

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

January 8, 2014, Board of Managers Monthly Meeting and Public Hearing

PRESENT:

Managers: 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:	Prezmek Bajer, University of Minnesota	Dennis Saeger, CAC
	Joey Lechelt, University of Minnesota	Bill Satterness, CAC
	Tom Lindquist, CAC	Peter Sorensen, University of Minnesota
	Sharon McCotter, CAC	Laurie Susla, LLCA, CAC

1. Call to Order

President Forster called the RPBCWD Board of Managers Wednesday, January 8, 2014, Board of Managers Monthly Meeting and Public Hearing to order at 7:09 p.m. in the Council Chambers at Eden Prairie City Center 8080 Mitchell Road, Eden Prairie, MN 55344.

2. Approval of the Agenda

Manager Yetka requested that the Board add to the Managers Discussion a review of the District's Cost Share Program. President Forster requested the addition to the Managers Discussion a brief discussion of Red Rock and Mitchell lakes. Manager Crafton moved to approve the agenda as amended. Manager Wencl seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

3. University of Minnesota – Research Update

Mr. Prezmek Bajer and Mr. Peter Sorenson of the University of Minnesota provided an update on the carp research and program at Staring Lake and the Purgatory Creek Park Area (PCPA). Mr. Bajer provided an overview of the carp species and their range, showed a brief video demonstrating how carp dig in the bottom of waterbodies, and explained that such behavior is precisely why carp are so damaging. He stated that the digging stirs up the sediments, making the water more turbid, and disturbs the plants. Mr. Bajer also described how the carp behavior transports nutrients from the lake bottom into the water column.

Mr. Bajer provided a PowerPoint presentation. He said that there is a need for carp management in Staring Lake, which has approximately 170 carp per acre. He explained that the carp are so abundant in Staring Lake because the lake is connected to the PCPA, which is a perfect nursery for carp. He reviewed the movement of the carp between Staring Lake and the PCPA and the data from 2012 detailing the movements. Mr. Bajer discussed management options that have been tested to date, such as winter draw-down in PCPA, winter seining in Staring Lake, and a stream barrier. He commented that he estimates there was 40% mortality due to the winter draw-down in 2013. Mr. Bajer gave more details about the winter seining that occurred in 2011, 2012, and 2013, and he estimated that one-third of the carp population, or 13,000 carp, were removed by commercial fisherman.

Mr. Bajer provided more information on the management technique of the stream barrier placed to stop the carp that were trying to move upstream. He described how the 2012 barrier design did not work and how the 2013 barrier collapsed after the second storm. He summarized that 80% to 90% of the carp move from Staring Lake to the PCPA each year to spawn, the little carp are present in the PCPA every year in numbers of 100,000 or more, approximately 3 out of 1,000 carp move out of the PCPA in the first year of life, and many migrate at age 2. Mr. Bajer talked about the model that the team developed to simulate plausible management scenarios including winter seining, draw-down, and out-migration barrier and various combinations of these management techniques. Using the PowerPoint slides, he showed the results of the model and the results that the model has predicted. He touched on the future of the program, noting that the 2014 year is the last year of the current program, and described what work would be done in 2014 including that they would monitor the draw-down and determine how it could be improved, would continue with the seining ó hopefully next week ó and would update the model.

Mr. Bajer advocated that the program continue for at least a few more years since the team has uncovered a lot of answers about the carp and now would like to get the carp removal work done. He added that this project is a valuable study for other watersheds and noted that there may be matching funds from the Invasive Species Center as well as equipment.

He opened the floor for questions and managers asked about the commercial fisherman, and discussed the barrier, the draw-down and techniques for making these more effective. President Forster said that he is in favor of the draw-down plus the seining and recommended that Mr. Bajer set up a meeting of the stakeholders in the next two weeks to discuss options. Mr. Bajer said that would be happy to do so. President Forster thanked Mr. Bajer and Mr. Sorenson for the update.

4. 2014 Organizational Actions

a. Election of Officers

Manager Crafton moved to re-elect the RPBCWD's current slate of officers. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

b. Appointment of Technical Advisory Committee (TAC)

Manager Crafton moved to approve the existing TAC membership for 2014. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

c. Designation of Official Depository

President Forster said that Klein Bank has been the District's official depository. Manager Crafton moved that the District retain Klein Bank as the official depository. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

d. Designation of Official Publications

Administrator Bleser said that the District uses five papers to cover all of its cities. Manager Yetka moved to approve continuing with the same official publications. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

e. List of CAC Members

Administrator Bleser asked if the Board would reappoint the current Citizen Advisory Committee (CAC) members for the 2014 year in order to maintain continuity in the work being done on subcommittees and groups such as with the rules and AIS (Aquatic Invasive Species). She said that there are two openings from the 12 CAC members appointed last year and there could potentially be more openings if any current members are not interested in being reappointed. Administrator Bleser said that these openings could be filled by interested citizens. She said that this is not an action item tonight because she wanted feedback from the managers. Manager Yetka requested that the District and Administrator Bleser do some outreach to fill the open seats with members of cities that are not currently represented.

5. Reading and Approval of Minutes

a. November 11, 2013, RPBCWD Meeting Minutes

Manager Wencil moved to approve the minutes of the November 11, 2013, RPBCWD meeting as presented. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

b. December 3, 2013, RPBCWD Meeting Minutes

Manager Crafton moved to approve the minutes of the December 3, 2013, RPBCWD meeting as presented. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

c. December 9, 2013, Shallow Lake Workshop Minutes

Manager Crafton moved to approve the minutes of the December 3, 2013, RPBCWD meeting as presented. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

6. Correspondence

Administrator Bleser reported that the District is undergoing the auditing process.

7. Citizen Advisory Committee

a. Aquatic Invasive Species (AIS) Subcommittee

CAC Advisor Sharon McCotter requested the AIS subcommittee have the opportunity to preview the AIS recommendation as it stands. There was discussion of the status of the AIS recommendation, concerns about releasing the recommendation prior to Board action, and different processes that could take place to get the recommendation reviewed by the interested parties. President Forster directed Administrator Bleser to review the draft recommendation upon receipt and if she thinks the recommendation is fit to be distributed then she should distribute it as a draft to the Board and the AIS subcommittee at the same time for review and to discuss at the February meeting.

8. Hearing and Discussion of Matters of General Public Interest

President Forster announced that anyone wishing to address the Board of Managers on an item not on the agenda may come forward at this time, and he will recognize the speakers one by one. He explained that speakers are requested to state their name and address for the record and comments will be limited to five minutes per speaker. There were no matters raised.

9. Treasurer's Report

Manager Crafton moved to accept the Treasurer's Report as submitted. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

Manager Crafton moved to pay the bills. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

10. Engineer's Report

President Forster noted that the Engineer's Report is in the meeting packet. Manager Yetka raised a question about woodchip bioreactors, listed in the report under General Services item H and asked Engineer Sobiech for more details. He provided more details describing a woodchip bioreactor as a trench filled with woodchips that is allowed to go anaerobic and does a good job of removing nitrates as well as 70% to 80% of phosphorous from a system. Engineer Sobiech said that the woodchip bioreactor has the potential to be a new, innovative BMP (Best Management Practice). He answered questions about the technology, and the Board requested that Administrator Bleser arrange for a future meeting a presentation on the technology. Manager Yetka also asked for more details on the Green Path Certified Development designation that is listed in the report under the Plan Review of Eden Garden. Engineer Sobiech explained that the designation was developed by the Builder's Association, is a new term, and is a little less robust than the LEED Certified designation.

Manager Yetka moved to accept the Engineer's Report as submitted. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

11. Administrator's Report

President Forster noted that the Administrator's Report is in the meeting packet. Manager Yetka had a question on the stormwater monitoring program and requested an analysis of the project be presented to the Board at a future meeting include information on what the District will accomplish with the program and how the collected data will be used. Administrator Bleser said that staff can do a presentation on it at a future meeting.

Administrator Bleser reported that all seven diffusers on Rice Marsh Lake are working. Manager Yetka moved to accept the Administrator's Report. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

12. Board Action

a. Lotus Lake Conservation Alliance Request

Administrator Bleser said that at the beginning of December the managers received a letter from the Lotus Lake Conservation Alliance (LLCA) requesting to be allocated a share of the funds that the District was

reimbursed from the City of Chanhassen for the 2012 AIS inspection program. She provided background on the issue, reminding the Board that in 2012 the District allocated \$25,000 to each Eden Prairie and Chanhassen for AIS inspections and in 2013 there was the expectation that the District would provide \$25,000 to the City of Chanhassen for the inspections and the City would provide a \$10,000 match. She described that in 2012 the City of Chanhassen put in approximately \$2,500 and received a Department of Natural Resources (DNR) grant in the amount of \$7,500. Administrator Bleser explained that the City of Chanhassen in 2013 requested from the District \$17,500 instead of \$25,000, which reflects an action by the City to deduct the amount it received from the DNR grant from the amount the City requested from the District. Administrator Bleser reported that the LLCA is requesting an allocation of that \$7,500 based on the amount that the LLCA and the District contributed the City of Chanhassen toward the total cost of the AIS inspections in Chanhassen in 2012.

There was a lengthy discussion. Manager Yetka asked if the portion of money were directed to the LLCA, would the LLCA be willing to commit the funds to AIS inspections. Ms. McCotter said yes 100%. Manager Wencil moved that the Board hold this issue over until next month's meeting. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

b. City of Chanhassen Cost-Share

Administrator Bleser described the cost-share grant application submitted by the City of Chanhassen and said that the City would use the grant for brining equipment for the City's salt trucks. She said that the proposed use of the funds is in compliance with the District's cost-share program. Administrator Bleser provided more information on the funds budgeted for the cost-share program, the funds that have been allocated to date, and the budget that is available. She recommended that the Board approve the cost share to the City of Chanhassen in the amount of \$6,709 using funds from the District's 2013 cost-share program. She responded to questions and there was a short discussion. Administrator Bleser said that she could forward to the City the Board's questions about the GPS, temperature sensors, and Mn/DOT recommendations.

Manager Yetka moved to approve the cost-share grant to the City of Chanhassen contingent on confirmation that using the funds for the as proposed is the best use of the funds. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

c. Major Plan Amendment

Administrator Bleser reminded the Board that in December the District held a public hearing on the Major Plan Amendment and now the District moves into the second phase of the process, which is submittal to the Minnesota Board of Water and Soil Resources and Plan Reviewers for the 90-day comment period. She explained that the resolution is to approve moving into the second phase of the process and authorizing Administrator Bleser submitting the Major Plan Amendment Request to BWSR and the Plan Reviewers. President Forster read the resolution aloud. Manager Crafton moved to approve the resolution. Manager Wencil seconded the motion. By call of roll, the motion carried 4-0:

<i>Manager</i>	<i>Yes</i>	<i>No</i>
Crafton	X	

Forster	X	
Wencl	X	
Yetka	X	

13. Manager's Discussion

a. Rules

Administrator Bleser reported about the December rulemaking/ Technical Advisory Committee meeting and gave a status update on the rulemaking. She said that the rulemaking committee hopes that by mid-January it will have a complete draft rules and procedures document completed including the SONAR (Statement of Need And Reasonableness). She mentioned that the CAC has not reviewed the draft procedures. Administrator Bleser recommended that as soon as the draft document is complete, the rulemaking committee send it to the Board and at the same time to the CAC.

She said that the timeline is that action on the rules and procedures will be on the Board's February meeting and then on the day after the meeting open the public comment period. She provided more details about the timeline and possible dates to hold the public hearing. There was discussion about the timeline. President Forster said that he would be in favor of holding the public hearing at the March 5th meeting. The Board agreed.

b. District Policies and Procedures (update)

Administrator said that one idea is to delay the adoption of the District's policies in order to have it at the same time as the employee handbook. She said that the employee handbook is still being worked on.

c. Upcoming Board Agenda

i. 2013 Budget Review

Administrator Bleser said that the Bylaws subcommittee has incorporated into the draft bylaws the idea of conducting an annual budget review. She said it would make sense to conduct the review in February since that is when the year-end treasurer's report will be available. She said she wants to put this review on the Board's radar for the February meeting.

ii. AIS

Administrator Bleser reported that the document was just completed and the AIS recommendation will be an upcoming Board agenda item.

iii. Riley Creek Chain of Lake Fish Management

Administrator Bleser said that there will be a presentation on this topic at an upcoming meeting.

iv. SWLRT (Southwest Light Rail Transit)

Administrator Bleser reported that a member of the SWLRT from the Metropolitan Council will be coming to talk at an upcoming Board meeting. President Forster said that he would like the Board to investigate the cost of getting an estimate of the impact in a quantitative basis between the Southwest Station and City Hall. He said that the District needs this data. Administrator

Bleser said that the District does have reserve funds that could be used for this work. Manager Wencil asked who would do the work, and President Forster responded that Barr could do the work.

v. **Red Rock Lake and Mitchell Lake**

President Forster commented that the Board cannot lose sight of Red Rock and Mitchell lakes and ideas of what can be done there for this coming year. Administrator Bleser provided an update with the District's meeting last Friday with the City of Eden Prairie and discussion of the District's actions in 2011, 2012, and 2013 for Red Rock and Mitchell lakes and discussion of harvesting and treatment. She brought up the idea of a plant management plan, and she said that more meetings need to be coordinated and more information collected. Manager Yetka provided comments and said she thinks it would be a good idea for the District to see what, in general, is its policy on managing vegetation and managing shallow lakes. There was discussion of chemical treatment of curlyleaf pondweed, the movement of coontail within a lake, and obtaining information from expert sources. Mr. Bill Satterness commented that he supports the idea of having the experts come in and give their suggestions. Administrator Bleser said that she will follow up.

[Manager Wencil departs the meeting]

vi. **Cost-Share Program**

Manager Yetka recommended that now or at a future meeting the Board reviews its cost-share program and its guidelines and requirements. President Forster said that it should be part of a future meeting. Administrator Bleser suggested that she put together an evaluation describing what has and has not worked. The Board agreed.

14. Upcoming Events

The Board set a special meeting to be held on February 19, 2014.

- **Board Meeting**, Wednesday, February 5, 2014, Heritage Room, Eden Prairie City Center, 7:00 p.m.

15. Adjournment

Manager Crafton moved to adjourn the meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 3-0 [Managers Bisek and Wencil absent from the vote]. The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Ken Wencil, Secretary