

2022 Organizational Actions

d. Schedule of Regular Meetings

Motion by Manager _____, seconded by Manager _____, to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers adopts the following schedule of regular meetings for 2022, through January 2023, with Board Workshop sessions beginning at 5:00 p.m. and meetings beginning at 7:00 p.m.:

February 2

March 2

April 6

May 4

June 1

July 6

August 3

September 7 Public Hearing Levy and Budget

October 5

November 2

December 7 Budget Information Meeting

January 4, 2023

The question was on the adoption of the Resolution and there were ____yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

e. Election of Officers

i. President. The president's responsibilities are to:

1. preside at all meetings as chair of the Board.
2. sign and deliver in the name of the District contracts, deeds, correspondence or other instruments pertaining to the business of the District;
3. be a signatory to the District accounts;
4. be a signatory to District documents if the treasurer or secretary is absent or disabled, to the same extent as the treasurer or secretary.

Call for Nominations.

***Motion by Manager _____ seconded by _____ to elect Manager
_____ for President of the Riley Purgatory Bluff Creek Watershed District.***

Voting.

ii. Vice President. The vice president's responsibilities are to:

1. preside at meetings as chair in the absence of the president;
2. be a signatory to the District accounts.
3. be a signatory to District instruments and accounts if the president is absent or disabled, to the same extent as the president.

Call for Nominations.

***Motion by Manager _____ seconded by _____ to elect Manager
_____ for Vice President of the Riley Purgatory Bluff Creek Watershed
District.***

Voting.

iii. Treasurer. The treasurer's responsibilities are to:

1. be a signatory to the District accounts and financial records;
2. present a report at the monthly meeting of the Board that includes a current check register and tracks each of the watershed district's funds and account balances;
3. provide such other records as are necessary to inform the Board of the financial condition of the District.

Call for Nominations.

***Motion by Manager _____ seconded by _____ to elect Manager
_____ for Treasurer of the Riley Purgatory Bluff Creek Watershed District.***

Voting.

iv. Secretary. The secretary's responsibilities are to:

1. be a signatory to resolutions and other documents certifying and memorializing the proceedings of the District;
2. be a signatory to the District accounts;
3. maintain the records of the District;
4. make the required public and Board notice of all meetings in accordance with Minnesota Statutes chapter 13D and other applicable laws;
5. keep a record book in which is noted the proceedings at all meetings.

Call for Nominations.

***Motion by Manager _____ seconded by _____ to elect Manager
_____ for Secretary of the Riley Purgatory Bluff Creek Watershed District.***

Voting.

e. Designation of official newspapers

Motion by Manager _____, seconded by Manager _____, to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers designates the following publications (Sun Sailor, Sun Current, Chaska Herald and Chanhassen Villager) as the official newspapers of the District for purposes of publishing public notices:

Sun Sailor

Minnesota Sun

Publications

10917 Valley View Rd.

Eden Prairie, MN 55344

(952) 829-0797

Deephaven, Minnetonka, Shorewood

Sun Current

Minnesota Sun

Publications

10917 Valley View Rd.

Eden Prairie, MN 55344

(952) 829-0797

Bloomington, Eden Prairie

Chaska Herald

Southwest Suburban

Publishing Company

P.O. Box 8

Shakopee, MN 55379

(952) 445-3333

Chaska

Chanhassen Villager
Southwest Suburban
Publishing Company
P.O. Box 8
Shakopee, MN 55379
(952) 445-3333
Chanhassen

The question was on the adoption of the Resolution and there were ____yeas, ____ nays and ____ abstentions as follows:

<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

f. Affirm U.S. Bank as official depository

g. Affirm 4M Fund as investment depository

h. Appoint Smith Partners PLLP as depository for non-cash financial assurances

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints Smith Partners PLLP as the depository for non-cash financial assurances.

The question was on the adoption of the Resolution and there were ____ yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this ____ day of _____, 2022.

David Ziegler, Secretary

i. Designate U.S. Bank as depository for cash escrows

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints U.S. Banks as the depository for cash escrows.

The question was on the adoption of the Resolution and there were ____ yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

j. Review insurance needs and current coverage

k. Approve signees for banking

I. Appoint members of Citizens Advisory Committee

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints the following individuals to the Citizens Advisory Committee:

Heidi Groven - Chanhassen

Jim Boettcher - Chanhassen

Marilynn Torkelson - Eden Prairie

Andrew Aller

Rodney Batiza

Kim Behrens- Chanhassen

Michelle Frost- Eden Prairie

Samuel Griffin

Pete Iverson- Eden Prairie

Terry Jorgenson- Eden Prairie

Sharon McCotter

Jan Neville- Eden Prairie

Jeff Weiss

Jessica Wiley

The question was on the adoption of the Resolution and there were ____yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

m. Appointment of Technical Advisory Committee

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints the following individuals to the Technical Advisory Committee:

CAC Liason

Matt Clark City of Chaska

Robert Bean Jr City of Deephaven

Leslie Stovring/Patrick Sejkora City of Eden Prairie

Leslie Yetka/Will Manchester City of Minnetonka

Bryan Griudl/Jack Distel City of Bloomington

Charlie Howley/Matt Unmacht City of Chanhassen

Andrew Budde City of Shorewood

Karen Galles

Paul Moline

Hennepin County

Carver County

Mellissa Jenny US Army Corps of

Engineers

Lucas Youngsma

Taylor Huinker

Mike Wanous

Steve Christopher

Joe Mulcahy

Linda Loomis

Jordan Donatelle

DNR – Hennepin County

DNR – Carver County

Carver County Soil and

Water Conservation

District

BSWR

Metropolitan Council

Lower Minnesota River

Watershed District

Minnesota Pollution

Control Agency

The question was on the adoption of the Resolution and there were ____yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

n. Standing Committees

i. Governance Committee. The Governance Committee is a standing committee of the Board of Managers and shall consist of two managers, with support from the administrator and the District's legal counsel. The committee shall review annually the Governance Manual, and make recommendations for revisions to the Board of Managers. All meetings of the committee shall be noticed and open to the public as required by the Open Meeting Law.

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints Managers _____ and _____ to the Governance Committee:

The question was on the adoption of the Resolution and there were ____ yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

ii. Personnel Committee. The Personnel Committee is a standing committee of the Board of Managers and shall consist of two managers, with support from the administrator and the District's legal counsel. The committee shall make recommendations to the Board of Managers on personnel and human resources matters. All meetings of the committee shall be noticed and open to the public as required by the Open Meeting Law, except for meetings which are required to be closed or may be closed pursuant to the Open Meeting Law.

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby appoints Managers _____ and _____ to the Personnel Committee:

The question was on the adoption of the Resolution and there were ____ yeas, ____ nays and ____ abstentions as follows:

Yea

Nay

Abstain

Absent

CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ___, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

o. Review of District fee and permit security schedules

Motion by Manager _____ seconded by _____ to adopt the following resolution:

NOW THEREFORE BE IT RESOLVED that the Board of Managers hereby adopts the following fee and permit security schedule:

Riley-Purgatory-Bluff Creek Watershed District Permit Fee Deposit and Rate Schedule

Effective Since February 6, 2020

The following permit-fees deposits will be required from permit applicants to complete or continuing processing an application or permit, in keeping with established RPBCWD policy (see RPBCWD Board of Managers adopted Resolution 2020-001 for additional information).

Deposits¹

For land-disturbing activities on record single-family residential property: \$200

For Wetland Conservation Act applications: \$500

For subdivision of land and all other projects: \$3,000

Applicants requesting a variance or exception under Rule K – Variances and Exceptions must submit an additional deposit of \$2,000.

Rates

Application processing fee \$10

Inspection, services of consultants, monitoring –

RPBCWD staff \$57.40/hour

Consulting engineer/technician contracted rate

Counsel contracted rate

Electronic recordkeeping, postage, mailing, contracted administrative services and other miscellaneous services will be billed at cost.

- Permit fee deposits will be held in escrow and applied to reimburse RPBCWD for costs including, but not limited to, permit review, administration, inspections, and close-out-related activities;
- When a permit application is approved, the deposit will be replenished to the applicable deposit amount by the applicant before the permit will be issued to cover actual costs incurred to monitor compliance with permit conditions and the RPBCWD Rules;
- No permit will be modified, renewed or extended if the applicable permit fee deposit balance is negative; and

- RPBCWD administrator will return any unused portion of an applicant's permit fee deposit to the permittee within 45 days of notice from the permittee that the permitted work has been completed, unless RPBCWD determines that the work has not been completed in accordance with the applicable permit
- All permit applicants and permittees replenish the permit fee deposit to the original amount or such lesser amount as the RPBCWD administrator deems sufficient within 30 days of receiving notice that such deposit is due, and directing the administrator to close out the relevant application or permit and revoke prior approvals, if any, if the permit-fee deposit is not timely replenished.

Financial Assurance Rate Schedule

Effective Since May 1, 2019

RPBCWD requires a financial assurance to ensure the performance and completion of work in accordance with a permit issued by RPBCWD. A financial assurance, when required, is pursuant to Minnesota Statutes section 103D.345 and RPBCWD Rule M – Financial Assurances, and rates are as follows:

<u>Rule</u>	<u>Financial Assurance Amount</u>
Rule C – Erosion and Sediment Control	\$2,500/acre disturbed, plus \$2.50/foot of erosion control, \$100/ea inlet, and \$250/ea rock construction entrance
Rule D – Wetland and Creek Buffers	\$5,000 + \$1,000/acre over 10 acres
Rule E – Dredging and Sediment Removal	125 percent of design engineer's opinion of cost
Rule F – Shoreline or Streambank Stabilization	Total number of feet of shoreline or streambank affected times \$100
Rule G – Waterbody Crossings and Structures	125 percent of design engineer's opinion of cost of installation and restoration
Rule J – Stormwater Management	125 percent of design engineer's

opinion of costs of construction of
stormwater management facilities/practices,
and \$5,000 chloride management plan

Minimum financial assurance amount (when required) for projects other than those on a single-family home property: \$5,000.

No financial assurance is required for a permit under Rule H or Rule I.

Financial assurances must include 10 percent administrative costs in addition amounts calculated according to schedule above.

The question was on the adoption of the Resolution and there were ____yeas, ____ nays and ____ abstentions as follows:

<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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CRAFTON

KOCH

PEDERSON

WARD

ZIEGLER

Upon vote, the president declared the resolution _____.

Dated: January ____, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

p. Review of Governance Manual