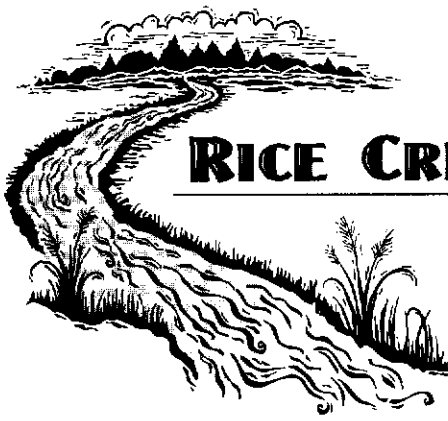


Approved



# RICE CREEK WATERSHED DISTRICT

4325 Pheasant Ridge Dr. NE #611 • Blaine, MN 55449-4539  
Phone: 763-398-3070 • Fax: 763-398-3088  
www.ricecreek.org

## REGULAR MEETING OF THE RCWD BOARD OF MANAGERS Wednesday, February 23, 2005

Shoreview City Hall Council Chambers  
4600 North Victoria Street, Shoreview, Minnesota

### Minutes

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#### ROLL CALL

Present: President Andrew Cardinal, 1<sup>st</sup> Vice-Pres. James Leroux, 2<sup>nd</sup> Vice-Pres. Donald Steinke, Treasurer Barbara Haake, and Secretary Roger Aiken.

Absent: None

Staff Present: Administrator Steve Hobbs, Office Manager Theresa Stasica

Consultants: District Engineers Brett Emmons and Carl Almer of EOR; Attorney Louis Smith, Smith Parker

Visitors: Marvin LaValle, Michael Miellister, Matt Wassmen, Chris Marthey, Dan Tuchy, Suzanne Wilsie, Keith Petersen, Phil Belfiori, Chris Horsmann, Dale Moe, Bob Knabe

#### CALL TO ORDER

President Cardinal called the meeting to order, a quorum being present, at 7:00 p.m.

#### SETTING OF THE AGENDA

President Cardinal asked for any additions.

Manager Aiken stated he would like to add a discussion on the last Advisory Committee meeting.

Manager Leroux stated he would like to add discussion on the progress on the pipeline company and the JD2 cleanout.

*The Board adopted the amended Agenda by consensus.*

BOARD OF MANAGERS

A.J. Cardinal, Sr.  
Anoka County

Roger K. Aiken  
Ramsey County

James A. Leroux  
Washington County

Barbara A. Haake  
Ramsey County

Donald J. Steinke  
Anoka County

30 **READING OF THE MINUTES AND THEIR APPROVAL**

31  
32 **Minutes of the February 9, 2005, Board of Managers Meeting.**

33  
34 Manager Haake requested the following changes:

35  
36 Line 201, Page 5, to state .Manager Haake stated there were 121 miles of ditches in the District and for 9 miles they had  
37 spent \$25,000 at this time on those nine miles. She noted this was a lot of money and in the future \$40,000 will be 40% of  
38 the ditch maintenance budget.

39 Line 205, Page 5, to state .Manager Haake stated she had distributed a memo regarding how much had been spent on  
40 JD2 Hardwood Creek by Rice Creek Watershed District for EOR engineering fees over the last two years. It did not even  
41 take into account the attorney's fees that had been spent over the last two years 2002-2003.

42  
43 Manager Haake requested the amounts as outlined in the memo she distributed be inserted into the Minutes.

44  
45 *Motion by Manager Haake, seconded by Manager Aiken, to approve the minutes as corrected.*

46 *Motion carried 4-0, Manager Leroux abstained*

47  
48 **PUBLIC HEARING ON THE CITY OF HUGO PROPOSAL TO CONSTRUCT A WATER**  
49 **QUALITY/FLOOD MANAGEMENT POND IN ANOKA/WASHINGTON JUDICIAL DITCH 3,**  
50 **BRANCH 3, UPSTREAM OF CSAH 8**

51  
52 President Cardinal opened the public hearing at 7:10 p.m.

53  
54 District Attorney Smith stated the Drainage Code provided for a procedure to follow anytime an impoundment to a  
55 diversion of a drainage system was proposed. In this case, an Engineer's report was required. After receiving the Engineer's  
56 report, it was appropriate to notice a public hearing. He stated tonight's hearing was focused on whether or not the  
57 proposed impoundment would impact the function of the ditch.

58  
59 District Engineer Almer explained in conjunction with the reconstruction of CSAH 8, the City of Hugo had proposed an  
60 impoundment of Anoka/Washington JD-3 Branch 3. This impoundment entailed replacement of the culvert under CSAH  
61 8 and regional pending. This impoundment was consistent with the City of Hugo's overall Edgerton Avenue planning  
62 effort.

63  
64 He stated the proposed project entailed construction of a large regional pond inline with replacement of the  
65 Anoka/Washington JD-3, Branch 3 - CSAH 8 crossing (as CAPROC'd under Permit 05-005). This pond would serve to  
66 reduce peak flows and improve the water quality of Branch 3 discharge to Clearwater Creek. The outlet elevation of this  
67 regional pond would be set at the plan profile (per the 1959 Judicial Ditch 3 Final Construction Plans). He noted the  
68 proposed system had been reviewed with respect to the plan profile and capacity and also with respect to existing flood  
69 elevations established by the City of Hugo's Comprehensive Stormwater Management Plan. The proposed design  
70 provided equivalent hydraulic capacity as the original ditch plan capacity and did not increase flood elevations onsite or  
71 upstream of the proposed project.

72  
73 He indicated the City would need to convey to the District a perpetual easement over this section of the ditch that would  
74 allow for future maintenance. He stated it was the District's understanding that the City of Hugo would obtain easements  
75 over the remaining ponding areas not covered by the District's required easement and would be responsible for all pond  
76 maintenance.

77  
 78 He stated in summary, the impoundment/ponding should provide an overall enhancement to the Branch 3 drainage  
 79 system and at the same time, maintain the drainage right of the remaining agriculture use within the drainage area. He  
 80 indicated this property should not be removed from the Anoka/Washington JD-3, Branch 3 system because it would  
 81 continue to drain to and benefit from the system.

82  
 83 There were no public comments made.

84  
 85 *President Cardinal closed the hearing at 7:15 p.m.*

86  
 87 *Motion by Manager Haake, seconded by Manager Leroux, to approve Resolution 2005-02 Resolution authorizing*  
 88 *diversion and impoundment within Branch 3, Anoka/Washington Judicial Ditch 3 and waive the reading.*

89  
 90 *President Cardinal called the question.*

- 91  
 92 *Manager Aiken – Aye*  
 93 *Manager Haake – Aye*  
 94 *Manager Leroux – Aye*  
 95 *Manager Steinke – Aye*  
 96 *President Cardinal – Aye*

97  
 98 *Resolution adopted 5-0.*

99  
 100 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

101 The following applications have been reviewed by the District Engineer and Staff and will be acted upon without discussion in  
 102 accordance with the Engineer’s Recommendation unless a Manager or the Applicant or another interested person requests  
 103 opportunity for discussion:

No.	Applicant	#Plan Type	Description/Location	*Recommendation
104 04-158	Oakwood Land Development	LD & WA & PDS	North of 85 <sup>th</sup> Avenue NE & west of Coral Sea Street NE, Blaine	CAPROC pro 10 items

105  
 106  
 107  
 108  
 109 District Engineer Almer presented the land development plan and wetland alteration plan for a 13-lot single family  
 110 residential development riparian to Anoka Ramsey Judicial Ditch 1 to be known as Coral Sea Place and a Public Drainage  
 111 System Plan for realignment of 300 LF of A/R JD-1, Branch 3, 5.1± acres.

112  
 113 Manager Haake asked why the pipe was not routed through the holding pond. District Engineer Almer replied based on  
 114 the drainage area, any pond would be overwhelmed by the drainage running through it.

115  
 116 Manager Steinke asked with the pipe being at a 90-degree angle, would the water flow be constricted or would clogging  
 117 occur. He asked if something else could be done. District Engineer Almer replied the modeling and design had taken the  
 118 angle into account.

119  
 120 Manager Leroux asked if the grading plan on this site contains any floodplain correction and how would that impact the  
 121 ditch flowage for the section being abandoned. District Engineer Almer replied that there was a floodplain correction. Mr  
 122 Almer explained where the floodplain would be filled and what area was going to be mitigated.

124 Manager Haake asked how much water would be held in the ponds. She expressed concern about the safety issue with  
 125 children around. District Engineer Almer replied 904.6 was the regional flood elevation. He stated the normal water level  
 126 was at 902. He noted the south pond was at 903.5 and there was a maximum 10:1 slope.

127  
 128 Manager Haake asked how deep the pond would get. District Engineer Almer replied the maximum depth of the pond  
 129 was 10 feet. He stated the average depth was 6 feet, but there was one deep hole.

130  
 131 Manager Aiken asked if the District would be responsible for the pipe. He noted they had a stake in this.

132  
 133 Manager Haake stated the District would be responsible for the maintenance.

134  
 135 Manager Aiken stated he did not like the right angle alignment of the pipe. He stated there might be a better way to  
 136 handle the water on site and maximize the land. He noted a right angle pipe was not in the best interest of the District.

137  
 138 Manager Haake stated she did not want to second-guess the District Engineer's recommendation.

139  
 140 Manager Leroux stated this really was not that much different than any other storm water system. He stated he did not  
 141 like the right angle pipe either, but as long as the calculations allowed for the flow, he would not disagree with the District  
 142 Engineer. He noted they would need the appropriate easements for maintenance purposes.

143  
 144 ***Motion by Manager Haake, seconded by Manager Leroux, to Conditionally Approve Pending Receipt Of***  
 145 ***Changes (CAPROC) permit 04-158 per receipt of 10 items in accordance with the District Engineer's***  
 146 ***Findings and Recommendations, as contained in the Engineer's Report dated February 18, 2005 and***  
 147 ***schedule a hearing for permit 04-158 fore proposed realignment and piping of Anoka/Ramsey Judicial***  
 148 ***Ditch 1, Branch 3, immediately downstream (west) of Coral Sea Street. Motion carried 4-1, Manager***  
 149 ***Aiken opposed.***

150  
 151 District Administrator noted the hearing would be scheduled for March 23, 2005.

152  
 153 Manager Aiken requested the detail on permit 05-015.

154

No.	Applicant	#Plan Type	Description/Location	*Recommendation
155	156 Ramsey County,	S&UC	County Road C from 300 LF east	CAPROC pro 9 items
157	158 Successful		of Snelling Avenue to the District	
159	160 Bidder		Political Boundary (Lexington Avenue), Roseville	

161 District Engineer Almer presented the street and utility plan for reconstruction of 1.0± miles of County Road C from 300  
 162 LF east of Snelling Avenue to the District Political Boundary (Lexington Avenue), Roseville.

163  
 164 Manager Leroux asked whose responsibility was Arona Pond maintenance. District Engineer Almer replied it was under  
 165 the City of Roseville's maintenance.

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**CONSENT AGENDA**

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No.	Applicant	#Plan Type	Description/Location	*Recommendation
05-015	Ramsey County, Successful Bidder	S&UC	County Road C from 300 LF east of Snelling Avenue to the District Political Boundary (Lexington Avenue), Roseville	CAPROC pro 9 items
04-144	Mike Vaughan	LD	South of Birch Street & 700± LF west of Shadow Lake Drive, Lino Lakes	CAPROC pro 11 items
04-160	Stoney River Development	LD	½ mile south of 202 <sup>nd</sup> Street N & east of Jeffrey Avenue N., Forest Lake	CAPROC pro 5 items
05-006	Robert Knabe	LD	7241 Main Street, Centerville	CAPROC pro 1 items
05-007	Metro Land Surveying & Engineering	FSD	South of Apollo Drive & east of Jon Ave., Lino Lakes	CAPROC pro 11 items
05-008	City of Lino Lakes	after the fact CC	Baldwin Lake Road ¼ mile north of County Road J, Lino Lakes	Approval
05-009	Lisa Henry	FSD & WA	250± LF south of Stillwater Road & West of Ideal Road, Mahtomedi	CAPROC pro 7 items
05-011	City of Shoreview Successful Bidder	S&UC	Nelson Drive from Lexington Ave. to Oxford Street, Shoreview	CAPROC pro 7 items
05-012	St. Genevieve Catholic Church	FSD	South of Heritage Street & west of Centerville Road (CSAH 21), Centerville	CAPROC pro 10 items

**Motion by Manager Leroux, seconded by Manager Haake to Approve, or Conditional Approval Pending Receipt Of Changes the Permit Applications as noted in the above Table of Contents in accordance with the District Engineer's Findings and Recommendations, as contained in the Engineer's Report dated February 18, 2005. Motion carried 5-0.**

#KEY: APW=Approp. of Public Waters      LD=Land Development      S&UC=Street & Utilities Construction  
 BC=Bridge Construction      NPR=No Permit Required      UC=Utility Construction  
 CC=Culvert Construction      PDS=Pub./Priv. Drng. Sys.      UDC=Utility Ditch Crossing  
 CSM=Comp.Stormwater Mgmt.      RG=Rough Grading      WA=Wetland Alteration  
 FSD=Final Site Drainage      SA=Shoreland Alteration      WB=Wetland Banking

\*CAPROC = Conditional Approval Pending Receipt Of Changespro = pending receipt of

**President Cardinal requested that additional items requiring board action item 3. be moved up on the agenda.**

215 **ADDITIONAL ITEMS REQUIRING BOARD ACTION**

216 3. **Consider Ordering Removal of Gas Line Obstruction in JD2**

217  
218 District Administrator Hobbs stated Northern Natural Gas Company responded to a utility location request this  
219 winter pertaining to Judicial Ditch 2 (JD2) minor maintenance project between 180<sup>th</sup> Street North and Harrow  
220 Avenue North. Two (2) 20-inch gas utilities cross the ditch approximately 200 – 250 feet north of 180<sup>th</sup> Street  
221 North. The District had worked with the utility company to determine pipe elevations as they intersect the ditch.  
222 The pipe elevations were determined to be at 912.941 and 913.443. The existing ditch bottom was between  
223 915.00 and 916.00 and the estimated minor maintenance cut depth was in the vicinity of 912.00. The adopted  
224 profile or bottom elevation in this location of the ditch was approximately 910.05.  
225

226 Administrator Hobbs indicated follow-up meetings, email and letter correspondences have been directed to  
227 Northern Natural Gas Company regarding the District's maintenance activity and the obstruction of the natural  
228 gas pipelines and there present elevation. Ongoing discussions with Northern Natural Gas Company had also  
229 identified another utility crossing at a different section of JD#2 a few 100 yards downstream of State Highway 61.  
230 A request to determine the top of pipe elevation at this crossing should be completed in the coming weeks.  
231 Based on the elevation of this crossing and the scope of maintenance activities downstream of Hwy 61, a request  
232 to lower this utility may be pursued.  
233

234 Dale Moe, Counsel for Northern Natural Gas approached the podium. Mr Moe stated they believed the depth of  
235 the pipe lines were set by the County at the time they were installed. He stated the first line was installed in 1959  
236 and the second line was installed in 1993. He stated they were going through their files to see if they could find  
237 any correspondence that mandated them to put it at a particular elevation. He stated this came as a surprise to  
238 his client and they wanted to cooperate with the District, but the cost was enormous being approximately  
239 \$800,000 for each line as well as the timing of the request. He noted it was difficult to move the lines in the winter  
240 because it would affect many customers who rely on natural gas for their heating. He stated his clients believed  
241 they were in compliance because this was County mandated.  
242

243 District Attorney Smith requested copies of the easement.  
244

245 Keith Peterson, Engineer for Northern Natural Gas approached the podium. Mr. Peterson presented a diagram of  
246 the gas lines. He noted the two lines serviced approximately 325,000 customers and to move these lines in the  
247 winter would be difficult to switch over the service to another line for these customers because of the high  
248 demand on the lines in the wintertime.  
249

250 Manager Leroux asked if there was any restriction on going overland with the pipes. Mr. Peterson replied those  
251 types of lines were expensive to build and maintain. He stated he did not know if these pipes could be suspended  
252 because of their weight.  
253

254 Manager Aiken asked if they could change the alignment of the ditch and open up the width of the ditch at this  
255 spot. District Engineer Emmons replied they could have different dimensions of the ditch so it was wider rather  
256 than deeper, but the City of Hugo had some concerns if they did that.  
257

258 Manager Aiken noted they would also need a lot of space to make the ditch wider. He asked if they could use  
259 culverts to make a reserve bridge to direct the flow underneath the pipe. District Engineer Emmons replied they  
260 had considered creating an underpass for the flow, but there was a concern regarding sediment building up and  
261 the maintenance.

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District Engineer Emmons stated the most practical thing to do was to put in some type of an electrical pump station until the gas line could be lowered, or they could put in a pumping station as a permanent structure.

Manager Aiken stated it was the low flow that was a concern. He asked how much space they had to work with. District Administrator Hobbs replied they would need to obtain easements from the landowners.

Manager Aiken asked who the pipeline serviced. Mr Peterson replied it serviced Minneapolis and Elk River, as well as other communities. He noted the gas came from various areas in the United States and also Canada.

Manager Leroux noted right now they needed to allow some type of a temporary solution that would be feasible and serve both needs.

Mr Peterson suggested getting the engineers together to discuss a solution that would work for both sides.

Dan Tuchy, Operation and Maintenance Technician Northern Natural Gas Company, stepped up to the podium. He stated they did not have much information on the second line and they were willing to work with the District to resolve this.

President Cardinal acknowledged that this would not be resolved in the next few days. Mr Peterson stated he would leave his contact information.

Manager Aiken stated technically the ditch authority was in the hands of the County in 1959. He asked just because the Watershed District was created in 1972 did it give the District the authority to override the decisions of previous ditch authorities.

Manager Haake asked what the regulations for setting the depth of a gas line were in 1959. Mr. Moe replied in 1959, the gas flowed to farms, but he was not sure what the regulations were.

**OPEN MIKE – Limit 12 Minutes** *Individuals may address the Board of Managers about any item not included on the regular agenda. Speakers are requested to 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 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 scheduled on an upcoming agenda.*

There was no one present for Open Mike.

**ADDITIONAL ITEMS REQUIRING BOARD ACTION**

**1. Election of Officers**

***Motion by Manager Leroux, seconded by Manager Steinke, to approve the same officers.***

Manager Haake stated there had been previous discussion regarding rotation of the Officers. She noted President Cardinal had served very well the past three years, but she believed they should rotate officers to allow other managers to serve in another capacity. She stated she was going to speak against the motion because she wanted to have another position.

309 Manager Aiken stated over the years Washington County had never been represented by a Chair. President  
310 Cardinal replied as far as he knew, the representatives of Washington County never wanted the Chair position.

311  
312 Manager Leroux stated he was not interested in chairing the meetings. He indicated he wanted to maintain the  
313 level of responsibility he had. Manager Haake stated she believed Manager Leroux would make a great chair and  
314 she believed he should serve for a year and try it.

315  
316 *Motion carried 4-1 (Manager Haake opposed).*

317  
318 **2. Consider Amendment to Bylaws**

319  
320 President Cardinal noted there was one addition he wanted to the proposed amendment to the Bylaws under  
321 Article VI, Section 1. Regular Set Meetings. President Cardinal would like to add the line that if an individual  
322 needed more than three minutes time under Open Mike, additional comments may be solicited and accepted in  
323 writing

324  
325 Manager Leroux noted he was not at the last meeting, but stated he had not intended to make a Bylaw change,  
326 just a change of process. Manager Haake agreed and instead of putting this in the Bylaws she asked if they  
327 couldn't put these in the standing rules.

328  
329 District Administrator Hobbs stated Manager Aiken had suggested at the last meeting the memo previously  
330 prepared be re-crafted as a Bylaw amendment and that is why it is on the agenda tonight.

331  
332 Manager Haake stated she was in support of this new process, but she was not sure if it needed to be as an  
333 amendment to the Bylaws. She stated she did not want to see the Bylaws cluttered with these types of issues. City  
334 Attorney Smith stated the Board was free to adopt policies as they saw fit. He stated they were free to amend the  
335 Bylaws or adopt it as a separate policy document.

336  
337 Manager Haake noted there was a meeting format in the Bylaws under Article VI. Section 7, Page 5, item f, which  
338 gave the President the authority to set a time limit that a manager or a person addressing the board may speak.  
339 This item seemed to address what the Board was proposing to do. She stated she believed this needed to be  
340 established as a policy and not an amendment to the Bylaws.

341  
342 *Motion by Manager Haake to change this proposed Amendment to the Bylaws to a policy change instead.*

343  
344 Manager Aiken expressed concern about only a RCWD resident being allowed to speak to the Board during Open  
345 Mike. He also expressed concern that 12 minutes was not adequate for Open Mike. He noted there might be a  
346 situation where someone would need more than 12 minutes. District Administrator Hobbs stated if the Board  
347 wanted someone to speak longer at Open Mike, they had the right to extend the time limit. He noted there was  
348 also the ability to put things in writing to be submitted to the Board.

349  
350 Manager Aiken stated as long as they could extend the time period, he would not object to a time limit, but he  
351 still had an issue with not allowing a non-resident of RCWD to speak at Open Mike. He stated they could leave  
352 that in there, as long as the Board all agreed that they could speak, but he did not believe it should be in there.

353  
354 Manager Haake suggested anyone who wanted to address the Board be allowed to address the Board for their 3-  
355 minute time limit only and submit all other requests in writing and put on the next meetings agenda. District

356 Administrator Hobbs noted it would open up a potential problem if every request in writing was placed on the  
357 agenda. He stated the agendas would get extremely long.

358  
359 Manager Leroux stated this rule did not have to be permanent, but he believed something had to be done  
360 because there were too many people who came to these meetings who simply wanted to argue and not conduct  
361 business. He stated there was too much grand standing going on and he wanted the Board to take some control  
362 over this. He stated this was an attempt to put some structure back into the Board organization.

363  
364 Manager Haake suggested using the exact same words they used previously for Open Mike replacing five minutes  
365 with three minutes for a total Open Mike time of 12 minutes and if comments were going to be over three  
366 minutes, the comments must be presented in writing. She noted no Bylaw change would be necessary this way.

367  
368 *Motion failed for lack of a second.*

369  
370 *Motion by Manager Haake, seconded by Manager Steinke to set a meeting policy that the Chair, in*  
371 *consultation with the administrator, shall set the meeting agenda. A matter for Board action shall be*  
372 *added to the agenda only if a majority of the Board decides that an emergency so requires. A matter not*  
373 *requiring Board action may be added to the agenda by majority vote. The agenda shall provide an Open*  
374 *Mike for a 12-minute period in which any RCWD resident may address the Board in his or her individual*  
375 *capacity, for up to three minutes, on any matter not on the agenda. If an individual needs more than 3*  
376 *minutes or the 12 minutes has expired additional comments may be solicited and accepted in writing.*  
377 *The Chair shall recognize any Manager wishing to speak to a matter before recognizing any other person.*  
378 *Motion carried 5-0.*

379  
380 The annual recognition dinner was discussed. Administrator Hobbs will put together a memo for the Board with  
381 different options for the event.

382  
383 **4. Consider Assignment of Maintenance Responsibility of JD2 to City of Hugo**

384  
385 District Administrator Hobbs stated they needed to approve the language to the agreement, which would go into  
386 effect once the maintenance was done. He stated the Hugo staff was fine with the language.

387  
388 Manager Haake stated it was the same wording as they had previously seen, but she still had the same concern  
389 she previously had regarding there were 121 miles of ditches in the District and for 9 miles they had spent \$25,000  
390 at this time on those nine miles. She noted this was a lot of money and in the future \$40,000 will be 40% of the  
391 ditch maintenance budget.

392  
393 *Motion by Manager Haake, seconded by Manager Aiken, to approve the Memorandum of Agreement*  
394 *Assignment of Maintenance responsibility of JD2 to City of Hugo. Motion carried 5-0.*

395  
396 **5. Consider Pay Request #2 from Frattalone Companies for work completed on the Meander Restoration**  
397 **Project through February 10, 2005, \$44,170.02**

398  
399 *Motion by Manager Leroux, seconded by Manager Haake, to approve Pay Request #2 from Frattalone*  
400 *Companies for work completed on the Meander Restoration Project through February 10, 2005,*  
401 *\$44,170.02, less 5% retainage. Motion carried 5-0.*

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6. Check Register dated 02/23/05, in the amount of \$225,304.53, prepared by HLB Tautges Redpath.

*Motion by Manager Haake, seconded by Manager Leroux, to approve check register dated 02/23/05, in the amount of \$225,304.53, prepared by HLB Tautges Redpath. Motion carried 5-0.*

**ITEMS FOR DISCUSSION AND INFORMATION**

1. Staff Reports.

There were no comments.

2. Advisory Committee Agenda.

President Cardinal noted the next AC meeting would be held next Wednesday.

3. March Calendar.

Manager Haake stated she would be in attendance at the Legislative Breakfast. She indicated if any of the other Managers wanted to go, to let District Administrator Hobbs know so he could obtain the tickets.

4. Advisory Committee Meeting

Manager Aiken stated at the joint meeting of the Board and AC Committee on February 9th some good ideas came out of that meeting and he wanted them to look at those ideas. He proposed this be put on their regular agenda at some point in the future. District Administrator Hobbs stated he had taken notes at that meeting and he would be sending out a memo to the Board.

Manager Leroux stated the Advisory Committee was a resource that was underutilized and they needed to make better use of them.

5. Progress on the pipeline company and the JD2 cleanout

Manager Leroux stated he had noticed the machines had been idle. District Administrator Hobbs replied they had cleared things with the landowner in the area and that the crews should be able to continue soon. He noted both crews would be working.

*President Cardinal recessed the meeting to go into a Closed Session under the Attorney Client Privilege to discuss ongoing Legal matters regarding the Jay Brothers litigation at 9:05 p.m. Motion carried 5-0.*

**ADJOURNMENT**

*Motion by Manager Haake, seconded by Manager Steinke to adjourn the meeting at 10:00 p.m. Motion carried 5-0.*