

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

August 11 Continuation of August 3, 2022, RPBCWD Board of Managers Work Session & Regular Monthly Meeting

PRESENT:

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

Staff: Zach Dickhausen, Water Resources Technician II
Terry Jeffery, District Administrator
Scott Sobiech, Engineer, Barr Engineering Company*

Note: the continuation of the Board's August 3rd meeting was held remotely via meeting platform Zoom in abidance with the District's procedures in response to state COVID-19 actions, mandates, and guidance.

10. Committee Reports

1 At 7:00 p.m. on Thursday, August 11, 2022, President Ziegler continued the RPBCWD
2 August 3, 2022, Regular Board Meeting.

3 **a. Personnel Committee Report**

4 **i. Compensation Packages and Staff Organization Adjustments**

5 President Ziegler asked for clarification about the Committee's recommendation in
6 the Committee notes regarding the employee pension plan and a 1% match.

7 Manager Pedersen explained the details of the proposed District match of 1% of an
8 employee's salary and the proposed cap.

9 Manager Koch commented on Statute 13D.02, various subdivisions. He
10 summarized his understanding of the content and implications for the District's
11 committees, noting requirements for roll call votes under circumstances of meeting
12 via interactive technology and other details that the District's committees should
13 follow and items the committees' minutes should reflect.

14 Manager Koch expressed his concern about the Personnel Committee including in
15 its discussion the topic of families as opposed to people who were single. He said he
16 is concerned that could be a discriminatory practice. Manager Koch said he doesn't
17 believe family status is an authorized means of making distinctions in people's

18 salaries, etcetera. He said perhaps a conversation with employment counsel would
19 be appropriate.

20 Manager Koch remarked that during the meeting, none of the documents were
21 available to the public. He said Minnesota Statute 13D requires that there be copies
22 of the documents to be considered available to the public for consideration at the
23 meeting. He said he would like to direct the Personnel Committee to address that.

24 Manager Koch shared his opinion that the Committee's minutes were incomplete
25 because there was a discussion of the upcoming Board meeting items that were on
26 the agenda. He said all of those were not referenced in the meeting agenda and were
27 beyond the scope of the meeting, as it was a special meeting.

28 Manager Koch said he has another comment but he thinks it's better made at a later
29 date and time.

30 Manager Pedersen said Manager Koch is correct that the Committee's discussion
31 about family had nothing to do with the discussion about compensation levels and
32 pay structure. Manager Pedersen said the Personnel Committee may operate more
33 informally than what Manager Koch would like to see. Manager Koch responded
34 that the statute contains no exceptions for informality.

35 Manager Koch added that statute requires the minutes indicate the basis on which
36 the meeting is being conducted via interactive technology.

37 Manager Koch said that is all he has at this time, but he will have further comments
38 on items that were stated but not reflected in the minutes of that meeting.

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40 **b. Governance Committee Report**

41 President Ziegler reported the original notes provided in the packet have been updated.
42 Administrator Jeffery said the updated notes haven't yet been posted or sent to the
43 managers but he will do so.

44 Manager Koch said those minutes will need to be amended at the next meeting to
45 comply with the statute that requires the minutes to set forth why the meeting was held
46 via interactive technology.

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11. Discussion Items

48 **a. MN Data Practices Request**

49 **b. Old Business: CAC Action Items**

50 Manager Koch shared his recommendation about how the Board should address the
51 items the CAC brings up to the Board.

52 Manager Duevel asked for clarification on the role of the Board representative at the
53 CAC meetings. President Ziegler explained the role.

54 **c. Old Business: Meet & Greet**

55 Manager Koch asked for an update on the meet and greet. The managers agreed by
56 consensus to put this item on the September preliminary agenda.

57 **d. Old Business: Low Mow and Cultivators**

58 Manager Koch said he would like to see included as part of the Board’s September
59 discussion on soil health a discussion about coming up with a District program
60 promoting low mow.

61 Administrator Jeffery summarized staff is working with SRF to draft an action plan that
62 staff will bring to the Board in September to discuss regarding soil health.

63 Manager Pedersen pointed out the low mow cultivar developed by the University of
64 Minnesota is not necessarily the best choice for improving soil health much as it doesn’t
65 have deep roots. She said low mow might not be the best use of cost share dollars.

66 Manager Koch said he thinks it would make sense to have staff send what they develop
67 regarding soil health and low mow and ask for the CAC’s input before it is presented to
68 the Board. Manager Koch moved to have the soil health and low mow items sent to the
69 CAC and request the Committee consider the items and provide the Board with input.
70 Manager Pedersen seconded the motion.

71 Administrator Jeffery said he would like to present a work order to the Board at its
72 September meeting. He said then it could go to the CAC if the Board approves moving
73 forward at the September meeting. Administrator Jeffery said then the CAC could
74 review and provide input and then he could bring it back to the Board at its November
75 meeting.

76 Manager Koch moved to amend his motion to direct staff to come up with a task order
77 for consideration at the next meeting, then take it to the CAC for its input, and
78 ultimately bring it back to the Board for final approval. Manager Pedersen accepted the
79 friendly amendment. Upon a roll call vote, the motion carried 5-0.

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

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e. Old Business: Letter to City of Chanhassen on Wake Boats

Administrator Jeffery reported he worked with District Legal Counsel to update the proposed resolution to MAWD. Administrator Jeffery said he is now working with Legal Counsel to draft a letter to the City of Chanhassen and staff will bring the draft letter to the Board for its September meeting.

Manager Koch said he thinks it would be a good idea to send the letter to both the City of Eden Prairie and the City of Chanhassen. Administrator Jeffery suggested sending a letter to the sheriff’s office. Manager Koch said the content of a letter to the sheriff’s office might be different, but the letters to the cities could mention that the sheriff’s office and other law enforcement need us to be definitive.

f. Old Business: Contact City of Chanhassen on Debris in Gutters

Administrator Jeffery reported about his conversation with the public works director for the City of Chanhassen. Manager Koch talked about what he has seen in Chanhassen regarding weeds and debris and mowers. He pointed out that in Chanhassen the water goes into the creeks, stormwater ponds, or lakes, so it’s not appropriate not to take care of the weeds.

g. IT RFP

Administrator Jeffery suggested finding someone who could work on a retainer basis. Manager Koch said he will provide Administrator Jeffery with a contact who might be able to provide recommendations. Manager Koch suggested Administrator Jeffery work on developing an RFP if staff is looking to recommend changing vendors, then the Board would have something to review and consider.

h. Old Business: Previous Matter of Public Interest

Manager Koch asked if the people who spoke during the matters of public interest at a previous Board meeting had been in touch with staff. Administrator Anhorn said yes the couple was in touch with the District and the City of Minnetonka. Manager Koch said he thinks it would be good PR to include that letter in the next Board packet.

i. Old Business: Revisions to Bearpath Agreement

Manager Koch asked for an update on the status of the revisions to the Bearpath agreement. Administrator Jeffery reported the revisions have been made but the District hasn’t provided the revised agreement to Bearpath because the District is waiting for Bearpath to provide proof they have recorded the easements .

118 **j. Old Business: Grant Application to BWSR**

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12. Manager Reports

120 No report.

13. Administrative Reports

121 No report.

14. Upcoming Board Topics

122 **a. UofM Pond Study Findings**

123 Administrator Jeffery said the District provided funding for this project for three years,
124 and the District has been provided a final report. He reported he has asked Professor
125 Gulliver to present the findings to the Board.

126 **b. Hennepin County – Climate Action Plan**

127 Administrator Jeffery said he has asked the County to present the plan to the Board.
128 President Ziegler asked Administrator Jeffery to invite the CAC to both presentations.

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15. Upcoming Events

130 a. TAC Meeting August 18, 2022

131 b. MAWD Summer Tour – August 23-25, 2022

132 c. MAWD Annual Conference 11/30/22 – 12/3/22

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16. Adjournment

134 Manager Pedersen moved to adjourn the meeting. Manager Crafton seconded the motion. Upon a
135 roll call vote, the motion carried 5-0.

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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 meeting adjourned at 8:02 p.m.

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Respectfully submitted,

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Dorothy Pedersen, Secretary

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