

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

March 15, 2018, Board of Managers Public Hearing and Monthly Meeting

PRESENT:

Managers: Richard Chadwick, Secretary
Jill Crafton, Treasurer
Dorothy Pedersen, Vice President
Dick Ward
Leslie Yetka, President

Staff: Claire Bleser, District Administrator
Zach Dickhausen, Water Resources Technician
Joshua Maxwell, Water Resources Coordinator
Louis Smith, Attorney (Smith Partners)
Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Paul Bulger, CAC
Mike Colehour, Minnetonka Resident
Ryan Majkrzak, Chanhassen Resident*
Bryan Maloney, LRIA
JoAnn Syverson, LLCA
David Ziegler, CAC; Eden Prairie Resident
*Indicates attendance only at Monthly Meeting

1. Call to Order

President Yetka called to order the Thursday, March 15, 2018, Board of Managers Public Hearing and Monthly Meeting at 7:04 p.m. in the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Approval of Agenda

President Yetka pulled item 9b – Channel Protection Update - from the agenda. Administrator Bleser requested the addition of a Consent Agenda item to authorize the Administrator to enter into an agreement with the Carver County Soil and Water Conservation District for technical services and a new 9b - Legislative Update. Manager Chadwick moved to approve the agenda as amended. Manager Pedersen seconded the motion. Upon a vote, the motion carried 5-0.

3. 10-Year Management Plan Public Hearing

President Yetka introduced Administrator Bleser to talk about the 10-Year Plan.

Administrator Bleser presented the plan. She provided a brief overview of the physical watershed such as its size and communities, listed the Board members, committees, and staff. Administrator Bleser talked about the input gathering process for the 10-Year Plan update and described how that input was the basis of building the plan's goals and strategies. She summarized the 13 District goals identified in the plan and explained that the goals are

grouped into the categories of Administration, Data Collection, Education & Outreach, Planning, Regulatory, Water Quality, and Water Quantity.

Administrator Bleser went through the prioritization variables used to identify the projects included in the Plan. The prioritization variables included Goals, Habitat Restoration, Partnerships, Pollution Management, Public Access and Education, Streambank/Shoreline Restored/Stabilized, Sustainability, Volume Management, and Watershed Benefits. Administrator Bleser explained the prioritization process and how 175 projects were weighed against the variables and then reviewed against project considerations such as logistical constraints, including partnership and coordination opportunities. She reported that after all these evaluation processes, 34 projects were identified to be included in the updated 10-Year Plan.

She said that 10 of the 34 are Riley Creek projects, 7 are Bluff Creek projects, and 17 are Purgatory Creek projects. President Yetka opened the public hearing.

Ms. Joann Syverson, Chanhassen resident and Lotus Lake Conservation Alliance board member, commented that she appreciates that the 10-Year Plan has a focus on lakes and that Lotus Lake projects are included in the plan. She asked about the process for swapping out of the Plan any projects, and the funds for those projects, that have been identified but do not come to fruition with new projects that might be identified in the future. Ms. Syverson also asked if the plan factors in inflation and maintenance costs. There was a discussion about the plan amendment process and the process that proposed projects go through to be approved and get funded, such as the feasibility study process. Administrator Bleser noted that the projects identified in the 10-Year Plan will be reviewed over time and that regarding project maintenance the District develops agreements with project partners or utilizes long-term maintenance funds.

Mr. Paul Bulger, Eden Prairie resident, thanked the Board for embarking on the 10-year plan update and for engaging the community. He remarked that 8 of the 17 entities that commented on the draft plan asked that the goals and objectives in the plan would reflect more of a smart goal or quantitative measure that is time bound. Mr. Bulger noted that the revised plan did make steps to quantify the removal to be achieved by projects and how the plan will work with the adaptive management plan. He said that in his experience regulatory bodies express rules and objectives that are time bound and have specific quantitative measures of what they are trying to achieve. Mr. Bulger remarked that the District is trying to reach certain water quality standards for shallow lakes and other water bodies and resources and those don't seem to be factored in to the 10-year plan's goals and objectives. He said that a lot of the goals state that the District will assess and monitor but do not go the next step and identify how the goals will be met and make the commitment to meet those goals. Mr. Bulger talked about the plan's figure 9-2 and suggested improving that graphic to make it clearer to the public how the decisions are being made. He noted his surprise that managers haven't commented on the need for smart goals and requested that managers comment on public record regarding their position on smart goals. Mr. Bulger raised the topic of Governor Dayton's goals for ground water and nitrate levels for certain areas around the state. He talked about how the goals are measurable and time bound. Mr. Bulger had specific comments about section 9-12 groundwater and said that it doesn't talk about the bedrock system or how to protect the bedrock system.

The managers and Administrator offered comments in response.

President Yetka called for additional public comments. Upon hearing none, President Yetka closed the public hearing at 7:46 p.m.

4. Matters of General Public Interest

No matters of general public interest were raised.

5. Reading and Approval of Minutes

a.i February 7, 2018, RPBCWD Board of Managers Monthly Meeting

Manager Pedersen requested a change on page 2, paragraph 2, to replace the word “hoping” with “encouraging.” She also requested a correction to a misspelling on page 2, paragraph 5. Manager Pedersen noted that on page 3, paragraph 7, a correction should be made to change “Mr. Lori” to “Ms. Lori.” Manager Crafton pointed out a misspelling on page 5, item 10a, in the final paragraph.

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

6. Consent Agenda

Manager Yetka read aloud the Consent Agenda items: 7a – Accept Staff Report; 7b - Accept Engineer’s Report (with Attached Inspection Report); 7c – Approve Permit 2018-008 Staring Lake Park Play Court with staff recommendations; 7d – Approve Permit 2016-013 Reconstruction of Soccer Field #11 at Miller Park with Staff Recommendations; 7e – Approve Permit 2017-072 O’Reilly Auto Parts in Eden Prairie with Staff Recommendations; 7f – Approve Permit 2018-011 Maloney Shoreline Stabilization on Lake Riley with Staff Recommendations; 7g - Approve Permit 2018-014 - Eden Prairie Road Reconstruction with staff recommendations; 7h - Approve hire of new Outreach and Office Assistant; 7i – Authorize the District Administrator to Enter into an Agreement with the Carver County Soil and Water Conservation District for Technical Services.

Manager Chadwick asked staff to comment on the status of 2018 alum treatment projects. Administrator Bleser responded that the feasibility study for the Rice March Lake alum treatment is complete and the treatment is planned for fall 2018. She said that the feasibility study for the Lotus Lake alum treatment is still in progress, but if the project is feasible, then it would also take place fall 2018.

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

7. CAC

Mr. Ziegler noted that the Board has the CAC meeting minutes in the meeting packet. He reported that the CAC approves the direction of the 10-Year Plan. Mr. Ziegler pointed out that the CAC recommends that the Board review the prioritization tool every three years and that the projects are also reviewed every three years based on current data. He reported that the CAC is in favor of the rules change as presented to the CAC by Mr. Jeffery although the CAC is concerned whether handling a two-year rain event is enough.

Administrator Bleser pointed out that the prioritization tool wouldn’t really change over time, but logistical factors could. The Board discussed the topic of when to review the projects included in the 10-Year Plan. Engineer Sobiech commented that staff is constantly on the lookout for new technology regarding the projects.

President Yetka said that she hears the Board saying that the District will review the 10-Year Plan projects at year 3 instead of year 5 as currently stated in the Plan.

8. Action Items-

a. Accept January Treasurer’s Report

Manager Crafton reported that that she and staff have been working with Redpath on updating the format of the treasurer’s report and they are making good progress. Manager Crafton moved to accept the January Treasurer’s report. Manager Ward seconded the motion.

Manager Pedersen suggested that a footnote be added on page 2 to note when the levy funds are anticipated to be received. The Board agreed that it would be a good addition to the report. Manager Chadwick noted that there wasn’t a letter from the Treasurer in this month’s meeting packet certifying the Treasurer’s Report. He asked if the Treasurer and Administrator certify the Treasurer’s Report. Manager Crafton said yes. Manager Chadwick asked about the work performed by Barr Engineering that was reflected in the most recent invoice because the invoice seemed like a large cost. Engineer Sobiech and Administrator Bleser talked about the work performed by Barr Engineering as reflected in the invoice. Manager Chadwick had several more questions and comments. Upon a vote, the motion carried 5-0.

b. Approve Paying of Bills

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

c. Adopt Resolution Assuming WCA LGU Administrative Responsibility in Deephaven

Administrator Bleser introduced the resolution for the District to assume Wetland Conservation Act local governmental unit administrative responsibility in the City of Deephaven. She reported that the Deephaven City Council has adopted a resolution as well. She went through the history of the District relinquishing its role, in late 2000, as the officer of the Wetland Conservation Act. Administrator Bleser explained that Deephaven then arranged with the Minnehaha Creek Watershed District to take on that role for Deephaven regarding our watershed area.

Manager Ward moved to adopt Resolution 2018-01 Affirming Acceptance and Responsibility for Wetland Conservation Act Administration in the City of Deephaven. Manager Pedersen seconded the motion.

Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Abstain	Absent
Chadwick	X			
Crafton	X			
Pedersen	X			
Ward	X			
Yetka	X			

d. Authorize President to Enter into Cooperative Agreement with the City of Chanhassen for the Lake Susan Park Pond

Administrator Bleser asked the Board to authorize the Board President to enter into an agreement with the City of Chanhassen for the Lake Susan Park Pond project. Manager Pedersen moved to authorize President Yetka to enter into an agreement with the City of Chanhassen for the Lake Susan Park Pond Project subject to non-substantive revisions to the agreement. Manager Crafton seconded the motion. There was a discussion about the 20-year term of the project's maintenance agreement. Upon a vote, the motion carried 5-0.

e. Authorize President to Enter into Cooperative Agreement with the City of Chanhassen and ISD 112 for the Chanhassen High School Capture and Reuse System

Administrator Bleser gave an update on the project timeline and noted a modification about the pipeline encroachment. Manager Pedersen moved to authorize President Yetka to enter into a cooperative agreement with the City of Chanhassen and Independent School District 112 for the Chanhassen High School Capture and Reuse System. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

9. Discussion Items

a. 50th Anniversary Planning

Administrator Bleser announced that the District's Education and Outreach theme this year is "Come explore with us." She talked about the year-long theme and listed activities planned. Administrator Bleser noted that one activity planned is a celebration of the watershed's anniversary through a celebration of community. Administrator Bleser said that staff investigated renting a room at the Chanhassen Dinner Theater and holding a community dinner there. She went into details about costs and the possible date of July 31, which is the District's birthday. She noted that if the Board is interested in doing this event at the Chanhassen Dinner Theater on that date, it is time to make the District's reservation and send the down payment in to the theater. The Board talked about the idea and indicated interest in a celebration of community event but asked staff to look into lower cost venues, such as asking the City of Eden Prairie about its Garden Room.

b. Legislative Update

Attorney Smith reported that five bills have been introduced to the state legislature including one bill introduced just this week. He reviewed the five bills and their file numbers with the Board.

c. Upcoming Meetings

President Yetka read aloud the list of upcoming meetings and events, noting that the March 26th CAC meeting time will be 6 p.m. and not 5:30 p.m. as listed on the agenda. The Board added a workshop starting at 5:30 p.m. on April 4 at the District Office prior to the Board's Regular Monthly Meeting at 7 p.m.

10. Upcoming Events

- CAC Monthly Meeting, Monday, March 26, 6:00 p.m., District Office, 18681 Lake Drive East, Chanhassen
- Board of Managers Workshop at 5:30 p.m. and Regular Monthly Meeting at 7:00 p.m., Wednesday, April 4, District Office, 18681 Lake Drive East, Chanhassen

11. Adjourn

Manager Ward moved to adjourn the meeting. Manager Crafton seconded the motion. The meeting adjourned at 8:59 p.m. Upon a vote, the motion carried 5-0.

Respectfully submitted,

Richard Chadwick, Secretary