

RICE CREEK WATERSHED DISTRICT

BOARD OF MANAGERS MEETING

December 26, 2001

Sign-In Sheet

- Please Print

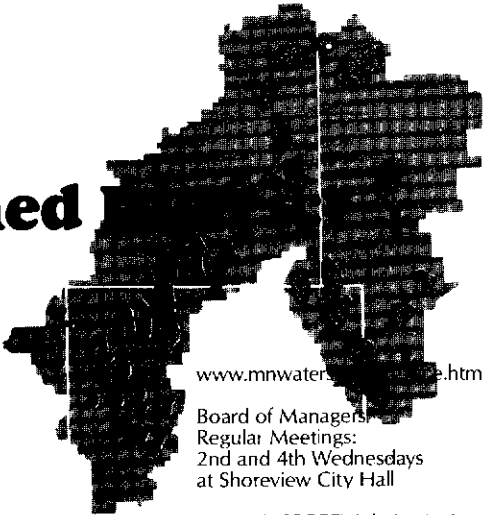
SVCH

Name	Organization/Reason Here	Application
1. John Waller	14010 Homestead Ave, Hugo, MO	JRZ
2. Fran Miron	15250 Homestead Ave Hugo Mo	JRZ
3. ROGER Aiker	4360 HAMILTON Acker Hills MO - notes BY LAWS	
4. NORM WENCK	WENCK ASSOC. INC.	
5. Rebecca Kluckhohn	Wenck Association	
6. JAMES V. VULTOCCANO	LOCAL INTEREST	JVA
7. PAUL HEITZ	/	
8. Jerry Lindner	7413 Peltre Lake Drive / Clearwater Creek	Drainage into Peltre

1 Approved at the 1-9-02 Board Meeting.

2 3 4 Rice Creek Watershed

5
6 3585 N. LEXINGTON AVENUE, SUITE 330
7 ARDEN HILLS, MINNESOTA 55126-8056
8 PHONE 651-766-4191 • FAX 651-766 4196



www.mnwatershed.com

Board of Managers
Regular Meetings:
2nd and 4th Wednesdays
at Shoreview City Hall

BONITA TORPE, Admin. Assist.

9 MINUTES OF THE 10 REGULAR MEETING OF THE BOARD OF MANAGERS 11 OF THE RICE CREEK WATERSHED DISTRICT

12 Shoreview City Hall Council Chambers
13 4600 North Victoria Street, Shoreview Minnesota
14 December 26, 2001

15 ROLL CALL

16 Present: President Waddell, 1st Vice-Pres. Leroux, 2nd Vice-Pres. Doege, Secretary Cardinal
17 Absent: Manager Braathen, w/prior notice
18 Also Present:
19 Staff: Administrative Assistant Torpe, Program Coordinator Miersch, Inspector Daleiden
20 Consultants: District's Attorneys Sheff & Ulrich, District's Engineers: Brett Emmons, Carl Almer, Jodi Polzin, EOR
21 Visitors: John Waller, 14010 Homestead Ave, Hugo re: Washington JD2
22 Fran Miron, 15250 Homestead Ave, Hugo re: Washington JD2
23 Roger Aiken, 4360 Hamline Ave., Arden Hills re: Notes, Advisory Committee By-Laws Revision
24 Norm Wenck and Rebecca Kluckhohn, Wenck Associates, Inc.
25 James Mulholland, for local interest Paul Dentz
26 Jerry Lindner, 7413 Peltier Lake Drive, re: Clearwater Creek Drainage into Peltier Lake

27 CALL TO ORDER

28 Pursuant to due call and notice thereof, President Waddell called to order a Regular Meeting of the Rice Creek Watershed
29 District Board of Managers on December 26, 2001, at 7:00 p.m.

30 SETTING OF THE AGENDA

31 The Board responded to request to be heard at this meeting (was telephoned to District Office last Friday) by placing Fran Miron
32 at the top of the Agenda under Special Presentations. Under ACTION ITEMS, Leroux added Item 2a. Legal Descriptions for
33 Easements; Daleiden noted a replacement memo was mailed for Item 7. Under INFORMATION ITEMS, Leroux added Item 9a.
34 Discuss Holiday Dinner; and Torpe added 9b. Distribute Board's Draft 2002 Calendar. *The Board adopted the amended Agenda*
35 *by consensus.*

36 PUBLIC HEARINGS AND/OR PRESENTATIONS

37 Fran Miron, 15250 Homestead Ave., Hugo, appeared before the Board to address concerns the landowners have regarding the
38 2-7-02 WCA Exemption Appeals before the MN Board of Water & Soil Resources, since District's Attorney Sheff has asked that
39 numerous documents in the Hearing Record be stricken. He detailed his concerns with handouts for the Board's edification. He
40 made two requests: a) that the Board reinstate their official Hearing Record and b) that the Board assign a new attorney to argue
41 before BWSR on the matter of WCA Exemption Appeals. The Board inquired of Attorneys Sheff and Ulrich, and was informed
42 they will discuss this in closed session at the end of this meeting.

43 READING OF THE MINUTES AND THEIR APPROVAL

44 1. **Minutes of December 12, 2001, Board of Managers Meeting.** *By consensus, action on these minutes was deferred to*
45 *the 1-9-02 Board meeting because not all Managers had received them in time for prior review.*

46 PERMIT APPLICATIONS REQUIRING BOARD ACTION

47 There were no permit applications presented by the District Engineer for Board action.

48 CONSENT AGENDA

49 *It was moved by Manager Cardinal and seconded by Manager Doege to Approve, Table With Authorization For Administrative*
50 *Action TWAFAA), or Table the Permit Applications listed below in accordance with the District Engineer's Findings and*
51 *Recommendations, as contained in the Engineer's Report dated 12/19/01:*

No.	Applicant	#Plan Type	Description/Location	*Recommendation
0-120	R.S. Carlson & Assoc.	LD WA	West Shadow Ponds, 22-lot SFR, 18.9 + A loc. N of 62 nd St and 3/4 mi E of Ware Rd, Lino Lks.	TWAFAA pro 3 items w/4 Stipulations

BOARD OF MANAGERS

A.J. CARDINAL, SR.
ANOKA COUNTY

TOM WADDELL
RAMSEY COUNTY

JAMES A. LEROUX
WASHINGTON COUNTY

ORDEEN J. BRAATHEN
RAMSEY COUNTY

ROBIN C. DOEGE
ANOKA COUNTY

No.	Applicant	#Plan Type	Description/Location	*Recommendation
61-62	01-66 Pratt Ordway Properties, LLP	FSD	Main Street Village Apartment complex, 3.8+A loc. S of Old Hwy 8 and W of 5 th Ave NW, New Brighton.	TWAFAA pro 5 items
63-67	01-125 Penske Truck Leasing	FSD	0.9+A parking lot addition at existing Penske facility, 5.5+A loc. 2460 W Co. Rd C, Roseville.	TWAFAA pro 7 items
68-70	01-142 R.S. Carlson & Assoc.	FSD WA	0.7+ mile trail N of 62 nd St that crosses Anoka Co. Ditch 25 in Lino Lakes	TABLE pro 7 items w/1 Stipulation
71-73	01-143 Philip R. Olson	FSD WA	"After-the-fact" driveway for residence, 6.3+A loc. 12020 Goodview Ave, Hugo	TABLE pro 6 items
74-76	01-144 Douglas Hedberg	FSD	1,150 SF pole building within 1000 ft of DNR Prot. Wetland 740W, 5.75+A loc. 14322 Julliard St, Col. Twp.	TWAFAA pro 2 items
77-79	01-145 Walters Recycling & Refuse	FSD	Solid waste transfer and recycling facility, 7.3+A loc. 2665 101 st Ave NE, Blaine	TABLE pro 16 items
80-82	01-147 SuccBdr: City of Grant	CC	Replacement of the Mann Lake outlet, loc. Irondale Ave ¼ mile W of Irish Ave, Grant	TWAFAA pro 7 items
83-85	01-148 Jeff Muellner	WA	"After-the-fact" unauthorized fill within DNR Prot. Wetland 546W. loc. 1692 Lakeland Cr., Centerville.	TABLE pro 6 items
86-88	01-149 Robert Homes, Inc.	LD	Eight unit MFR development, unnamed, 4.8+A 200F N of Cedar Ave and E of Belaire Ave, White Bear Lake.	TWAFAA pro 7 items
89-91	01-150 Solutia Consulting	FSD	21,000+SF within Centre-Pointe Business Park, 1.42+A, loc. 1000F S of Co Rd D and E of I-35W, Roseville	TWAFAA pro 7 items
92-94	01-151 Gladwin Das	FSD	Addition to SFR riparian to Lake Johanna, 0.47+A, loc. 1471 Lametti Ln, Arden Hills.	TWAFAA pro 2 items
95-97	01-152 David Kleinhuizen	FSD WA	Dredge/expand pond, loc. within a wetland complex, riparian to Hardwood Creek, 18431 Henna Ave N, Forest Lake	TWAFAA pro 6 items
98-99	01-153 McDonald's Corporation	FSD	Restaurant, 3.0+A, loc. N of I-35W, E of Lake Dr, Lino Lakes.	TABLE pro 8 items

100 Motion carried 4-0.

- 101 #KEY: APW=Approp. of Public Waters LD=Land Development S&UC=Street & Utilities Construction
 102 BC=Bridge Construction NPR=No Permit Required UC=Utility Construction
 103 CC=Culvert Construction PDS=Pub./Priv. Drng. Sys. UDC=Utility Ditch Crossing
 104 CSM=Comp.Stormwater Mgmt. RG=Rough Grading WA=Wetland Alteration
 105 FSD=Final Site Drainage SA=Shoreland Alteration WB=Wetland Banking
 106 *TWAFAA = Table With Authorization For Administrative Action pro = pending receipt of
 107
 108

109 **OPEN MIKE** Individuals may address the Board of Managers about any item not included on the regular agenda. Speakers are requested to
 110 come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally the Board of Managers will
 111 not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be
 112 scheduled on an upcoming agenda.

113 1) Norm Wenck, of Wenck Associates, Inc., introduced himself and Rebecca Kluckhohn to the Board, and informed that his firm
 114 consists of approximately a dozen persons who have familiarity with the RCWD because they have done work for the District in
 115 the past when they were employed by District Engineers: Eugene Hickok & Associates, the RCWD's Engineer for many years.
 116

117 **ADDITIONAL ITEMS REQUIRING BOARD ACTION**

118 1. Consider findings and order in the matter of PA#01-116: Spivak variance. Motion by Mgr. Leroux, seconded by
 119 Mgr. Cardinal, to approve findings & order in the matter of Spivak variance. Carried 4-0. President Waddell executed document.
 120

121 2. Consider authorization for Hwy 61 easement legal descriptions and setting of Public Hearing date. Jodi Polzin
 122 reviewed the project. Brief discussion on easements followed. Ms. Polzin will request that White Bear Township hold the
 123 easements, rather than the District. A surveyor is necessary to complete the easement descriptions. Motion by Manager Leroux,
 124 seconded by Manager Doege, to hire a surveyor in an amount not-to-exceed \$2,500. Carried 4-0.
 125

- 126 3. **Consider Otter and Bald Eagle Lakes vegetation management plan invoices, status of BWSR grant funding, sign**
127 **Grant Agreement with BWSR for that funding, and pass Resolution agreeing to match funds with dollars and in-kind.**
128 Engineer Emmons introduced this topic. *Mgr Cardinal moved a Resolution entering into a State Challenge Grant Agreement*
129 *with BWSR for a \$5,000 Grant matched by cash for Otter Lake. Seconded by Mgr. Leroux. Carried with 4 Ayes, 0 Nays. Mgr*
130 *Doege moved a Resolution entering into a State Challenge Grant Agreement with BWSR for a \$14,000 Grant matched by in kind*
131 *services for Bald Eagle Lake. Seconded by Mgr. Leroux. Carried with 4-Ayes, 0-Nays.*
132
133 4 **Consider revised rate schedule for 2002 EOR engineering services of 5% increase.** *Motion by Mgr. Leroux,*
134 *seconded by Mgr Doege, to employ EOR as the District Engineers for 2002 with a 5.2% increase over 2001 rates. Carried 4-0.*
135
136 5. **Consider Wenck & Associates, Inc., contract for Engineering Services.** *Motion by Mgr Doege, seconded by Mgr.*
137 *Leroux, to table this consideration until the new administrator could be included in the decision for engineering services. Carried*
138 *4-0. Principal Norm Wenck spoke regarding benefits to be gained by employing more than one engineering firm, and requested*
139 *Managers consider this Agreement a smorgasbord of services from which they may select whatever service(s) they wish.*
140
141 6. **Consider Inspection Report and Approval of maintenance recommendations for Ramsey Co Ditches 1, 3, 4 & 5,**
142 **Anoka Co. Ditch 47, and AnWash JD3 (Clearwater Creek).** Inspector Daleiden reported on condition of each of these ditches
143 and who will be cleaning/maintaining them. Daleiden reported that the main trunk of AnWash. JD3 (Clearwater Creek) is in good
144 condition except for a sediment delta at its outlet to Peltier Lake. Resident and lake association member, Jerry Lindner, reported
145 that the delta is growing and now has vegetation on it. Daleiden reported that Branches 1 & 3 of Clearwater Creek are in good
146 condition, but Branches 2 & 4 are in poor condition and require major maintenance—estimated total of \$6,000 *Motion by Mgr*
147 *Cardinal, seconded by Mgr. Leroux, to authorize \$6,000 for AnWash JD3 (Clearwater Creek) maintenance. Carried 4-0. Mgr.*
148 *Leroux asked Daleiden to quantify all items. Mgr. Waddell asked to have quotes on sediment removal costs.*
149
150 7. **Consider purchase of software from COMP USA (Daleiden).** *Motion by Mgr. Leroux, seconded by Mgr. Cardinal, to*
151 *authorize \$1,200 for computer software upgrade. Carried 3-0. (Note: Mgr. Doege temporarily out of the room.)*
152
153 8. **Consider Approval (Acct's request) for Mileage Reimbursement at .365/mile, effective 1-1-02.** *Motion by Mgr*
154 *Cardinal, seconded by Mgr. Leroux to authorize increase for mileage reimbursement, effective 1-1-02, at .365/mile. Carried 3-0*
155 *(Note: Mgr. Doege temporarily out of the room.)*
156
157 9. **Consider Accounts Payable Dated 12-18-01 in the amount of \$114,547.00, Prepared by Boyum & Barendscheer,**
158 **CPAs.** Torpe informed that checks #11005 and 11006 to Health Partners are deleted and replaced by Checks #10913 and
159 10930 in lesser amounts, and Check #10996 to Eco Education is added. *Motion by Mgr. Cardinal, seconded by Mgr Leroux to*
160 *approve checks as listed in the total adjusted amount of \$151,773.83. Carried 4-0.*
161
162 10. **Consider COBRA membership in arrears.** Former employee has paid the arrears, albeit it late, and left RCWD group.

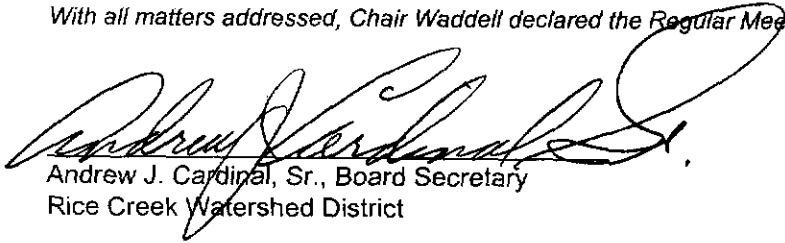
ITEMS FOR DISCUSSION AND INFORMATION

- 164
165 1. **Request from Shoreview residents re: perceived obstruction to drainage.** The Managers reviewed a letter dated
166 12-17-01 from Shoreview residents Michael Wasiluk and Theresa Gillette, of 648 Birch Lane South, regarding what they perceive
167 as a drainage problem created by the City of Shoreview doing a street renewal project in the Birch Lane neighborhood on the
168 east side of Turtle Lake. Their concern is that the City has passed an ordinance under which this standing water will be
169 considered a nuisance for which letter writers will be made responsible. They sought watershed district intervention. Engineer
170 Almer stated that he reviewed this a year ago when he reviewed City's plans; the City apparently created this problem, and
171 therefore are the ones to correct it. Board directed EOR to look into the drainage problems in the Birch Lane Neighborhood.
172
173 2. **Request for Proposal for Wetland Bank Projects by BWSR.** Managers reviewed a BWSR memo dated 12-10-01,
174 requesting proposals for Wetland Bank Projects in order to mitigate impacts due to local government public road improvement
175 projects. This pilot program attempts to secure wetland bank sites, and BWSR seeks knowledge of wetland restoration projects
176 our WD is pursuing that might fit the criteria and goals. Engineers have reviewed the District's 2002 Operational Plan and did not
177 find opportunities there. Emmons informed that open enrollment exists, if Managers know of possible sites.
178
179 3. **Status of local plans memorandum from EOR. Brief discussion on Local Water Plans.** The Managers reviewed a
180 memorandum from Jennifer Olsen & Brett Emmons of EOR, dated 12-18-01, which defined preliminary status of local surface
181 water planning among the 29 cities in the District. Emmons informed of Cities who are actively seeking permitting authority, and
182 noted they not only must complete their Local Plan, but have ordinances in place to support it, within 2-years of the time the
183 WD's master plan is adopted.
184

- 185 4 **Langton Lake, Roseville, reclassification letter from DNR.** Board reviewed a letter dated 10-30-01 from the MnDNR
186 to City of Roseville, advising of the Reclassification Procedure for Langton Lake in that City This reclassification (from wetland
187 to lake) will be a plus for the homeowners who wish to apply for grant funding for lake projects.
188
- 189 5 **Peloquin Park Stormwater Management letter from SEH, Inc.** Managers reviewed the letter of request from Dave
190 Mitchell, SEH, dated 11-12-01, in which City of Hugo requests that the Board reconsider the need for the water quality pond
191 permitted for this project, based on the Corps of Engineers' requirement for mitigation if the wetland is made into a pond. The
192 City requested the Board reconsider the need for a pond in this location, but consider areas upstream and downstream for
193 regional facilities that will help mitigate the deletion of this pond, because those areas will be regional storm water facilities
194 constructed in the near future as areas develop. *By consensus, and in accordance with Engineer Almer's recommendation, the*
195 *Board accepted the City's proposal to create a regional pond to treat the area runoff, conditional upon getting future obligation in*
196 *writing from the City.*
197
- 198 6. **Memo from District Atty re: MN Supreme Count case/WCA.** This informational item on Minnesota Supreme Court
199 *Case of American Tower vs City of Grant* was distributed to the Board.
200
- 201 7. **Advisory Committee Meeting Agenda--Request Volunteer Board Liaison on 1-2-02.** Cardinal volunteered to attend
202 the Advisory Committee's first meeting of 2002 as the Board's Liaison.
203
- 204 8. **Billing Report through 12-19-01.** Torpe updated some receipts and reviewed Report informationally.
205
- 206 9. **January 2002 Meeting Schedule Memo.** Distributed for information of Managers and Staff. The Board's annual
207 organizational meeting will be held at the Regular Board meeting of 2-13-02.
208
- 209 9a. **Discuss Holiday Dinner for Managers and Staff.** Brief discussion to select best date and place for this pay-your-own-
210 way dinner event. Board decided to get together at Kozlak's Restaurant on Thursday, 2-7-02.
211
- 212 9b. **Board of Managers Draft Calendar for 2002.** Torpe distributed a draft for consideration going into the new year, which
213 will be finalized at the first Board meeting in February.
214
- 215 10. **Closed Session to Discuss Matters in Litigation.** *Motion at 9:40 p.m. to go into closed session: Cardinal/Leroux.*
216 *Carried 4-0. Attorneys provided information to the Board of Managers on recent developments. Chair Waddell ended the closed*
217 *session at 10:24 p.m. President Waddell reconvened the Regular Meeting.*
218

219 **ADJOURNMENT**

220 *With all matters addressed, Chair Waddell declared the Regular Meeting adjourned at 10:25 p.m.*
221
222
223

224 
225 Andrew J. Cardinal, Sr., Board Secretary
226 Rice Creek Watershed District
227

228 bct
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238 c: Managers (5), Attorney, Engineers (2), Accountant, Advisory Committee (8), Municipalities (29), Blaine Councilman T. Capra, Anoka
239 Co. Commissioners (4), Chair, Anoka Co. Board of Commissioners, Chair, Hennepin Co. Board of Commissioners, Ramsey Co. Commissioners
240 (2), Chair, Ramsey Co. Board of Commissioners, Chair, Washington Co. Board of Commissioners, Ramsey Co. DPW, MN Board of Water & Soil
241 Resources, MnDNR, David Zappetillo, DNR Fisheries, Anoka Conservation District, Hennepin Conservation District, Ramsey Soil & Water
242 Conservation District, Washington Soil & Water Conservation District, St. Paul Water Utility, M. Jouseau, Metropolitan Council, M. Tomasek,
243 Clean Lakes, M. Gernes, Biomonitoring, MPCA, Brown's Creek WD, Capitol Region WD, Comfort/Forest Lake WD, Coon Creek WD, Minnehaha
244 Creek WD, Ramsey-Washington Metro WD, Lower St. Croix Valley WD, White Bear Lake Cons. Dist., Loren Hentges, Joe Preiner, John Waller,
245 Fran Miron, M.Agha, St. Paul Pioneer Press, Hannah Tilsen, The Hugonian, Krebsbach & Haik, G. Rehbein Cos. tbrough@yahoo.com
246 kateonhilo.com