

MEETING MINUTES
Riley-Purgatory-Bluff Creek Watershed District
September 13, 2023, RPBCWD Board of Managers Regular Monthly Meeting

PRESENT:

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

Staff: Amy Bakkum, Office Administrator
Zach Dickhausen, Natural Resources Coordinator
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: Sharon McCotter, CAC
Ted Melby
Maya Santamaria

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, September 13, 2023, Board of Managers
2 Regular Meeting at 7:04 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
Pedersen	Absent
Ziegler	Present

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2. Approval of Agenda

6 Manager Koch moved to switch the Approval of Agenda to the second item on the agenda.
 7 President Ziegler seconded the motion. Manager Koch requested moving Consent Agenda items
 8 7b-7g to action items under item 9a.

9 Mr. Smith requested adding an item under Legal Counsel Report 11c to provide a report on the
 10 State of Minnesota by Spring Valley Friends vs. Riley Purgatory Bluff Creek Watershed District
 11 (RPBCWD).

12 Manager Koch said he has something to say under manager reports if the meeting is not running
 13 too late.

14 Manager Koch and President Ziegler consented to the changes to the motion.

15 Upon a roll call vote, the motion carried 3-0 as follows:

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

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3. Public Hearing on Proposed 2024 Annual Budget and Levy

18 President Ziegler opened the public hearing on the District’s proposed 2024 annual budget and
 19 levy. Administrator Jeffery reported the proposed 2024 budget is \$6,554,651.62 and the proposed
 20 2024 levy is \$4,047,280.62. He said the proposed levy is an increase of 6% over the 2023 levy.

21 Manager Koch asked for a summary of the changes made to the proposed budget line items to
 22 accommodate the increase in the Opportunity Projects line item. Administrator Jeffery explained
 23 the proposed Opportunity Projects budget includes a \$340,000 increase over the budget originally
 24 proposed for that line item. He described the budget line item modifications, including moving
 25 the Upper Riley Creek project timeline back to start in 2024 instead of 2023, moving the Upper
 26 Bluff Creek project back to 2024-2025, pushing the Lotus Lake alum treatment from 2023 to
 27 2024, and moving a project on Mitchell Lake and a project on Red Rock Lake to the end of the
 28 five-year schedule, so to 2027-2028.

29 President Ziegler called for public comments on the proposed 2024 budget and levy. Upon
 30 hearing none, he closed the public hearing at 7:28 p.m.

31

4. Matters of Public Interest

32 President Ziegler explained the procedures for raising matters of public interest. No matters were
 33 raised.

5. Reading and Approval of Meeting Minutes

34 **a. Approve Minutes of the August 2, 2023, Regular Monthly Meeting of the RPBCWD**
 35 **Board of Managers with Continuation on August 17, 2023.**

36 Manager Crafton moved to accept the minutes. President Ziegler seconded the motion.
 37 Manager Crafton noted the following edits: page 7, line 146, insert the word “moved” in
 38 front of “to adopt;” and on lines 299 and 336 replace WACA with WCA.

39 Mr. Smith shared the following edits suggested by Michael Welch, the legal counsel at the
 40 meeting: on page 2, updating lines 8 and 9 to read “...between Michael Welch, President
 41 David Ziegler and Terry Jeffery.” On lines 36-37 inserting “and resolution” after
 42 “delegation memo.” On lines 39- 40 after the word “packet” inserting “..., and Mr. Jeffery
 43 emailed the draft resolution to the managers this morning.” On page 18, lines 454-466,
 44 revise the summary after “...permit for the Noble Hills development” to “Mr. Welch said
 45 that the court upheld the district court’s dismissal of the challenge.”

46 Manager Koch commented that the Board has adopted a process for getting the minutes
 47 out and comments back. He said if that process is not followed it is a waste of time. He
 48 said he thinks it is in everybody’s interest to follow that process. Manager Koch asked that
 49 the managers receive the draft version of the minutes that include the mark ups.

50 Upon a roll call vote, the motion carried 3-0 as follows:

51

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

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54 **b. Minutes of the August 17, 2023, Board of Managers Work Session**

55 Manager Duevel moved to accept the minutes of the August 17, 2023, Board of Managers
 56 Work Session. Manager Crafton seconded the motion. Manager Crafton said it seems
 57 some of Manager Pedersen’s comments were not included regarding HOAs and that by
 58 putting in pollinator gardens or rain gardens they HOAs did not need to mow, which
 59 resulted in savings of \$60,000. Manager Crafton said it seems those remarks were relevant
 60 to the discussion. Manager Koch moved to table this item to the next meeting to give
 61 Manager Pedersen an opportunity to review the minutes and to comment if she has
 62 remarks that should be included. Manager Crafton seconded the motion to table.

63 Upon a roll call vote, the motion carried 4-0 as follows:

64

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

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6. Committee Reports

66 **a. Acceptance of the Citizens Advisory Committee Report and Minutes**

67 Sharon McCotter reported the CAC received a presentation from Alaina Portoghese
 68 about the project she carried out as the District’s GreenCorps member. Ms. McCotter said
 69 the CAC also had a presentation from District staff members Liz Forbes and Eleanor
 70 Mahon on some of the District’s current and future projects. She reported the CAC has
 71 developed a spreadsheet documenting the CAC motions. Ms. McCotter asked the
 72 managers to review the spreadsheet and provide any comments to the CAC this week
 73 regarding the format. Ms. McCotter said there are CAC motions that remain outstanding
 74 including:

- 75 • Authorizing staff to work on setting up a practice for the District to work with
 76 other watersheds so all the watersheds know when watersheds are reviewing their
 77 rules.
- 78 • Adopting a definition of steep slopes.

79 Ms. McCotter said the CAC believes there needs to be a process put in place regarding
 80 how the Board and CAC want to address outstanding motions.

81 Administrator Jeffery mentioned the Metro Working Group is a great opportunity for the
 82 exchange of ideas and solutions between watersheds. Manager Koch asked if the Metro

83 Working Group puts out minutes of their meetings and if so, if the RPBCWD managers
84 could receive them. Administrator Jeffery said the group puts out notes after their
85 meetings and he could provide updates to the managers after the meetings occur.
86 Manager Koch said he thinks it is a good idea for him to put the updates in the
87 Administrator’s Report.

88 Ms. McCotter asked if there has been any progress toward adopting a steep slope
89 definition and applying it to the Frederick Miller site. Administrator Jeffery said the
90 District defines steep slopes through high-risk erosion areas. He said the District
91 considers whether the slope is 18% or greater, the drainage, the soils, and the vegetation.
92 He said staff has not moved any further with making a steep slope definition. He said he
93 thinks work on this would be part of the District’s rule revision work. Ms. McCotter
94 asked if the District needs anything further in order to define the Frederick Miller hill as a
95 steep slope or if the 18% or greater characteristic identifies the property as a steep slope.
96 Administrator Jeffery said it depends on the objective and for the Frederick Miller
97 property, the permit was reviewed under the District’s rule that he described. Ms.
98 McCotter said she will share this information with the CAC.

99 Ms. McCotter asked how to proceed with setting up a process regarding how the CAC
100 and Board want to address outstanding motions.. President Ziegler suggested reinstating
101 the monthly meeting between the Board president and CAC president. Manager Koch
102 suggested managers submit their ideas for a process to Administrator Jeffery to share
103 with the CAC to start the dialog about setting up a process.

104

105 **b. Confirm Board Representative for September 18, 2023, CAC Meeting**

106 Manager Crafton volunteered to be the Board representative at the CAC’s September 18,
107 2023, meeting.

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109 **c. Receive Governance Committee Report and Minutes**

110 Administrator Jeffery said the Board meeting packet includes the Governance Committee
111 meeting minutes from the Committee’s August 4, 2023, meeting.

112 President Ziegler moved to receive the Governance Committee report and August 4, 2023,
113 Committee meeting minutes. Manager Duevel seconded the motion.

114 Manager Koch said he does not believe the District’s bylaws are as broad as Mr. Smith
115 indicated in the Committee meeting. Manager Koch said he is interested to get
116 clarification about Manager Duevel’s comment about “responding to minutia.” Manager
117 Koch asked about the status of the District applying for a PRAP grant. He said he thinks it
118 should be revisited if the applying for a grant has fallen through the cracks. Manager Koch
119 said regarding tax regulations he has provided information from the IRS website about
120 1099s vs. W-2s. He said he thinks it is pretty explicit that the IRS would treat managers as
121 W-2 employees. Manager Koch said he thinks the District should have the revenue
122 procedure examined. Manager Koch said he would like clarification on the point Manager

123 Duevel referred to regarding objections raised during meetings and the legality of how the
 124 watershed is operating.

125 Upon a roll call vote, the motion carried 4-0 as follows:

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

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128 **d. Receive Audit and Finance Committee Report**

129 Manager Duevel moved to receive the Audit and Finance Committee Report. Manager
 130 Crafton seconded the motion.

131 Manager Koch asked about the basis of the Committee’s and the Treasurer’s authority to
 132 decide on investing \$1,000,000.00 in the 4M Short-term Fund. He said the District has
 133 not adopted policies setting forth the District’s investment policies much less authorizing
 134 any one person or committee to make investment decisions. Manager Koch said he thinks
 135 neither the Treasurer nor the Committee has the authority to make investments. Manager
 136 Koch recommended the District make their investment policies soon. He said he intends
 137 to notify the state auditor as well as the Minnesota Board of Water and Soil Resources
 138 because he does not see how an auditor can give an audit opinion when the auditor has
 139 not seen or had any proved procedures for doing financial statements. He said what they
 140 cite are alleged policies that have never been adopted. Manager Koch said he thinks this
 141 should be rectified immediately. Manager Koch said it appears the Committee went into
 142 closed session. He said he has concerns that discussions about financing fall into the
 143 exception of Open Meeting Law. He said the exception is very narrow. Manager Koch
 144 said he thinks legal counsel should be present to determine if closed sessions are
 145 warranted.

146 Manager Crafton stated the Board already approved investing with the 4M Fund. She said
 147 the Committee’s discussion was on the amount of money the District should invest short
 148 term that would not be needed elsewhere in the budget. Manager Koch said Manager
 149 Crafton’s comments do not allay his concerns regarding the Committee holding a closed
 150 session nor allay the District’s need to have an adopted an investment policy. He said he
 151 does not believe the Treasurer or Audit and Finance Committee have the authority to
 152 make investment decisions.

153 Manager Duevel said the previous Board approved a resolution that authorizes the
 154 Administrator with consultation of the Treasurer to make short-term investments.

155 Manager Koch asked for a copy of the documentation Manager Duevel mentioned.
 156 Administrator Jeffery said the resolutions Manager Duevel referenced are 2021-012 and
 157 2022-016. Administrator Jeffery said he will provide the resolutions to Manager Koch.

158 Upon a roll call vote, the motion carried 4-0 as follows:

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

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161 **e. Receive Personnel Committee Report**

162 Manager Crafton moved to receive the Personnel Committee Report. Manager Duevel
 163 seconded the motion. Upon a roll call vote, the motion carried 4-0 as follows:

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

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7. Consent Agenda

166 President Ziegler listed the items remaining on the Consent Agenda - item 7a – Adopt
 167 Resolution 23-054 to Approve Consent Agenda; and 7h – Approve Permit 2023-049 351
 168 Joanna Dr-Pearson Residence as Presented in the Proposed Board Action Section of the
 169 Permit Review Report.

170 Manager Duevel moved to adopt Resolution 23-054 as amended. Manager Crafton
 171 seconded the motion. Manager Koch moved to amend the motion to include the
 172 recommendations set forth in the report by Barr Engineering with respect to this permit.

173 President Ziegler seconded the motion. Upon a roll call vote, the motion to amend the
 174 motion carried 4-0 as follows:

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

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177 Upon a roll call vote, the amended motion carried 4-0 as follows:

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

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8. Old Business

180 [No Old Business items on the agenda.]

9. New Business

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

182 **i. Receive August Staff Report**

183 Manager Duevel moved to accept the August staff report. Manager Crafton
 184 seconded the motion.

185 Manager Koch asked that the information regarding staff benefits be shared
 186 with the Personnel Committee and himself once the information is received
 187 from the provider.

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Manager Koch commented he believes it is important the District’s rules are reviewed and updated before the local stormwater management plans need to be reviewed. Administrator Jeffery said in all cases the municipalities defer enforcement of rules to the District. Manager Koch said he still thinks the Board should hold, and sooner rather than later, a workshop session on what the District’s rules are and how they should be updated. Manager Koch said he would like to see a watershed grant spreadsheet. Manager Koch commented he believes the District’s website needs significant work and he has previously provided staff with his list of issues. Manager Koch said he thinks regarding groundwater conservation the District needs to come up with a policy or scratch having money set aside for that line item. Manager Koch said regarding the District’s property at Highway 101, he thinks the District’s Legal Counsel should weigh in before the District agrees to remove fences. He said the District should have all the facts before making a decision to remove the fences or pay to remove fences.

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Upon a roll call vote, the motion carried 4-0 as follows:

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

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ii. Receive August Engineer’s Report

Manager Duevel moved to accept the August Engineer’s Report. Manager Crafton seconded the motion.

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Manager Koch said on page 2, item E, he is concerned about how much staff time and expense may be invested in the project. Mr. Sobiech said the applicant has submitted the permit fee and the variance request fee. He said he hopes to have the permit and variance in front of the Board at its October meeting.

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Upon a roll call vote, the motion carried 4-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes

Duevel	Yes
Koch	Yes
Pedersen	Absent
Ziegler	Yes

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iii. Receive August Regulatory Report

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Manager Crafton moved to accept the August regulatory report. Manager Duevel seconded the motion.

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Manager Crafton said it would be helpful to have an acronym table added to the report.

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Upon a roll call vote, the motion carried 4-0 as follows:

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

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iv. Approve Permit 2023-017 Crew Carwash Eden Prairie as Presented in the Proposed Board Action Section of the Permit Review Report

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Manager Duevel moved to approve Permit 2023-017 Crew Carwash Eden Prairie. Manager Crafton seconded the motion. Manager Koch moved to amend the motion to adopt the proposed resolution as set forth in the District’s permit review for Permit 2023-017. President Ziegler seconded the motion to amend.

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Upon a roll call vote the motion to amend carried 4-0 as follows.

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes

Koch	Yes
Pedersen	Absent
Ziegler	Yes

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Manager Koch asked what is being done on the site to reduce the water use and keep chemicals from flowing to water ways.

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Mr. Sobiech said the car washes store and reuse the water until the car washes determine to discharge at which point it is discharged to the sanitary sewer. He said regarding the wetland to the NE to the proposed car wash site, the applicant demonstrated compliance with the regulatory program to provide wetland protection and adequate water quality treatment before discharging water from the site to the wetland.

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Upon a roll call vote the amended motion carried 4-0 as follows.

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

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v. **Approve Permit 2023-038 Mister Car Wash as Presented in the Proposed Board Action Section of the Permit Review Report**

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Manager Koch moved to adopt the resolutions proposed in the District permit review application for Permit 2023-038. President Ziegler seconded the motion.

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Manager Crafton asked if the District should ask the Minnesota Pollution Control Agency to revise the abstraction standard of 0.55. Mr. Sobiech said it is a District standard adopted by a former board of managers and the Board can change that standard.

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Upon a roll call vote the motion carried 4-0 as follows:

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

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vi. **Approve Permit 2023-047 HCRRA Mntk 60 & 61 Culvert Rehabilitation as Presented in the Proposed Board Action Section of the Permit Review Report**

Manager Koch moved to adopt the resolutions proposed in the District’s permit review application for Permit 2023-047. Manager Duevel seconded the motion.

Upon a roll call vote the motion carried 4-0 as follows:

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

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b. **Accept Treasurer’s Report**

Manager Crafton moved to receive the Treasurer’s report, which was reviewed in line with the District’s internal controls and procedures. Manager Duevel seconded the motion.

Manager Koch requested receiving a statement of accounts and said his standing request is to get the accountant’s detailed financial statements. He said he could not get the numbers on page 2 to tie out. He asked the Audit and Finance Committee to work with the accountant on the issue.

Manager Koch said on page 2, regarding the data “percentage expended,” he cannot tell if the District is over or under the amounts the District anticipated expending. He said instead of the percentage expended of the total amount, he wants to see the percentage

275 expended of the amount originally budgeted for each item that is broken out in the
 276 budget.

277 Manager Koch said he would like to see the audit and accounting expenses separated
 278 from one another. Manager Koch asked for details about the \$19,000 expenditure.
 279 Administrator Jeffery said the \$19,000 expenditure was the amount released to Minger
 280 Construction. Manager Koch asked if staff could format the report so the column
 281 headings are repeated on each page of the report.

282 Upon a roll call vote the motion carried 4-0 as follows:

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

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285 **c. Resolution 23-055 Approving Payment of the Bills**

286 Manager Crafton moved to adopt Resolution 23-055 Approving Payment of the Bills.
 287 Manager Duevel seconded the motion. Upon a roll call vote the motion carried 4-0 as
 288 follows:

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

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290 **d. Consider Permit 2023-044 Chanhassen Trail Walk Improvements Variance**
 291 **Request from Rule D Minimum Buffer Width Requirement**

292 Manager Duevel moved to approve the variance for Permit 2023-044 Chanhassen Trail
 293 Walk Improvements including the Engineer’s review comments. President Ziegler
 294 seconded the motion. Manager Koch moved to amend the motion to adopt the position
 295 of the applicant with respect to the criteria set forth in the District’s rules for approving

296 a variance. Manager Duevel and President Ziegler consented to Manager Koch’s
 297 amendment.

298 Mr. Sobiech explained the proposed project comprises three locations and the variance
 299 request only pertains to site number 3. He explained the project at site 3 is to reconstruct
 300 120 feet of trail adjacent to Galpin Boulevard and will result in fill in the floodplain. Mr.
 301 Sobiech went through the criteria of the District’s Rule K – variance criteria, which
 302 requires the Board to find because of unique conditions inherent to the subject property
 303 the application of rule provisions will impose a practical difficulty on the applicant.

304 Mr. Sobiech said the applicant requests a floodplain variance to the District’s minimum
 305 buffer width because the applicant has a trail through the minimum buffer. He said the
 306 trail improvements will reduce the trail slope for pedestrian safety. Mr. Sobiech said the
 307 project proposes to provide buffer to the maximum extent it can, but the proposed width
 308 is 10 feet instead of the required 30 feet, which is a substantial reduction.

309 Mr. Sobiech said the information submitted by the applicant demonstrates the proposed
 310 buffer minimum width will not alter the character of the resource because the existing
 311 trail also has a minimum buffer width of ten feet. He added the realigned trail will
 312 redirect 860 square feet of the trail away from the wetland and to an adjacent
 313 stormwater management facility.

314 Mr. Sobiech reported the project proposes to provide an additional 9,857 square feet of
 315 buffer averaging 60-foot wide adjacent to the same wetland but north of the land
 316 disturbing activities as well as to conduct vegetation maintenance in that additional
 317 buffer to remove and treat buckthorn. Mr. Sobiech said the applicant has created the
 318 need for the variance by reconstructing the trail in an effort to improve the trail.

319 Mr. Sobiech stated the engineer finds there is adequate technical basis for the managers
 320 to rely on to grant the variance from the District’s minimum buffer width for the
 321 wetland and allowing the reconstructed impervious trail within the minimum buffer
 322 width.

323 Upon a roll call vote, the motion carried 4-0 as follows:

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

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e. **Approve Permit 2023-044 Chanhassen Trail Walk Improvements as Presented in the Proposed Board Action Section of the Permit Review Report**

Manager Crafton moved to approve Permit 2023-044. Manager Duevel seconded the motion. Upon a roll call vote, the motion to approve Permit 2023-044 with the engineer’s recommendations carried 4-0 as follows:

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

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f. **Adopt Resolution 23-056 Setting Draft Budget and Levy for 2024 Fiscal Year**

Manager Crafton moved to adopt Resolution 23-056 to Adopt 2024 Budget and Levy. Manager Duevel seconded the motion. Upon a roll call vote, the motion carried 4-0 as follows:

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

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g. **Adopt Resolution 23-057 Modifying Organization Chart to Reflect New Allocation of Staff Responsibilities**

Manager Crafton moved to adopt Resolution 23-057 Modifying Organization Chart to Reflect New Allocation of Staff Responsibilities. Manager Duevel seconded the motion.

Manager Koch asked if all of the positions listed in the organization chart except the two noted are currently filled. Administrator Jeffery displayed the District’s organization chart and listed the individuals and services providers in each of the roles.

347 He pointed out the two positions to be filled are the communications specialist and the
 348 water resources technician specialist I.

349 Upon a roll call vote, the motion carried 4-0 as follows:

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

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352 **h. Discussion of the Potential Acquisition of the Property Located at 9955 and**
 353 **9875 Spring Rd., Eden Prairie, MN and PID 2811622320005. Board May go**
 354 **into Closed Session.**

355 Mr. Smith recommended the Board move into closed session for the purpose of
 356 considering the terms of a potential acquisition of property located at 9955 and 9875
 357 Spring Road, Eden Prairie, MN and PID 2811622320005. Manager Crafton moved to
 358 go into closed session for the reasons stipulated by Mr. Smith. Manager Duevel
 359 seconded the motion.

360 Upon a roll call vote, the motion carried 4-0 as follows:

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

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363 The Board moved into closed session at 9:41 p.m.

364 The Board reconvened its public meeting at 10:00 p.m.

365 Manager Koch moved to continue this meeting to September 21, 2023, at 6:00 p.m.
 366 President Ziegler seconded the motion.

367 Upon a roll call vote, the motion carried 4-0 as follows:

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

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370 At 10:02 p.m. the Board continued its meeting to September 21, 2023, at 6:00 p.m.

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372 i. **Adopt Resolution 23-058 to Authorize Change Order #2 for Conservation**
 373 **Solutions**

374 [Continued to September 21, 2023.]

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10. Discussion Items

376 a. **Minnesota Watersheds Resolutions**

377 [Continued to September 21, 2023.]

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11. Member Reports

379 a. **Manager Reports**

380 [Continued to September 21, 2023.]

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382 b. **Administrator Reports**

383 [Continued to September 21, 2023.]

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385 c. **Legal Counsel Reports**

386 [Continued to September 21, 2023.]

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12. Upcoming Board Topics

388 [Continued to September 21, 2023.]

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13. Upcoming Events

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[Continued to September 21, 2023.]

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14. Adjournment

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[Continued to September 21, 2023.]

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Respectfully submitted,

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Dorothy Pedersen, Secretary