

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

December 18, 2018, Board of Managers Special Meeting

PRESENT:

Managers: Jill Crafton, Treasurer
Larry Koch
Dick Ward, President
David Ziegler, Secretary

Staff: Terry Jeffery, Project and Permit Manager
Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Pete Moreau, Sambatek
Emily Roland, CRESA

1. Call to Order

1 Manager Ward called to order the Tuesday, December 18, 2018, Board of Managers Special Meeting at 9:02 a.m.
2 at the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Approval of the Agenda

3 Manager Koch moved to approve the agenda. Manager Ziegler seconded the motion. Manager Ziegler requested
4 adding to the agenda a discussion about the Duck Lake Road project. Manager Koch agreed to the friendly
5 amendment. Upon a vote, the motion carried 4-0 [Manager Pedersen absent].

3. Permit 2018-068 DriStream Warehouse Expansion

6 Mr. Jeffery used PowerPoint slides to show the location of the proposed project in Eden Prairie. He pointed out
7 where on the site the soil borings were taken. Mr. Jeffery summarized that the proposed project will expand the
8 warehouse and the parking lot. He went through the staff's permit application review. Mr. Jefferey talked about
9 the infiltration basin, the underground infiltration bench, and how the bench would operate. Mr. Jeffery
10 announced that staff recommends approval with staff's conditions and stipulations as detailed in the staff report.

11 Manager Ziegler moved to approve permit 2018-068 DriStream Warehouse Expansion with staff
12 recommendations, and he read aloud the conditions and stipulations as listed in the staff report. Manager Koch
13 seconded the motion. Mr. Moreau, Ms. Roland, and Mr. Jeffery responded to questions. Manager Koch moved to
14 amend the motion by adding that the District Administrator is authorized and directed to prepare a permit
15 pursuant to the District's rules and the RPBCWD Board President and/or the District Administrator is/are
16 authorized and directed to execute the permit, and the District Administrator is authorized and directed to release
17 the permit upon the Administrator's determination that the applicant has satisfied all conditions to the release of
18 that permit. There was discussion about the language introduced by Manager Koch. Manager Ziegler seconded
19 the motion to amend. President Ward called the vote on the motion to amend. Upon a vote, the motion to amend
20 carried 4-0 [Manager Pedersen absent]. President Ward called the vote on the amended motion. Manager Crafton

noted that asphalt gets so hot in summer that residents have difficulties walking their pets. She noted that there could be benefits if the project considers designing the project to include shade. Upon a vote, the motion carried 4-0 [Manager Pedersen absent].

4. Authorize Administrator to Enter Agreement with BWSR for Clean Water Fund Grant Agreement

Manager Koch moved that the Grant Agreement with the Minnesota Board of Water and Soil Resources for Clean Water Fund Grants totaling \$410,879 and as broken down and presented at the December 18, 2018, RPBCWD Special Meeting is hereby approved and the RPBCWD Board of Managers President and/or District Administrator is authorized to execute said Agreement for and on behalf of the District and that the District Administrator is directed to see to the completion of the District's obligations under said Agreement. Manager Ziegler seconded the motion.

Manager Crafton noted that the Agreement lists the District's former address. Manager Ziegler had a question about the 10% in-kind match, and Mr. Jeffery explained the process. President Ward called the question on the motion on the table including the friendly amendment to correct the District's address listed in the Agreement. Upon a vote, the motion carried 4-0 [Manager Pedersen absent].

5. Discussion Item

a. Duck Lake Road Project

Manager Ziegler reported on feedback he heard from residents who live on the east side of Duck Lake. He said the residents have the understanding that the City of Eden Prairie has already agreed to construct the boardwalk as part of this project. Manager Ziegler noted that a combined bike path/pedestrian path doesn't seem to meet the City's initiative of pedestrian-friendly. He had further comments about pedestrian needs along Duck Lake Road. There was discussion about the project design options considered for the project, and Manager Ziegler noted the neighborhood association's support of option 2. Manager Ziegler said he is planning to approach the City of Eden Prairie and provide it with the neighborhood association's view that although a boardwalk would be nice, it is necessary to have a pedestrian path separate from, even if adjacent to, the bike path.

Mr. Jeffery responded that the City would have a difficult time making a case from the conservation act perspective that a multi-use path is not the minimal impact available. Engineer Sobiech said from a District rules perspective nothing would preclude a sidewalk being put in on one side and a bike trail on the other. He said it would increase the amount of fill, so the project would need to provide additional compensatory storage. Engineer Sobiech said from a wetland regulation perspective, the Wetland Conservation Act likely would not look favorably upon the additional impacts. He noted he thinks the City will be burdened with trying to get layout option 7, which proposes 18,000 square feet of environmental impact with options to minimize that impact, approved by the technical panel. Engineer Sobiech explained that for the City to go in and say it wants a design option that has more environmental impact will be an uphill battle for the City. He added that he does think that boardwalks are feasible in this area, and he said that there are alternative construction methodologies for driving piles.

Manager Koch raised the idea of putting in box culverts or some sort of bridge as options to minimize fill there. Manager Koch stated that he would be in favor of adding District funds to the project as an opportunity project to make it a really good project that makes sense and minimizes adverse impacts.

58

59

60

61

62

63

64

65

66

67

Engineer Sobiech stated that following the District's December 5, 2018, Duck Lake Road workshop, District staff prepared a summary of all the Board's comments about the project and submitted the information to the City of Eden Prairie and the project engineers so that they would be aware of the additional information and the alternatives that the managers were seeking. He said with the design the City is currently looking at, the City would be asking the District for several variances so in that perspective, the project will be coming to the District and Board for review and action. There was a short discussion about the project timeline, and Mr. Jeffery said the City said it wanted to start the surcharging in 2019, and for that to happen, the project would probably need to come in front of the Board in the spring.

68

69

70

71

72

73

President Ward suggested that he, Mr. Jeffery, Engineer Sobiech, and Manager Ziegler sit down with the City and project engineers and share the Board's comments from this discussion. Mr. Jeffery said the City of Eden Prairie has been open to sitting down with the District. President Ward directed staff to set up a meeting, preferably at the City of Eden Prairie, in the first part of January. Manager Crafton recommended the District reach out to the Metropolitan Council for additional funding for the project. The Board indicated agreement with Manager Crafton's recommendation.

6. Adjourn

74

75

76

77

78

79

80

81

82

83

Manager Crafton moved to adjourn the meeting. Manager Zielger seconded the motion. Upon a vote, the motion carried 4-0 [Manager Pedersen absent]. The meeting adjourned at 9:35 a.m.

Respectfully submitted,

David Ziegler, Secretary