

## 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  
6 recommendation in the Committee notes regarding the employee pension  
7 plan and a 1% match. Manager Pedersen explained the details of the  
8 proposed District match of 1% of an employee's salary and the proposed  
9 cap.

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

16 Manager Koch expressed his concern about the Personnel Committee  
17 including in its discussion the topic of families as opposed to people who

18 were single. He said he is concerned that could be a discriminatory practice.  
19 Manager Koch said he doesn't believe family status is an authorized means  
20 of making distinctions in people's salaries, etcetera. He said perhaps a  
21 conversation with employment counsel would be appropriate.

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

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

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

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

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

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

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46 **b. Governance Committee Report**

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

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

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## 11. Discussion Items

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### a. MN Data Practices Request

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### b. Old Business: CAC Action Items

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

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

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### c. Old Business: Meet & Greet

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

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### d. Old Business: Low Mow and Cultivators

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

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

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

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Manager Koch said he thinks it would make sense to have staff send what they develop regarding soil health and low mow and ask for the CAC's input before it is presented to the Board.

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Manager Koch moved to have the soil health and low mow items sent to the CAC and request the Committee consider the items and provide the Board with input. Manager Pedersen seconded the motion.

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

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Manager Koch moved to amend his motion to direct staff to come up with a task order for consideration at the next meeting, then take it to the CAC for its input, and ultimately bring it back to the Board for final approval. Manager Pedersen accepted the 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**

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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.

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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.

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

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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.

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**g. IT RFP**

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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.

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**h. Old Business: Previous Matter of Public Interest**

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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.

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118 **i. Old Business: Revisions to Bearpath Agreement**

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

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

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**12. Manager Reports**

125 No report.

**13. Administrative Reports**

126 No report.

**14. Upcoming Board Topics**

127 **a. UofM Pond Study Findings**

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

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

132 Administrator Jeffery said he has asked the County to present the plan to the Board.

133 President Ziegler asked Administrator Jeffery to invite the CAC to both presentations.

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**15. Upcoming Events**

135 **a.** TAC Meeting August 18, 2022

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

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

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**16. Adjournment**

139 Manager Pedersen moved to adjourn the meeting. Manager Crafton seconded the motion. Upon a  
140 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