans on behalf of the City of Eden Prairie. Administrator Bleser said that the City asked for comments from the District on the plans, so the engineer reviewed them.

Manager Crafton asked Engineer Sobiech to elaborate on report items D and E under the Data Management/Sampling/Equipment Assistance section [øD. Compare current and legacy øpre-2207- data collection locations for consistency and discovered naming conventions and sampling locations are different. E. Develop and provide a map showing current and legacy sampling locations and location IDs.ø]

Engineer Sobiech described the process that the District Engineer used when comparing the current sampling locations with previous locations, explained the findings, and stated that the data needs to be reconciled and also submitted to the Minnesota Pollution Control Agency (MPCA). Administrator Bleser provided detailed information about the sampling sites and changes that occurred with the sampling program in 2007 when the District started working with CH2M HILL. She described some of the questions she recently posed to CH2M HILL about the change in the sampling sites, the decrease in the number of sampling sites, and the change in naming conventions. She shared the responses she received from CH2M HILL and said she is still waiting for a response to some of her questions. Administrator Bleser said that staff is looking at moving forward for the 2014 sampling program with what makes the most sense for what the District wants to do in terms of making sure the watershed's creeks are healthy. She added that even with the differences that have been discovered in terms of sampling locations, the past five years of data is usable.

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

9. Administrator's Report

a. Extension of Water Quality Staff Hire

Administrator Bleser reported that the extension of the hire of staff would be for a period of 24 weeks, from November 1st to April 15th and would cost \$26,400 plus \$1,914 for the PERA contribution, plus \$2,904 for payroll. Manager Yetka noted that the total cost comes to \$31,218.

b. Minor Plan Amendment and Major Plan Amendment Update

Administrator Bleser announced that the District has received comments on its Minor Plan Amendment from the Minnesota Department of Transportation (Mn/DOT), the Metropolitan Council (Met Council), and the Minnesota Pollution Control Agency (MPCA). She said that the comments were very positive and the comment period ends this Friday. She said that the District is looking to hold its public hearing for the Minor Plan Amendment on November 6th and its public hearing for the Major Plan Amendment on December 3rd, prior to the start of the Evening with the Watershed. Manager Crafton asked if she would provide copies of the comments to the Board. Administrator Bleser said yes.

c. Evening with the Watershed

Administrator Bleser named the scheduled presenters and described the presentation topics for the Evening with the Watershed. Manager Crafton asked when the District will start looking at education opportunities. Administrator Bleser described the education initiatives that the District has been involved with but said that the District does not have an education and outreach plan in place. Manager Yetka commented that a good task for the water quality staff is to identify the District's gaps in education programs. Manager Wencl said that at the last Evening with the Watershed the University of Minnesota

(UMN) gave a presentation on bees and handed out information about bee hives to attendees. He said that he would like the Evening with the Watershed to feature another presentation on bees and for there to be information on hives available again. Manager Wencl brought up the idea that if the District wants its residents to get involved in adopting storm drains, then it needs to take steps to involve its residents and should bring the topic up at the Evening with the Watershed. There was discussion about having a presentation about bees and on ways to get storm drain adoption information out to residents. President Forster suggested that the presentation about bees take place at the District's spring Evening with the Watershed and suggested putting a press release together about asking residents to monitor storm drains.

d. Southwest Light Rail Transit (SWLRT)

Administrator Bleser provided an update on recent activities and decisions with the SWLRT. She said that next week she will attend a Corridor Committee meeting and will find out about the latest proposal, which seems to be that the light rail would stop at the SouthWest station in Eden Prairie and therefore would not go through RPBCWD floodplains or wetlands. The Board directed Administrator Bleser to draft and send a letter to Hennepin County Commissioner Callison communicating that the District is pleased to hear about the latest proposal in which the light rail would end at the Southwest station and describing why the District is pleased.

e. RPBCWD Website

Administrator Bleser projected onto the room's screen a mockup of the District's new website, which is being built, and she described the site's features and information.

f. Annual Communication

Administrator Bleser presented the idea of making the annual communication a calendar showcasing the District's waters and highlighting projects, future projects, project updates, District history, and District contacts. She explained that the cost for producing 1,000 to 1,500 calendars would be \$4,000, and they would be distributed through the CAC, libraries, and city halls. Administrator Bleser said that if the District approves of moving ahead with a calendar, the draft would be ready at the November meeting so that the final would be available for distribution at the Evening with the Watershed. There was discussion of the calendar and of last year's annual communication format. Manager Wencl spoke in favor of continuing with the format from last year, and Managers Yetka and Crafton made comments in favor of the calendar. Manager Bisek said that if the Board approves the calendar approach, it would be nice for the calendar to include a photo of a cost-share grant project that is already in the ground. CAC Advisor Bill Satterness added that the calendar could provide timely, actionable tips on how to help the watershed meet its goals. President Forster commented that he is in favor of the calendar but is worried about the short amount of time available to put it together. Administrator Bleser said that staff could use the template from last year's annual communication and put together the first two pages, so if time runs too short to do the calendar, an updated annual communication based on last year's template would be ready to go. The Board directed Administrator Bleser to communicate on October 31st to the Board the status of the calendar project. Administrator Bleser said that by October 31st she will forward to the Board a draft of the annual communication or a status report on it.

g. Rulemaking

Administrator Bleser provided a status report and described the past joint meeting with the TAC and the Rulemaking Committee. She explained that the focus of the discussion was on buffers and the stormwater rule. Administrator Bleser said that staff is working on absorbing all of the comments and noted that at the next Citizen Advisory Committee (CAC) meeting there will be a workshop on rules.

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

10. Board Action

a. AIS (Aquatic Invasive Species) Plan Consultant Selection

Administrator Bleser stated that Lorin Hatch of HDR Engineering is present and available to answer Board questions. Managers had questions and comments including whether Mr. Hatch has experience with putting specific actions into motion regarding the prevention of the spread of zebra mussels, issues of jurisdiction, and developing a rapid response plan and putting it in place. Manager Yetka said that she thinks it is important to have stakeholder input and asked if there has been any discussion about a survey component as a way to get stakeholder input in addition to input received at a public meeting.

Administrator Bleser noted that the budget for the AIS plan is \$15,000 and the current cost estimate for the plan is \$13,852.55, so there would be budget for a survey component.

Manager Yetka moved to adopt Resolution 13-09 Authorization to select HDR Engineering for developing the AIS plan. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

b. Rice Marsh Lake Paleolimnology

Manager Yetka asked several questions about the intent of doing the paleolimnology study and the use of the findings. There was a lengthy discussion of the purpose of such a study, the process of the study, the data collected, the possibility that the state would not accept the data, the Rice Marsh Lake Use Attainability Analysis (UAA) and its need to be updated. Mr. Hatch commented that a benefit of the study is that Minnesota Statutes allows for the introduction of evidence showing that a lake is different from how that lake is identified in state standards.

Manager Crafton moved to approve Resolution 13-10 Approval for Rice Marsh Lake Paleolimnology Study. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

c. Rice Marsh Lake Aeration

Administrator Bleser reminded the Board of its discussion at a previous meeting about bringing the Rice Marsh Lake aeration work in-house. She reported that staff has discovered that the Rice Marsh Lake Aeration system is permanent and is still out there. Administrator Bleser described the steps that staff has taken to find out how much the equipment is worth and what it would cost to buy the equipment. She reported that it is not an advantage to the District to continue to contract with Aquatic Restoration to do the inspections since the cost would amount to approximately \$600 per week. She said that staff needs direction from the Board to go out with the public notice regarding turning on the aerator and moving ahead with the permit and buoy signs. Administrator Bleser said that staff also recommends that the Board authorize staff to continue the conversation with Aquatic Restoration to determine what would be the most cost effective way to move forward. She said that she expects that staff will come to the November meeting with a recommendation on how to move forward with Aquatic Restoration.

There was discussion of the different issues. Manager Bisek moved that the Board authorize the Administrator to continue discussions with Aquatic Restoration, to apply for the permit and move forward with the public notice and necessary public information and to come back at the November meeting with information and a recommendation. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

d. League of Minnesota Cities

Administrator Bleser explained that she is waiting to be provided the insurance portfolio, which should arrive next week, and explained that when it arrives, the District will need to renew its membership to the League of Minnesota Cities at a cost of \$1,611. She said that now she is asking the District to adopt a worker's compensation policy, which the Board needs to do each year. Manager Crafton moved that the Board adopt a worker's compensation policy and approve renewal of the District's membership to the LMC. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

e. 2014 Updated Budget

Manager Yetka moved to adopt Resolution 13-13 Approval of the 2014 Budget. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

f. 2014 Work Plan

Manager Crafton moved to adopt Resolution 13-14 Approval of the 2014 Work Plan. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

g. Updated Administrator Job Description

Administrator Bleser handed out the updated Administrator job description and highlighted the updates. Manager Bisek moved to approve the updated Administrator job description. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

h. Administrator Review

President Forster closed the meeting for this portion of the meeting in order for the managers, administrator, and attorney to conduct the administrator review.

11. Manager's Discussion

President Forster reopened the meeting at 9:40 p.m.

a. Upcoming Board Agenda

Manager Wencl requested that in future years the Evening with the Watershed be held no later than October as holding it in the winter may discourage some residents from attending due to weather. There was a short discussion of this and agreement with this recommendation. Administrator Bleser said that the spring Evening with the Watershed could be moved to earlier in the spring as well.

b. Manager Involvement and Appointments to RPBCWD Committees

Manager Yetka asked about the Board's procedure of appointing members to committees and suggested that the Board appoint a manager to act as liaison to the Rulemaking Committee. There was a brief discussion of the idea. Manager Crafton moved that the Board appoint Manager Yetka as the Rules Committee liaison. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

c. Internal Policies

Manager Bisek reminded the Board that last spring it talked about revising its Bylaws and updating its internal policies and procedures. She explained that the revised Bylaws have been approved by the Board and she would like to know if Board direction is needed to move forward again with working on updating the internal policies and procedures. Manager Bisek noted that she and Manager Crafton are on the Committee that the Board charged with that work. The Board addressed the question and decided that it did not need to take action for the Committee to continue its work on updating the internal policies and procedures. Manager Bisek said that the Committee will move forward with its work.

12. Upcoming Events

- **Minnetonka Open House**, Tuesday, October 8, 2013, 5:00 p.m. ó 7:30 p.m., Minnetonka Community Center
- **Minnesota Water Resources Conference**, Tuesday-Wednesday, October 15-16, 2013, 8:00 a.m. ó 4:30 p.m., Saint Paul River Center
- **Groundwater Carver County Workshop**, Thursday, October 10, 2013, 8:00 a.m., Norwood Young America City Hall
- **Citizen Advisory Committee**, Monday, October 21, 2013, 6:30 p.m., Atrium III, Eden Prairie City Center
- **Public Hearing Minor Plan Amendment and Board Meeting**, November 6, 2013, 7:00 p.m., Council Chambers, Eden Prairie City Center
- **Evening with the Watershed**, Tuesday, December 3, 2013, Chanhassen American Legion, 7:00 p.m.

13. Adjournment

Manager Crafton moved to adjourn the meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Ken Wencil, Secretary