

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

June 7, 2017, Board of Managers Plan Workshop and Monthly Meeting

PRESENT:

Managers: Mary Bisek, Secretary

Richard Chadwick

Jill Crafton, Treasurer

Perry Forster, President

Leslie Yetka, Vice President

Staff: Claire Bleser, District Administrator

Zach Dickhausen, Water Resources Technician**

Michelle Jordan, Community Outreach Coordinator

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Brian Beck, Wenck Assoc.*

Larry Koch, Chanhassen Resident

John Bender, Westwood**

Dave Modrow, City of Eden Prairie**

Joe Bischoff, Wenck*

Peggy Moeller, Redpath & Co.**

Jim Bracke, Friends of Red Rock Lake
Association**

Bonnie Noterrman, Lionø Tap**

Dan Blake, Pemtom**

Rev. Dr. Jack Perrin, Eden Prairie Assembly**

Paul Bulger, CAC**

Robin Ruben, Eden Prairie Resident**

Mark Costello, Eden Prairie Resident**

Zac Stillwell, Eden Prairie Assembly**

Roger Humphrey, Stantec**

JoAnn Syverson, Chanhassen Resident**

John Kirk, Eden Prairie Planning
Comm.**

David Ziegler, CAC

*Indicates attendance at the plan workshop only ** Indicates attendance at the board meeting only

1. Plan Workshop

President Forster called to order the Wednesday, June 7, 2017, Board of Managers Plan Workshop at 5:41 p.m. in the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

Administrator Bleser reminded the Board of its interest in learning more about the timing of alum treatments. She stated that the first part of the workshop would be a presentation by Mr. Joe Bischoff of Wenck Associates on that topic. She said that the second part of the workshop would be an update on the progress on the 10-year plan and manager feedback on chapters already presented and the distribution of new chapters.

Mr. Bischoff presented information, using PowerPoint slides, about alum treatment timing in lakes. He reviewed internal phosphorous loading processes. He identified the points to be considered when deciding the timing of alum treatments. Mr. Bischoff talked about causes of in-lake phosphorous release, alum treatment lifespan, the

lake response model, sedimentation model assumptions, and the Alum Risk Assessment including possible drawbacks to the assessment method. He said the Alum Risk Assessment framework could be incorporated into the District's decision matrix to help decide when an alum treatment may or may not be appropriate.

Administrator Bleser reviewed the decision matrix and described how the Alum Risk Assessment could be incorporated. She noted that watershed improvements still need to get done in order to help the longevity of alum treatments. She also noted the usefulness of the lake sediment cores and sediment chemistry data.

Administrator Bleser and Mr. Bischoff responded to questions.

Administrator Bleser moved on to the 10-year plan and handed out the updated Watershed Management Plan Update Process and Timeline. She pointed out that a component has been added to introduce the public to the 10-Year Plan including the process involved in developing it, what's in the plan, and moving forward with the plan. Administrator Bleser emphasized that the added public component is a public information session and is not the public hearing. She also pointed out that the new timeline anticipates final approval of the plan in mid-2018.

She asked for comments and questions about the updated process and timeline and asked for confirmation that the Board is fine with it and with the addition of the additional public information session. The Board indicated approval, and Administrator Bleser said that this updated information will get posted on the District's website and the District will email information to people who signed up to receive 10-Year Plan updates.

Administrator Bleser handed out sections 6, 7, and 8, which is considered the "One Waters" sections. She summarized these new chapters. She explained that if managers have comments on these sections, staff will collect the hard copies with the comments. She asked if managers have any feedback right now on anything in the plan that they have reviewed to-date. Administrator Bleser collected comments from the managers and Attorney Smith.

Manager Crafton moved to adjourn the workshop. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0. President Forster closed the Plan Workshop at 6:56 p.m.

2. Monthly Board Meeting Call to Order

President Forster called to order the Wednesday, June 7, 2017, Board of Managers Monthly Meeting at 7:05 p.m. in the District Office, 18681 Lake Drive East, Chanhassen, MN 55317. He noted that immediately prior to this monthly meeting the Board held a plan workshop.

3. Approval of the Agenda

President Forster requested moving item ahead in the agenda, to immediately follow Matters of General Public Interest, Action Items 8d ó Permit 2017-007: Cedarcrest Stables Variance Request and 8e ó Permit 2017-031 Lion's Tap Variance Request and then following 8e adding an agenda item ó Presentation of Annual Audit by Redpath & Co. President Forster also requested a reversal in the order of two action items so that item 8a is Accept the April Treasurer's Report and item 8b is Approve Paying of the Bills.

Manager Crafton moved to approve the agenda as amended. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

4. Matters of General Public Interest

President Forster explained the procedure for bringing forward matters of general public interest and opened the

floor.

Ms. JoAnn Syverson, Chanhassen Resident, stated that she lives on Lotus Lake and is a Board member of the Lotus Lake Conservation Alliance. She thanked the Board for allowing her to speak and thanked the District for agreeing to participate in the June 20th meeting between the City of Chanhassen, the RPBCWD, and other Lotus Lake stakeholders to discuss Lotus Lake water quality. She said that the LLCA feels like it is in a partnership with the District. She talked about this season's water quality of Lotus Lake including mats of algae, Curlyleaf pondweed, and fish kills. Ms. Syverson said that the LLCA wants to know what is causing these issues and problems that are a Lotus Lake subwatershed problem. She stated that the LLCA hopes that the problems and solutions as well as funding identification will be discussed at the June 20th meeting. President Forster directed Administrator Bleser to public notice the June 20th meeting.

Mr. Jim Bracke of the Friends of Red Rock Lake read aloud a letter of appreciation to the RPBCWD from the Friends of Red Rock Lake and concluded by stating that the Friends of Red Rock Lake hopes that the District will continue such activities [as described in letter] and other in 2017 and beyond.

Mr. David Ziegler, Eden Prairie Resident, commented that he has been out on some of the watershed's lakes this season including Mitchell Lake and Duck Lake and he has seen a lot of algae blooms and dead fish. He said it seems that issues raised by Ms. Syverson span many of the area lakes.

President Forster called for additional comments. Upon hearing none, he moved on to the next agenda item.

5. Permit 2017-007: Cedarcrest Stables Variance Request

President Forster reminded the Board that this item was tabled at a previous Board meeting until this meeting. Engineer Sobiech noted that at the May meeting the Board talked about this permit application and variance requests and at that time the Board requested additional information. Engineer Sobiech presented the additional information and talked about the site's drainage patterns, pond capacity, the site's restrictions, and the applicant's two variance requests. Mr. Sobiech responded to questions. Mr. Modrow, City of Eden Prairie, provided input upon request regarding recent maintenance of the two ponds discussed. Engineer Sobiech stated that the Engineer recommends approval of both variances based on the conditions he has described.

Manager Chadwick moved to approve both variance requests based on the specific reasons identified by the District Engineer. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

Manager Chadwick moved to approve permit 2017-007 Cedarcrest Stables based on the specific conditions described by the District Engineer. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

6. Permit 2017-031 Lion's Tap Variance Request

Engineer Sobiech stated that the applicant proposes to re-do the site's parking lot. He explained the variance request and described the site, the flow of water through the site, the alternatives investigated by the applicant and the site's practical difficulties. There was a discussion of practical difficulties and a confirmation by Attorney Smith that under the District's variance criteria, cost alone cannot be the basis for granting a variance.

Manager Crafton moved to approve the variance for permit 2017-031 with the conditions recommended by staff. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

Manager Crafton moved to approve permit 2017-031 based on the conditions recommended by staff. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

7. Presentation of Annual Audit: Redpath & Company

Administrator Bleser introduced Peggy Moeller of Redpath & Company. Ms. Moeller reported that the 2016 audit is complete as was issued on May 2017. She explained that four reports are issued in conjunction with the annual audit: the financial report, which includes the auditor's opinion on the financial statement, the internal control report, the legal compliance report, and the communication of those charges governance. She stated the auditor's responsibility and presented a summary of each of the four reports. She noted that the audit was delayed due to a delay in receiving materials from the District. Manger Chadwick asked several questions and Ms. Moeller responded.

Manager Crafton moved to accept the auditor's report as presented. Manager Yetka seconded the motion. Administrator Bleser said that for all three findings staff and Manager Crafton and President Forster worked to provide management response. Manager Chadwick raised the issue of the transparency of the \$50,000 settlement from CH2M Hill in 2016. Manger Crafton, President Forster, and Administrator Bleser responded. Upon a vote, the motion carried 5-0.

8. Reading and Approval of Minutes

a. May 3, 2017, RPBCWD Board of Managers Plan Workshop and Monthly Meeting

Manager Bisek requested a spelling correction on page 5.

Manager Crafton moved to accept the minutes as amended. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

b. May 15, 2017, RPBCWD Board of Managers Public Hearing and Special Meeting

President Forster requested a spelling correction of his name on page 3. Manager Crafton requested an edit on page 1 to change the name "Bassett Creek" to "Bluff Creek."

Manager Crafton moved to accept the minutes as amended. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

9. Consent Agenda

President Forster read aloud the Consent Agenda items: a. Accept Engineer's Report (with attached inspection report); b. Accept Staff Report; d. Approve Permit 2015-036: Saville West Modification Request with staff recommendations; e. Approve Permit 2015-050: Arbor Glen Modification Request with Staff Recommendations; f. Approve Permit 2017-023: Eden Prairie Assembly of God Church Addition with Staff Recommendations; g. Approve Permit 2017-036: Minnetonka High School Upper Field Access Road with Staff Recommendations; h. Approve Review Period Extension 2017-024: Prairie Bluffs Senior Living; i. Approve Lake Riley Alum Monitoring Task Order with Wenck.

Manager Crafton moved to approve the Consent Agenda as presented. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

10. Citizen Advisory Committee (CAC)

Mr. Paul Bulger reported that the CAC requests a vote or response in writing to the two items listed in the CAC minutes: provide draft chapters of the 10-year plan by the June date and by July 10th provide materials for the

July workshop on the 10-year plan. He said that the CAC developed its schedule based on the 10-year plan timeline. President Forster responded that the CAC won't receive the information by June 8th. He said that it is possible that information could be provided by the July date. President Forster said that he thinks it is important that the Board and staff have time to work on the plan, and he noted that in this evening's 10-year plan workshop a new timeline with new dates was handed out. President Forster summarized the new timeline and dates. Mr. Bulger said that the CAC would like to have time to provide additional input into the 10-year plan for example if the CAC thinks that things are missing and not just provide editorial comments. He said that the CAC trusts and anticipates that the Board will be receptive to the CAC's comments at the time as indicated on the timeline. Mr. Bulger described other items the CAC discussed at its meeting including feedback on the Education and Outreach Plan and website updates and proposed changes. He also talked about the CAC trying out a new format utilizing subcommittees. Manager Yetka asked him to list the subcommittees and he said that he can provide a list.

11. Action Items

a. Accept April Treasurers Report

Manager Crafton moved to accept the Treasurer's Report as presented. Manager Yetka seconded the motion. Manager Chadwick asked if there is anything unusual in the report. Manager Crafton responded no. Manager Chadwick asked for details on the payment to the Freshwater Society. Administrator Bleser responded. Upon a vote, the motion carried 5-0.

b. Approve Paying of Bills

Manager Crafton moved to pay the bills. Manager Bisek seconded the motion. Upon a vote, the motion carried 5-0.

c. Order Lake Susan Park Pond

Administrator Bleser stated that the Engineer's update and timeline is in the meeting packet. She said she would like to table this item until next month because the District is still in discussion with the City of Chanhassen. There was a short discussion of the timeline. The Board agreed to table the item until the next monthly meeting.

d. Accept Engineer's Recommendation for Chanhassen High School Reuse Project and Authorize Rebidding of Project

Engineer Sobiech recommended that the Board direct the Engineer and staff to reject all the bids received, notify the bidders, return the bid bonds to the bidders and rebid the project, combining it with the Lake Susan Park Pond project if that project moves forward.

Manager Chadwick moved the Engineer's recommendation as stated. Manager Yetka seconded the motion. Upon a vote, the motion carried 5-0.

12. Discussion Items

a. Upcoming Meetings

President Forster noted that the next monthly meeting and workshop will be on July 12. He stated that he, Manager Chadwick and Administrator Bleser are attending the LLCA meeting on June 20 at 6:30 p.m. at the Chanhassen Library and said that anyone else interested is invited to attend. President Forster said that on June 12 he and Administrator Bleser will present to the Shorewood City Council about the watershed plan. Administrator Bleser highlighted that on July 31 the District will hold its watershed tour and the

focus of the tour will be the Watershed Plan.

The managers discussed the date of the July monthly meeting. Manager Crafton moved to change the July 5, 2017, meeting to Wednesday, July 12, 2017, and to direct staff to advertise in the newspaper the change. Manager Chadwick seconded the motion. Upon a vote, the motion carried 5-0.

13. Upcoming Events

- Citizen Advisory Committee, Monday, June 19, 6:30 p.m., District Office, 18681 Lake Drive East, Chanhassen
- Board of Managers Regular Meeting and Workshop, Wednesday, July 12, 5:30 p.m. , District Office, 18681 Lake Drive East, Chanhassen
- Citizen Advisory Committee, Monday, July 17, 6:30 p.m., District Office, 18681 Lake Drive East, Chanhassen
- Save the Date: Watershed Tour ó 10 Year Plan highlight. Monday, July 31, District Office, 18681 Lake Drive East, Chanhassen
- Board of Managers Regular Meeting and Workshop, Wednesday, August 2, 5:30 p.m. , District Office, 18681 Lake Drive East, Chanhassen

14. Adjourn

Manager Crafton moved to adjourn the meeting of the Board of Managers. Manager Chadwick seconded the motion. Administrator Bleser asked about the date of her review. The Board decided to conduct her review on Monday, July 17 at 7 p.m. Upon a vote, the motion carried 5-0. The meeting adjourned at 8:29 p.m.

Respectfully submitted,

Mary Bisek, Secretary