

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

November 1, 2023, RPBCWD Board of Managers Regular Monthly Meeting

PRESENT:

Managers: Jill Crafton, Treasurer
Tom Duevel, Vice President
Larry Koch
Dorothy Pedersen, Secretary
David Ziegler, President

Staff: Amy Bakkum, Office Administrator
Zach Dickhausen, Natural Resources Coordinator
Liz Forbes, Communications Manager
Terry Jeffery, District Administrator
Joshua Maxwell, Water Resources Coordinator
Mat Nicklay, Natural Resources Technician
Louis Smith, Attorney, Smith Partners
Scott Sobiech, Barr Engineering Company

Other Attendees: Andrew Aller, CAC
Rod Fisher, EP Duck Lake Assoc.
Laura Kaufman, EP Duck Lake Assoc.
Marilyn Torkelson

Note: the Board meeting was held remotely via meeting platform Zoom because it was deemed not prudent to meet in person due to COVID-19.

1. Call to Order of Board of Managers Regular Monthly Meeting

- 1 President Ziegler called to order the Wednesday, November 1, 2023, Board of Managers Regular
- 2 Meeting at 7:02 p.m. He stated the Board is conducting this meeting via Zoom out of an
- 3 abundance of caution regarding COVID.
- 4 Louis Smith called attendance for the Board of Managers as follows:

| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Present |
| Duevel | Present |
| Koch | Present |

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| Pedersen | Present |
| Ziegler | Present |

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2. Approval of Agenda

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Manager Crafton moved to adopt the agenda as submitted. Manager Pedersen seconded the motion.

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Manager Koch moved to amend the motion to amend the agenda as follows: Move 6b – Receive October Staff Report, 6c – Receive October Engineer’s Report, and 6d – Receive October Regulatory Report to item 5 and rename item 5 to “Committee and Staff Reports” and moving items 7d, 7e, 7f, and 7h to the Consent Agenda [7d – Consider Permit 2023-003 Galpin Boulevard Variance Request from Rule D Minimum Buffer Width Requirement; 7e – Consider Permit 2023-003 Galpin Boulevard Exception Request from Rule J Rate Control Requirement; 7f – Approve Permit 2023-003 Galpin Boulevard as Presented in the Proposed Board Action Section of the Permit Review Report; 7h – Adopt Resolution 23-070 Approving Barr Engineering Request to Increase the Budget for Task Order 44 by \$12,000 for Construction Administration Services].

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Mr. Smith said the Board’s typical practice has been to have the Board separately consider or act on a variance or exception before acting on a permit. He said it is within the Board’s discretion to deal with the items together if the Board believes it has reviewed the information and all is in order and the Board agrees with granting the variance and exception based on the findings presented in the staff report and engineer report. Mr. Smith reiterated it is within the Board’s authority to deal with these items in a single motion, but the Board’s practice has been to take them up separately.

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By unanimous consent, the managers consented to Manager Koch’s amendment to the motion.

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

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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3. Matters of General Public Interest

30 President Ziegler explained the procedures for raising matters of public interest.

31 Rod Fisher of the Eden Prairie Duck Lake Association said he and Association member Laura
32 Kaufman are here to comment that the Association is eager to see an update of the Duck Lake
33 Management Plan. He said his understanding is the District Board needs to approve the budget to
34 move ahead with the plan update and that the topic is on the agenda for the Board's December
35 21st workshop. Mr. Fisher said if that is not the case, the Association would appreciate any
36 direction from the District to support the Association's goal. He said in the past year the
37 Association has done a lot of work to build its membership and set its goals with input from the
38 members. Mr. Fisher said the Association's goals depend on a current lake management plan. He
39 thanked the District and Board for supporting Duck Lake. Mr. Fisher said the Association is
40 eagerly seeking any feedback on input, work, and action the Association can take to help the plan
41 update move forward.

42 Marilyn Torkelson said she read the article in the Eden Prairie news about restoring and buying
43 the 28 acres adjacent to the Prairie Bluff Conservation Area. She said she is thrilled with the
44 news. Ms. Torkelson quoted the National Wildlife Federation as follows:

45 As habitat continues to be fragmented, degraded, and lost to development, the need for
46 coordinated connectivity network is growing. Better habitat connectivity will allow wildlife
47 to migrate and disperse throughout the country with the changing seasons, boost
48 biodiversity and resiliency in the degraded ecosystems, safeguard genetic flow between
49 populations, and ensure species are better able to adapt to the changing climate.

50 Ms. Torkelson said we have no idea how the organisms large and small being able to migrate will
51 affect water quality, but we can only assume from ecological history it will benefit water quality
52 as well. She said she appreciates the work the Board has done to advance this project.

53 Manager Koch said he is not against preserving property but he believes the watershed district is
54 limited to the purposes set forth in the enabling statutes. He stated he believes as a matter of law
55 acquiring this property would effectively turn into a park or conservation land, which is not
56 consistent with the District's statutory authorities and purposes for which the District is
57 established. He said there are plenty of other agencies tasked with preserving property, and the
58 District's purpose is to deal with and protect the water. Manager Koch said there is nothing that
59 has been shown that this property needs to be acquired to protect the waters. He said the other
60 four managers voted to approve a permit that is supposedly in existence to develop that property
61 with no degradation to the waters, in accordance with the District's rules. Manager Koch said he
62 does not believe the District is in a position to acquire that property. Manager Koch said
63 according to statements by Administrator Jeffery regarding this property acquisition, there will be
64 some delay to other District projects that according to the District's project ranking are much
65 more in need of being dealt with by this watershed district because of direct impact to water
66 quality. He said when he talked with the Friends group, he was assured the group had the funds
67 available to purchase the property and there would be no need to raise any taxes or provide any
68 funds from the District. Manager Koch said apparently that information was not true. He said if
69 the group can go find the money, they should go do that, especially given the news he heard that
70 there is over two billion dollars available in the next legislature session. Manager Koch said the

71 funding for the property acquisition should not be a burden on the taxpayers of the Riley
 72 Purgatory Bluff Creek Watershed District.

73 Ms. Torkelson said the property will provide a great opportunity to engage with and educate the
 74 public. She said Manager Koch might have to agree to disagree regarding the property
 75 acquisition. Ms. Torkelson noted the District bought the Pioneer wetland, which has been a
 76 wonderful project.

77 Manager Koch said he thinks the property should be conserved but does not think it is within the
 78 District’s wheelhouse to be the agency conserving it.

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4. Reading and Approval of Meeting Minutes

80 **a. Approve Minutes of the September 27, 2023, Continuation of the September 13**
 81 **Regular Meeting of the RPBCWD Board of Managers**

82 Manager Koch moved to approve all three sets of minutes [September 27th Board meeting
 83 Continuation, October 4th Board regular meeting, and October 19th Board work session].
 84 Manager Pedersen seconded the motion.

85 Manager Pederson noted she was in attendance on the October 4th and October 19th
 86 meetings and noted the attendance record in the minutes should reflect this. Upon a roll
 87 call vote, the motion carried 5-0 as follows:

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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90 **b. Approve Minutes of the October 4, 2023, Regular Meeting of the Board of Managers**
 91 [See item 4a.]

92 **c. Approve Minutes of the October 19, 2023, Work Session of the Board of Managers**
 93 [See item 4a].

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5. Committee and Staff Reports

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a. Adopt Resolution 23-069 to Receive Committee Minutes

Manager Crafton moved to adopt Resolution 23-069 to Receive Committee Minutes. Manager Pedersen seconded the motion with the change to adopt the October staff reports as well. Manager Koch moved to amend the motion to also accept the October staff report, October engineer’s report, and October regulatory report. Manager Pedersen seconded the motion.

Upon a roll call vote, the motion to amend carried 5-0 as follows:

| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

• Receive October Staff Report

Regarding the October staff report, Manager Koch asked if work is being done or planned to find the source of the zebra mussels found on a lake dock in Lotus Lake and to try to eradicate or control the zebra mussels. Administrator Jeffery said there is not a rapid response plan in place because of the widespread area in which zebra mussels were found.

Josh Maxwell said the District is in contact with the Department of Natural Resources, Carver County, and the City of Chanhassen and is further looking into the source of the zebra mussels. Mr. Maxwell said to-date no live adult mussels have been found on Lotus Lake. He said all the adult mussels found have been desiccated.

Manager Koch asked if a report will be made available regarding the various testing that has been done. Mr. Maxwell said the results of the phytoplankton and zooplankton monitoring will be in the water resources report at the end of the year.

Manager Koch asked if the District treated Lake Mitchell this year for Brittle Naiad. Mr. Maxwell said he worked with the Department of Natural Resources and the City of Eden Prairie and together they determined the time of the discovery of the invasive was too late for safe treatment. He said it will be monitored and reassessed next year for treatment.

- 124 • **Receive the Citizens Advisory Committee Report and Minutes and**
 125 **Confirm Board Representative for November 20, 2023, Meeting of the**
 126 **CAC**

127 Ms. Torkelson reported Administrator Jeffery gave a presentation on the Ecosystem
 128 Health Action Plan (EHAP). She said the CAC discussed how cities and counties
 129 have shared problems that prevent ecosystem health and how these teams are
 130 coordinating and working to find solutions and resolutions for healthy ecosystems.
 131 Ms. Torkelson said the CAC is looking forward to reviewing the EHAP next year.
 132 Ms. Torkelson said Mr. Jeffery also talked to the CAC about the Spring Road
 133 conservation project.

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- 135 • **Receive Personnel Committee Report**
 - 136 • **Receive Governance Committee Report (No meeting held in October)**
 - 137 • **Receive Audit and Finance Committee Report**
 - 138 • **Receive October Engineer’s Report**
 - 139 • **Receive October Regulatory Report**

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141 Upon a roll call vote, the motion to adopt Resolution 23-069 as amended to Receive
 142 Committee Minutes and accept the October staff report, engineer’s report, and regulatory
 143 report carried 5-0 as follows:

| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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6. Consent Agenda

- 146 **a. Adopt Resolution 23-066 to Approve Consent Agenda**

147 Administrator Jeffery said the amended Consent Agenda includes 6a – Adopt Resolution
 148 23-066 to Approve Consent Agenda; 7d – Consider Permit 2023-003 Galpin Boulevard

149 Variance Request from Rule D Minimum Buffer Width Requirement; 7e – Consider
 150 Permit 2023-003 Galpin Boulevard Exception Request from Rule J Rate Control
 151 Requirement; 7f – Approve Permit 2023-003 Galpin Boulevard as Presented in the
 152 Proposed Board Action Section of the Permit Review Report; and 7h – Adopt Resolution
 153 23-070 Approving Barr Engineering Request to Increase the Budget for Task Order 44 by
 154 \$12,000 for Construction Administration Services.

155 Manager Koch moved to adopt Resolution 23-066 to cover the items listed by
 156 Administrator Jeffery and to be included in the final resolution. Manager Pedersen
 157 seconded the motion.

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

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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7. New Business

161 **a. Items Removed from Consent Agenda**

162 [No Consent Agenda items were moved to New Business].

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164 **b. Accept October Treasurer’s Report**

165 Manager Crafton moved to accept the October Treasurer’s report as submitted. She
 166 stated the report has been reviewed in accordance with the District’s internal controls
 167 and procedures. Manager Pedersen seconded the motion.

168 Manager Koch noted discrepancies with the data’s dates and moved to table the report
 169 until the Board Treasurer, the Audit and Finance Committee, and the accountant can
 170 review it and make sure the dates on the report match correctly. Manage Koch
 171 suggested the report be updated to also list percentage of budget remaining for each line
 172 item.

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Manager Crafton seconded the motion to table the Treasurer’s Report.

Upon a roll call vote the motion to table the report carried 5-0 as follows:

| <i>Manager</i> | <i>Action</i> |
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| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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c. Resolution 23-067 Approving Payment of the Bills

Manager Crafton moved to adopt Resolution 23-067 Approving Payment of the Bills.
President Ziegler seconded the motion.

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

| <i>Manager</i> | <i>Action</i> |
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| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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g. Award Lake Susan Park Pond Reuse Intake Modification to Peterson Companies for \$106,297.00 as Presented in the Proposed Board Action Section of the Barr Engineering Recommendation Memo

Manager Pedersen moved to award the Lake Susan Park Pond Reuse Intake Modification to Peterson Companies as Presented in the Proposed Board Action Section of the Barr Engineering Recommendation Memo. President Ziegler seconded the motion. [The recommended Board Action as presented in the memo is as follows:]

Recommended Board Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions for the Lake Susan Park Pond Reuse Intake Modification project at the November 1, 2023 meeting of the managers:

Resolved that the construction project be awarded to Peterson Companies at the quote price of \$106,297.00;

Resolved that on the President or administrator is authorized and directed to sign and deliver the Notice of Award, execute the contracts, and sign the Notice to Proceed at the appropriate points in the contracting process;

Resolved that the administrator is authorized to execute change orders within 10% of the contract amount.

Upon vote, the resolutions were adopted, _____ [VOTE TALLY].

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Manager Koch asked if issues with the floating suction intake pre-date the years of low water levels or if the issue is a function of the low water level. Administrator Jeffery responded there have been issues with it losing prime from the time it went online.

Manager Koch asked if staff believes the proposed intake modification will alleviate the problem.

Mr. Sobiech said the proposed design has been used successfully other places and staff has worked with the vendor to help ensure it meets all of the vendor’s design criteria. He said to the best of staff’s knowledge the proposed work will resolve the problems.

Manager Koch moved to amend the motion to insert the project number in parentheses after “Lake Susan Park Pond Resue Intake Modification project,” and to capitalize the word “Project” in the first resolving statement, and to edit the last resolving statement to state, “...change orders the aggregate amount of which shall not exceed 10%...”

Manager Pedersen seconded the motion to amend.

Upon a roll call vote the amendment carried 5-0 as follows:

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| <i>Manager</i> | <i>Action</i> |
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| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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i. Approve Resolution 23-068 to Elect Two Minnesota Watersheds Delegate and an Alternate

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Manager Pedersen moved to Adopt Resolution 23-068 to Elect Two Minnesota Watershed Delegate and an Alternate, nominating Manager Crafton and President Ziegler as the Delegates and Manager Tom Duevel as the Alternate. President Ziegler seconded the motion.

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

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |

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| Ziegler | Yes |
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j. **Adopt Resolution 23-071 to Authorize President or Administrator to Execute, with Advice of Legal Counsel, the Engagement Letter with Northland Securities**

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Manager Pedersen moved to Adopt the Spring Road Conservation Project Resolution 23-071 to Authorize President or Administrator to Execute, with Advice of Legal Counsel, the Engagement Letter with Northland Securities. Manager Crafton seconded the motion.

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Louis Smith said following the Board’s action to approve the assignment agreement and initiate the plan amendment and hearing process on ordering the Spring Road Conservation Project, Legal Counsel followed up with Hennepin County Finance about both the short-term and long-term financing needs for this project. The response from Hennepin County communicated the County does not feel it would be in a position to provide short-term financing on the time table requested but would be in a position to provide long-term financing through the issuance of bonded debt in late fall of 2024.

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Mr. Smith said he reviewed the County’s response with public finance and bond counsel Stephen Rosholt of Kutak Rock LLP. He said Smith Partners recognizes the District has its own authority to issue its own debt, which would be appropriate for the District to explore as the path for short-term financing and then turn to Hennepin County for long-term financing late next year.

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Mr. Smith said Mr. Rosholt has recommended in the past, and Mr. Smith has worked with previously, George Eilertson of Northland Finance. Mr. Smith said Mr. Eilertson has worked with a number of watershed districts on issuing bonded debt and believes he would be able to assist the District with this endeavor.

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Mr. Smith said the action the Board could consider taking this evening is to authorize the engagement of Mr. Eilertson’s firm Northland Finance as a placement agent. Mr. Smith explained in essence it would involve the District issuing a private placement of general obligation temporary bonds.

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Mr. Smith said Mr. Eilertson has an engagement letter prepared. Mr. Smith recommended the District’s template services agreement be on top with Mr. Eilertson’s engagement letter as an attachment. Mr. Smith said the services agreement also will provide clarity about Mr. Eilertson’s fee for the engagement and placement of the short-term debt.

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Mr. Smith said if the Board takes action to engage Mr. Eilertson’s firm, then Mr. Eilertson would proceed to do the work in the market and come back to the District with a recommendation on the most favorable terms for the District on short-term financing. Mr. Smith said the Board would then be in a position to consider Mr. Eilertson’s

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266 recommendations as the Board considers other related decisions to the project before the
267 end of the year.

268 Mr. Eilertson introduced himself and described his experience and how he could assist
269 the District regarding short-term financing. He said his understanding is the District
270 needs one-year financing as a bridge until the District takes up financing with Hennepin
271 County.

272 Mr. Eilertson said the engagement letter in front of the Board essentially creates a
273 relationship between Northland Securities and the District. He said it is a non-binding
274 agreement and does not require the District to issue debt or to work with Northland
275 Securities but provides for that relationship for Northland Securities to be able to
276 provide advice and work with the District. Mr. Eilertson said it is achievable to get
277 financing put together and closed by the end of the calendar year, which he understands
278 is the District's goal.

279 Mr. Eilertson said the work would entail Northland Securities working with the
280 District's administrator and legal team to put together a term sheet for local lending
281 institutions to learn more about the project and structure of the debt and to provide a
282 financing bid. He said Northland Securities would be working on behalf of the District
283 to get a fair rate and structure and not on behalf of the purchaser of the debt. He said it
284 is important the financing contain a provision for the District to exit the financing.

285 Manager Koch said the District should be getting a municipal advisor for advice on the
286 transaction. He said he thinks the District's agreement should make it clear the District
287 can cut the cord at any time without any obligations other than expenses the District
288 agreed to provide. Manager Koch said he does not vote for agreements that he has not
289 seen. He said he is reluctant to sign on a contract and buy property on just short-term
290 debt because he does not know what will happen in 12 months. Manager Koch
291 recommended the Board table this and reconvene in a few days after Mr. Smith has had
292 a chance to put together a draft services agreement with the appropriate terms from
293 Northland Securities' engagement letter.

294 Manager Duevel asked for an explanation of the difference between a bond advisor and
295 the capacity in which Mr. Eilertson would be working for the District and also the
296 difference between acting as a fiduciary or not.

297 Mr. Eilertson said one of the reasons why a private placement agreement is in front of
298 the Board instead of a municipal advisory agreement is due to the short-term nature of
299 the debt and the short timeline to get the debt financed. He said the agreement does not
300 say that Northland Securities is serving in the role of municipal provider since it is not a
301 municipal advisory agreement, but Northland Securities performs that function
302 internally to put together offering documents and work on the District's behalf. Mr.
303 Eilertson explained a private placement is when more than likely there is one buyer that
304 might be at the table for the financing. He said if the rate offered by that buyer is not
305 market value, Northland Securities would then shop the debt around. Mr. Eilertson said
306 in a private placement relationship, Northland Securities can also send out the financing
307 structure to multiple bidders or also Northland Securities can directly place the debt

308 with buyers. He said in a private placement relationship, Northland Securities works in
 309 a little larger capacity to place the District’s debt. Mr. Eilertson said there would not be
 310 any fee paid by the District to Northland Securities until there is a satisfactory resolution
 311 awarding the sale. He said the bond attorney works in that same capacity as in no fee is
 312 paid unless there is a successful financing put together.

313 Manager Duevel asked why Northland Securities would not be acting as a fiduciary if
 314 Northland Securities is acting on the District’s behalf.

315 Mr. Eilertson said he will consider if putting a municipal advisor agreement in front the
 316 Board would make more sense and he will review the information with the District’s
 317 staff to determine this.

318 Manager Koch suggested tabling this item to a Board meeting continuance to provide
 319 time for the Administrator, Legal Counsel, and Mr. Eilertson to confer and determine a
 320 recommendation about the agreement.

321 Manager Koch moved to table this item to a meeting continuance on Monday,
 322 November 6, 2023, at 5:30 p.m. Manager Pedersen seconded the motion.

323 Manager Duevel said he has concerns about the financing occurring in two steps, the
 324 short-term debt and the long-term debt, because of the unknowns in the market for next
 325 year, especially given it is an election year.

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

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| <i>Manager</i> | <i>Action</i> |
|----------------|---------------|
| Crafton | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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8. Discussion Items

329 a. Board Room

330 Administrator Jeffery said there are some licensing issues to resolve to access the AV
 331 technology that broadcasts the meetings. He recommended if the system is not working
 332 by Friday, November 3rd, the Board should consider if it wants to hold its November
 333 16th virtually rather than in person.

334 President Ziegler directed Administrator Jeffery to provide an update on this topic at the
335 Board's meeting continuation on November 6th.

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337 **b. Workshop Schedule**
338 Administrator Jeffery reported he has been working on a new workshop schedule
339 that comprises quarterly workshops. He said the Board can schedule additional
340 workshops if they are needed. Administrator Jeffery said he will bring the
341 schedule and topics to the Board at its December regular Board meeting.

342 Manager Koch said he would like to discuss this at the November or December
343 workshop. Administrator Jeffery said there might be time to discuss the
344 workshop calendar before or after the public hearing on November 16.

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346 **c. MN Watersheds Annual Conference Schedule**
347 Administrator Jeffery confirmed that all five managers are registered and planning to
348 attend.

349 Manager Crafton asked about the status of the wake boat resolution. Administrator
350 Jeffery said the resolution has been introduced and is still alive in front of Minnesota
351 Watersheds and has not sunset. Manager Crafton asked if the District could send a link
352 to the video about what the wake boats do in case anyone wants to view it. President
353 Ziegler asked Manager Crafton to send the link to the video to him and to Jan and to ask
354 Jan to forward the link to watersheds that have supported this resolution in the past.

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9. Member Reports

356 **a. Manager Reports**
357 Manager Koch said there are leaf problems in the streets in Chanhassen. He said the
358 District put in \$30,000 for the City's leaf vacuum equipment and he would like the
359 District to look into developing a program like the one Forest Lake developed. President
360 Ziegler noted Mr. Smith's comment that the person leading that initiative for Forest
361 Lake/Comfort Lake is now with the City of Edina.

362 Administrator Jeffery said he will reach out to Joe Seidl of the City of Chanhassen
363 Public Works to find out the status of the City's street sweeping and leaf collection plan.

364 Manager Crafton said Ross Bintner with the City of Edina did a presentation on street
365 sweeping at this year's Water Resources Conference. Administrator Jeffery agreed and
366 said he will reach out to Mr. Bintner for the information he presented.

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368 **b. Administrator Reports**
369 Administrator Jeffery said Smith Partners has been working with watershed partners to
370 draft chloride legislation to try to help move it across the finish line. He said he would

371 like the District to become a financial partner in the effort at cost of \$3,000, which is
 372 available in the District’s partnerships budget. He said it is in his purview as
 373 Administrator to move forward with that partnership, but he would like the Board’s
 374 support. Each of the managers commented in favor of the financial partnership at a cost
 375 of \$3,000.

376 Manager Koch said he would like the District’s education and outreach to get notices
 377 out to residents regarding salt and permitting and to utilize the member cities’
 378 communication pieces.

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380 **c. Legal Counsel Reports**

381 Mr. Smith reported on the Friends of the Spring lawsuit, noting there is a proposal being
 382 discussed to stay that lawsuit pending the outcome of the Spring Road project. He said
 383 there is no specific proposal to bring to the Board at this time.

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10. Upcoming Board Topics

- 385 • Barr Presentation of Scope of Work for a holistic lake management plan

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387 Manager Duevel asked about any EHAP follow up. Administrator Jeffery said staff will
 388 start working with the Board after the holidays or in the spring to start developing a plan.

11. Upcoming Events

- 389 • MN Watersheds Annual Conference, 11/28/23 – 11/30/23

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12. Adjournment

391 Manager Koch moved to continue the meeting to Monday, November 6 at 5:30 p.m. Manager
 392 Pedersen 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 | Yes |
| Duevel | Yes |
| Koch | Yes |
| Pedersen | Yes |
| Ziegler | Yes |

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The Board continued the meeting at 9:02 p.m.

Respectfully submitted,



Dorothy Pedersen, Secretary