

# 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

MARCH							APRIL						
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## RCWD BOARD OF MANAGERS WORKSHOP

Monday, March 12, 2012, 3:30 p.m.- 6:00 p.m.

Rice Creek Watershed District Office, 4325 Pheasant Ridge Dr NE, Suite 611, Blaine, Minnesota

### Agenda

- 1
- 2 **CALL TO ORDER**
- 3 **ITEMS FOR DISCUSSION**
- 4 3:30-4:00 Jim Hafner – City of Blaine , Stormwater Manager
- 5           o Follow-up on questions related to requested partnership approach on private ditch
- 6           inspection.
- 7 4:00-4:10 Update on status of agreement with Dan Hair
- 8 4:10-4:20 Update on status of ACD 10-22-32 repair report
- 9 4:20-4:40 Update on legislation initiative and BWSR CWPMP /RMP amendment review
- 10 4:40-4:50 Update on Connexus status
- 11 4:50-5:00 Update on Taylor easement
- 12 5:00-5:10 Discussion on ACD 10-22-32 Water Management District Preliminary Charge Analysis
- 13 5:10-5:15 Discuss possible special meeting on March 20, 2012
- 14 5:15-5:20 Discussion on Board consideration of updated floodplain boundaries
- 15 5:20-5:35 Discussion of Houle/Hair Mitigation Bank Implementation and Monitoring
- 16           agreement with Jason at Critical Connections
- 17 5:35-5:50 Initial Discussion on long range workplan for large CIP's
- 18 5:50-5:55 Update on revised District policy booklet
- 19 5:55-6:00 Update on Office Assistant 1 position
- 20 6:00-6:05 Update on Oneka Ridge Golf Course on Clean Water Legacy grant
- 21 6:05-6:10 Update on possible grant application for Bald Eagle Lake
- 22 6:10-6:15 Discussion on City of Circle Pines memo re: RCWD stormwater treatment
- 23           requirements for 2012 road reconstruction projects
- 24 6:15-6:20 Discussion: Hugo City Council request for joint meeting to discuss Hugo's Stormwater
- 25           CIP, Oneka Ridge Golf Course Project, Bald Eagle Lake Outlet, JD2 minor ditch
- 26           maintenance

BOARD OF MANAGERS ➤

Barbara A. Haake  
Ramsey County

Steven P. Wagamon  
Anoka County

Harley M. Ogata  
Ramsey County

Patricia L. Preiner  
Anoka County

John J. Waller  
Washington County

3:30-4:00 Jim Hafner – City of Blaine ,  
Stormwater Manager

- Follow-up on questions related to requested partnership approach on private ditch inspection.

## MEMORANDUM

### Rice Creek Watershed District

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**To:** Board of Managers

**Date:** March 6, 2012

**From:** Phil Belfiori

**Subject:** Discussion with City of Blaine staff on Blaine's proposal for Partnership on Ditch Inspection.

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#### **Background / Discussion**

This memo is a follow-up to the Board discussion at the January Workshop regarding the City of Blaine's proposal for Partnership on Ditch inspection. Since the discussion at the January Workshop, City staff has finalized an agreement (attached) with Coon Creek Watershed District to partner on ditch inspections in a similar manner that has been proposed in the RCWD. This agreement appears to address several questions posed by the Board at the January Workshop including:

- Question: What is responsibility of District if it identifies a maintenance need in inspection?
- Agreement states The District will not be responsible for the on-going physical performance of these ditches, or for any repairs, changes or alterations to them.
- Question: Who would be responsible for contracted work?
- Agreement states The District will not be responsible for the on-going physical performance of these ditches, or for any repairs, changes or alterations to them.
- Question: Right of entry issues?
- Agreement states that Blaine agrees to provide the District, its staff, employees, Contractors, access to, ingress and egress to the subject ditches, and the authority to enter the area where the subject ditches are located in order for the District to perform its services as provided under the Agreement.
- Question: Indemnification issues?
- Agreement states that Blaine will indemnify, defend and hold harmless the District, its Employees, agents from any and all present and future claims, causes of action, damages, costs, arising out of the condition, physical performance, operation, construction, improvement, repair, maintenance, management of the subject ditches under this Agreement.

If the Board wishes to further investigate or pursue this type of agreement, City and District staff would collaborate to develop a draft agreement for Board consideration including definition of the specifics including the inspection locations and scope of work etc. Staff believes that this work could be done with existing staff in combination with dedicated time from existing summer interns and could be a revenue neutral program. The Board may wish to consider a 1-year pilot study as a way to gauge the financial implications and determine the impact on some of the Board's initial questions listed above.

District staff is asking the Board to consider the general framework as described in the attached agreement between the City and CCWD and provide additional direction to staff.

Attached:

- CRWD agreement with City of Blaine
- Dec. 13, 2011 proposal for partnership on ditch inspection and talking points document

**CO-OPERATIVE AGREEMENT  
FOR INSPECTION OF BLAINE DITCH SYSTEMS**

This Agreement is entered into \_\_\_\_\_, 2012 by the Coon Creek Watershed District, a metropolitan watershed district and political subdivision of the State of Minnesota (District), and the City of Blaine, a municipal corporation under the laws of the State of Minnesota (Blaine).

**RECITALS**

- A. The Coon Creek Watershed District is a metropolitan watershed management organization and watershed district located entirely within Anoka County, Minnesota, and its boundaries include property within the City of Blaine. As a metropolitan watershed district the Coon Creek Watershed District has the authorities and powers as provided under Minnesota Statutes Chapters 103B and 103D, including those regarding the operation and maintenance of stormwater facilities and drainage systems within the watershed district.
- B. Blaine has the control and responsibility over certain open-channel ditch conveyance systems which are located within the City of Blaine and the Coon Creek Watershed District, as more particularly described in the attached Exhibit A.
- C. Because of the District's experience and expertise in the inspection and operation of its public ditch systems within the watershed district, Blaine desires to utilize the District's expertise in this area and contract with the District to provide certain inspection services for those ditches over which Blaine has authority, as set forth in the attached Exhibit A.
- D. The District desires to cooperate and work with Blaine to provide these ditch inspection services, in accordance with the terms and conditions set forth below.

Therefore, in consideration of the mutual promises set forth below and other good and valuable consideration, the District and City agree as follows:

- 1. Ditch Inspections. The District will provide inspection services for those ditches over which Blaine has authority, as described in the attached Exhibit A. The District will provide inspection services for those ditches as more particularly described in the Scope of Services and Inspection Schedule attached as Exhibit B. The District will provide Blaine an inspection report detailing the condition and suggested maintenance, if any, of the inspected ditches, in accordance with the time schedule and report requirements set forth in the attached Exhibit C. The District will not be responsible for the on-going physical performance of these ditches, or for any repairs, changes or alterations to them. Blaine assumes the full and sole responsibility for the maintenance, repair, improvement and management of the subject ditches.
- 2. Compensation and Method of Payment. Blaine agrees to pay the District for services rendered in accordance with the fee rate schedule identified in Exhibit D. The District will submit to Blaine an invoice for services rendered, consisting of a statement of work

performed; associated charges for the billing period covered and respective dates of performance during the invoice period. The District will submit the invoice to the following:

City of Blaine  
10801 Town Square Drive NE  
Blaine, MN 55449-8101  
Attention: Stormwater Manager  
Phone: (763) 785-6188

Blaine will pay the District invoices within thirty days of receipt. The District's fee rate schedule may be adjusted annually upon written consent of both parties. The District as part of its annual budget process will review and revise if necessary the fee rate amount to be charged for its services under this Agreement for the following year. The District will provide the City its proposed fee rate revision at least two weeks before the City is required to adopt its proposed budget for the following year.

3. Access, Ingress and Egress. Blaine agrees to provide the District, its staff, employees, contractors, access to, ingress and egress to the subject ditches, and the authority to enter the area where the subject ditches are located in order for the District to perform its services as provided under this Agreement.
4. Indemnification. Blaine will indemnify, defend and hold harmless the District, its employees, agents from any and all present and future claims, causes of action, damages, costs, arising out of the condition, physical performance, operation, construction, improvement, repair, maintenance, management of the subject ditches under this Agreement.
5. Term, Modification. Either party may terminate this Agreement with or without cause upon thirty (30) days' prior written notice to the other. This Agreement may be amended only upon written agreement of both parties.
6. Government Data. The parties agree that all data either party creates, receives, stores, uses, maintains or disseminates in performing under the terms of this Agreement is subject to the requirements of Minnesota Statutes Chapter 13 (the Minnesota Government Data Practices Act), and the parties will comply with the provisions of Minnesota Statutes Chapter 13
7. Notices. Any notice provided under this Agreement will be sent by certified mail, or by personal service at the following addresses:

Coon Creek Watershed District  
12301 Central Avenue  
Blaine, MN 55434  
Attn: Mr. Tim Kelly, Administrator

City of Blaine  
10801 Town Square Drive NE  
Blaine, MN 55449-8101  
Attn: Stormwater Manager

8. Controlling Law, Successors and Assigns. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Minnesota. This Agreement shall be binding on the heirs, successors and assigns of the parties, but may not be assigned by either party without first obtaining the written consent of the other.

Coon Creek Watershed District

City of Blaine

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President, Board of Managers of Coon Creek  
Watershed District

Mayor, City of Blaine

Date:

Date:

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District Administrator

City Manager

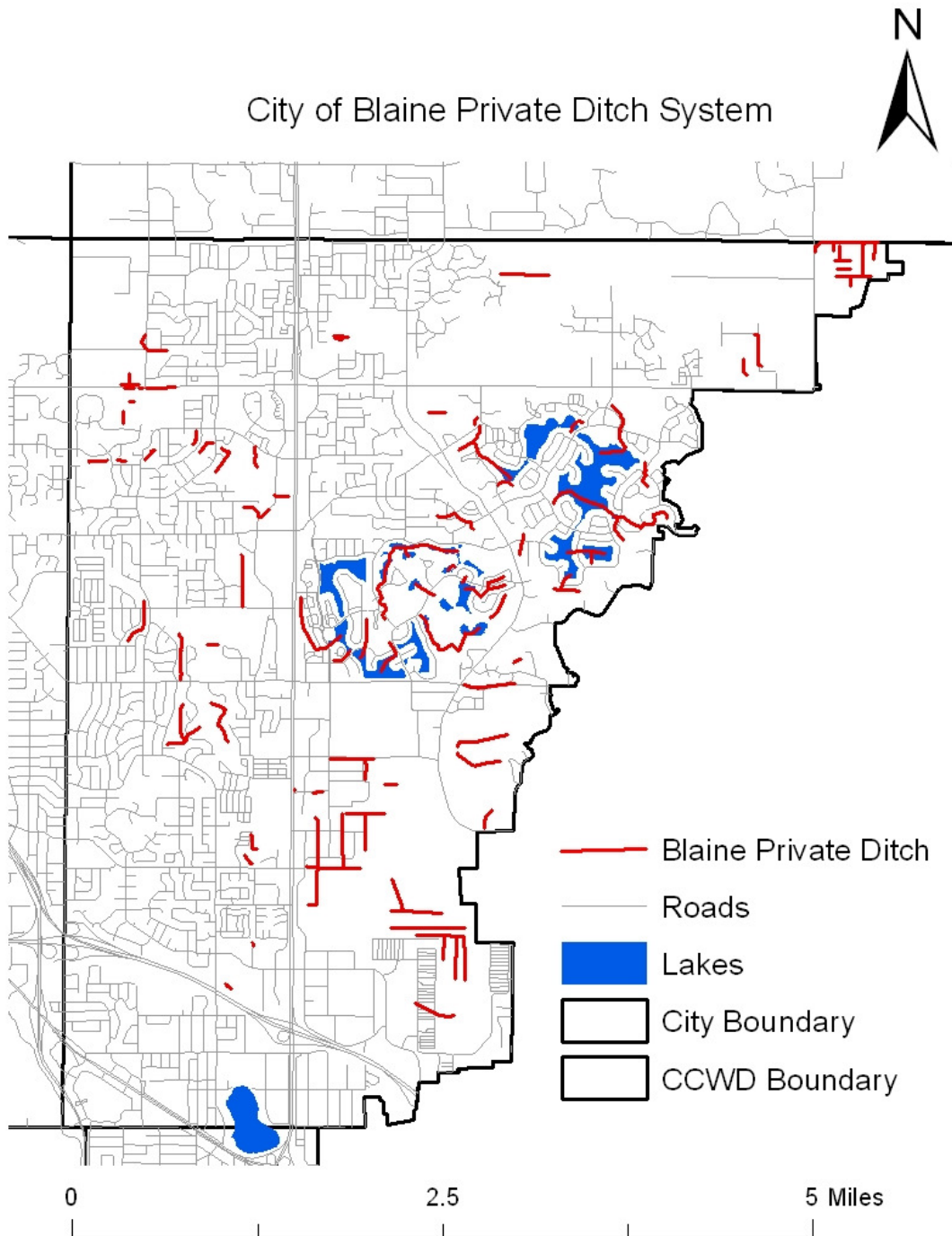
Date:

Date:

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**Exhibit A**

Map of Open Channel Ditches over which the City of Blaine has control and responsibility



## Exhibit B Scope of Services

Inspections are of two types: The District will conduct system inspections according to the schedule below. Spot inspections may be conducted upon request by the City of Blaine. Upon request by the City of Blaine, spot inspections will be conducted within 72 hours of notification to the District

1. Spot inspection: Observations made about the condition of the ditch while at a specific location on the ditch
2. System inspection: Systematic inspection of an entire ditch system from the mouth the headwaters. Inspection Standards:
  - Presence of a 16.5 foot grass strip
  - Stabilization of spoil banks
  - Presence of obstructions
  - Variation from approved plans
  - Sufficient hydraulic capacity (Mannings)
  
  - Data is recorded every 100 feet. Data to be recorded includes:
    - Channel bottom elevation
    - Channel width
    - Channel configurations
    - Water depth
    - Water width
    - Bed material
    - Degree of channel irregularity
    - Effect of obstructions
    - Amount of vegetation
    - Degree of channel meandering

### System Inspection Schedule

Ditch	2012	2013	2014	2015	2016
17					0.29
39				1.64	
41				6.98	
44					1.65
59	0.71				
60			1.73		
<b>Total</b>	<b>0.71</b>	<b>0</b>	<b>1.73</b>	<b>8.62</b>	<b>1.94</b>

**Exhibit C**

**Time Schedule And Report Requirements**

**Notification of Inspection Results**

Date

Name

Address

City, State Zip

**RE:** Ditch Inspection Results

Dear Stormwater Manager

In accordance with the Co-operative Agreement between The Coon Creek Watershed District (District) and the City of Blaine(Blaine) regarding inspection and survey services, the District provides a report with the results of inspections listed in the table below

**Facility Summary:**

<b>Inspection Location</b>	<b>Condition</b>	<b>Need (scope of work)</b>	<b>Date of Inspection</b>

As stated in the Agreement, Blaine is responsible for any repair or maintenance that may be necessary based on the recommendations of this report.



As a reminder, State or District permits may be required prior to the start of any repair or maintenance projects. You may need to contact an engineer or other qualified person to prepare site plans or other documents for these permits. The Watershed District may provide a list of potential contractors on our web site as a service.

If you have any questions, please feel free to contact me at 763-755-0975

Sincerely

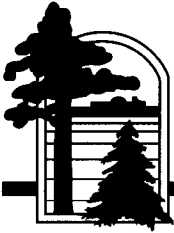
Tim Kelly  
District Administrator

**Exhibit D  
Fee Rate Schedule**

<b>Program Staff</b>	<b>Hourly plus Overhead (1.8)</b>	<b>Hours per Mile of Ditch</b>	<b>Cost per Mile of Ditch</b>
Operations and Maintenance	63.00/Hour	3.5	\$220.50

**Potential Budgeting Costs**

	<b>Miles of Ditch</b>	
Miles of Ditch	11.5	15
Average Yearly Cost	\$507.15	\$573.30
Total Cycle Cost	\$2,535.75	\$2,866.5



# City of Blaine

10801 Town Square Drive NE  
Blaine, MN 55449-8101  
www.ci.blaine.mn.us

December 13, 2011

Phil Belfiori  
Rice Creek Watershed District  
4325 Pheasant Ridge Dr., #611  
Blaine, MN 55449

**Received**

DEC 15 2011

Rice Creek  
Watershed District

RE: Proposal for Partnership on Ditch Inspections

Dear Phil:

Inspection and maintenance of public and private ditches is integral to water quality and quantity management. The recently proposed plan amendment to the Rice Creek Watershed District (RCWD) Management Plan underscores that point. The City of Blaine (City) has numerous ditches, many of which have been in existence since the 1890's. Those ditches, whether determined to be public or private, continue to contribute to the conveyance of runoff within the City. The maintenance of those conveyance systems remains high on the priority list of our City Council as they do in the important work of the RCWD. As the City considers its responsibility for the ditches under its authority we are looking at ways to keep costs down while meeting the goals of a well functioning conveyance system. As you and I recently discussed, there may be ways for our two organizations to achieve mutual drainage goals through a partnership. The following is a proposal of how we might accomplish that task.

## **Background**

Drainage ditches have existed in Blaine for over 100 years. Given the flat topography and the numerous acres of wetlands, the ditches were originally constructed to drain land making it available for settlers and for farming. Development in Blaine continues to create a need for drainage ways as most of the prime land has been developed and the remaining land requires drainage to make it usable. Ditches also serve to convey the increased volume of runoff resulting from impervious surfaces created by development.

The Blaine City Council continues to value the ditches as water quality and water quantity assets, placing the need for maintaining these drainage ways high on their priority list. The introduction of the MS4 permit has emphasized the need for maintenance of municipal storm sewer systems and Council views the ditches as part of that system. As such, they have a renewed interest in maintenance in order to remain compliant with state and federal regulations.

## Need

Blaine has about 87 miles of drainage ditches throughout the City. Some are considered public ditches, or former County ditches, while others are considered private ditches. The authority for the public ditches lies with the two watershed districts in Blaine and the private ditches are maintained mainly by the City. About twenty-one (21) miles of public ditch are in the RCWD portion of the City and about thirty-seven (37) miles of public ditch are in the Coon Creek Watershed District (CCWD) portion of the City. (CCWD ditches include those within the former Six Cities WMO.) The private ditches are divided between the two watershed districts with about sixteen (16) miles in RCWD and thirteen (13) miles in CCWD.

	Miles of Private Ditch	Miles of Public Ditch
RCWD	16	21
CCWD	13	37

The City has incorporated its private ditches into the inventory of stormwater features and assigned a frequency for inspections. Inspecting 20% of the ditch miles each year would accomplish a complete inventory every 5 years. That is the same frequency as required in the MS4 permit for stormwater ponds. However, the City does not have staff experienced in ditch inspections, neither do we have personnel to dedicate to that work.

## Partnership Proposal

The City accomplishes some of our MS4 requirements by partnering with other agencies. For example, many of our education goals have been completed by partnering with Anoka Conservation District, the CCWD and the RCWD. We propose that a partnership may be a good way to accomplish the ditch inspections. By working with the watershed districts, that already have experienced staff dedicated to that work, the City needs would be met and supplemental funding could be provided for the ditch programs of each watershed district.


Once specific maintenance projects are identified, contracting for the actual work could be done independently or jointly, whichever made the most sense financially and geographically. There could be an economy of scale realized through joint ventures. Either way, the resource would benefit, residents could realize a savings on assessed benefits, and the flow of water in the system would be improved.

## Summary

The City proposes that it work with each of the watershed districts within its boundaries to establish separate partnerships for the inspection of private ditches within the respective watershed district. Terms of the agreement would include such details as financial contribution, accurate mapping of public and private ditches, coordination of schedules for completed work products, among others. Consideration of how Drainage Law may affect this arrangement is certainly another consideration.

We look forward to exploring the possibility of such a partnership with you and would be glad to attend a workshop with your Board of Mangers.

Sincerely,



Jim Hafner  
Stormwater Manager

c: Bob Therres, Public Services Manager  
Jean Keely, City Engineer

4:10-4:20 Update on status of ACD 10-22-32  
repair report

## MEMORANDUM

### Rice Creek Watershed District

**To:** Board of Managers

**Date:** March 6, 2012

**From:** Phil Belfiori

**Subject:** Status and timeline for ACD 10-22-32 Repair Proceedings

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#### **Background / Discussion**

The following is a possible brief status and timeline for remaining tasks related to the ACD 10-22-32 Repair Proceedings:

1. Complete local government concurrence process under 103D.621 ( March 2011- **Done**)
2. Complete and receive final Repair Report (addendum) (May 2011- **Done**)
3. Initiate plan amendment and establish Water Management District for 10-22-32, update CIP as required (Summer 2011- Early 2012)- **Done**
4. Begin 30 day notice for review and comment period on accepted engineers recommended alternative for the repair (February 15, 2012) - **Done**
5. End of 30 day review and comment period (March 16th)
6. 2nd landowner information meeting (Proposed April 9, 10, or 16, 2012 at Lino Lakes City Hall)
7. Response to comments from comment period (April 11th Board meeting)
8. Set a date and give notice of the hearing on the Repair Report and WMD charge/cost allocation (April 11<sup>th</sup> Board meeting )
9. Hold hearing and receive comments (close public comment and continue hearing for adoption of findings and order) (tentatively - May 9, 2012 Board meeting )
10. Adopt findings and order directing repair and adopting WMD charge and cost allocation for the project (or dismissing proceedings) (tentatively - May 23 or June 13 Board meeting )
11. Notification of new WMD Charge to Anoka County July 1 (Or before)
12. Certify charges for repair (August /September 2012)
13. Implement repair (2013?)

When the Repair Report is filed, the drainage authority must set a time, by order, for a hearing on the Repair Report. The public hearing for the Repair Report must occur no more than 30 days after the date of the order to notice the hearing. At least ten days before the hearing, the drainage authority must give notice by mail of the time and location of the hearing to the petitioners, owners of property, and political subdivisions likely to be affected by the repair recommended in the Repair Report. Since the allocation of costs will also be considered and adopted at the hearing and will result in Water Management Charges, there is an additional notice required by 103D.729, subd. 3. Ten days prior to a hearing or decision on projects that will result in Water Management Charges, the District shall provide notice to the city, town, or county within the affected area. The city, town, or county receiving notice may submit concerns relating to the implementation of the project. The managers must consider the concerns of the city, town, or county in the decision on the project.

**MEMORANDUM**  
**Rice Creek Watershed District**

At the hearing, the Board will make findings and order the repair to be made if it determines from the Repair Report and the evidence presented that the repairs recommended are necessary for the best interests of the affected property owners. The order will direct the District staff to proceed with actions necessary to repair the system and to prepare and award a contract for the repair option adopted by the Board. The order will note that continued proceedings, including implementation of the repair, will be conducted under alternative authority.

4:50-5:00 Update on Taylor easement

**MEMORANDUM**  
**Rice Creek Watershed District**

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**To:** Board of Managers **Date:** March 6, 2012  
**From:** Phil Belfiori  
**Subject:** Taylor Easement Update – Consideration of possible acquisition of Property Interest by Eminent Domain

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Attached please find the proposed resolution related to Board consideration of possible acquisition of property interest by eminent domain for an easement on the Taylor property if continued negotiation with Taylors is unsuccessful. Also attached for your reference is a memo dated Sept. 7, 2011 from Rinke Noonan which defines the process should the Board wish to proceed.

As you are aware, over the last year the District has been attempting to acquire an easement for the realignment of the ACD 15/ JD 4 drainage system by voluntary negotiation and has been unable to reach agreement with the Taylors. On Friday March 2, 2012 RCWD staff and Managers Preiner and Waller met with Chris Taylor to ask if any additional progress has occurred. At this meeting Mr. Taylor stated that to date he has not been able to bring the other owner of the subject property (his brother) to a point where voluntary negotiation is likely. He stated that there is a real likelihood that voluntary acquisition will not be successful unless something unforeseen occurs. Should voluntary acquisition not occur within 30 days of issuing a final written offer for the property, the Board of Managers may authorize the exercise of its power of eminent domain by filing a petition for quick take with the District Court for the acquisition.

This item and attached resolution will be place on the March 14, 2012 Board Meeting agenda for consideration. Staff is recommending approval of resolution. It is anticipated that a final offer letter could be ready for the possible special board meeting tentatively scheduled for March 20, 2012.

Attached:

- Resolution 2012-05
- Sept. 7, 2012 memo from Rinke Noonan on process
- Graphic identifying the proposed Easement location

**RESOLUTION NO. 2012-05**

**RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS**

**AUTHORIZING ACQUISITION OF PROPERTY INTERESTS BY EMINENT  
DOMAIN (Taylor Property)**

Manager \_\_\_\_\_ offered the following Resolution and moved its adoption, seconded by Manager \_\_\_\_\_:

WHEREAS the Board has authorized the repair of Anoka-Washington Judicial Ditch (AWJD) 4 and Anoka County Ditch (ACD) 15;

WHEREAS the adopted repair Alternative involves the restoration and creation of various public and private beneficial functions, as well as a process to accommodate future development demands in a manner consistent with the District's Watershed Management Plan and a Resource Management Plan and rule developed for the sub-watershed of AWJD 4 and ACD 15. These functions include 1) restoration of the core, agricultural drainage function of the systems; 2) restoration, protection and improvement of ecological and environmental functions within the systems; and 3) future modification of the systems to serve municipal stormwater management needs;

WHEREAS the repair of AWJD 4 and ACD 15 is a public benefit and the functions of the drainage systems are of the public's interest;

WHEREAS the drainage system repair involves the realignment of a portion of the open channel of AWJD 4 over property owned by Taylors and described generally as follows:

East Half of the Northwest Quarter (E1/2 NW1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Thirty (30), Township Thirty-Two (32) North, Range Twenty-One (21) West, Washington County, Minnesota.

WHEREAS the District has attempted to acquire an easement for the realignment of the drainage system by voluntary negotiation and has been unable to reach agreement with the Taylors.

Therefore, the RCWD Board of Managers makes the following:

**ORDER**

- A. The Board of Managers authorizes the preparation of an appraisal for the necessary easement and the continued negotiation with Taylors to include the issuance of a final written offer for the easement interest.
- B. Should voluntary acquisition not occur within 30 days of issuing a final written offer for the property, the Board of Managers authorizes the exercise of its power of eminent domain by filing a petition for quick take with the district court for the acquisition.

The question was on the adoption of the Resolution and there were \_\_\_ yeas and \_\_\_ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OGATA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution \_\_\_\_\_.

\_\_\_\_\_  
Harley Ogata, Secretary

Dated: March 14, 2012

\* \* \* \* \*

I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 14th day of March, 2012.

\_\_\_\_\_  
Harley Ogata, Secretary



## MEMORANDUM

To: Board of Managers, Rice Creek Watershed District  
From: Rinke Noonan, John C. Kolb  
Date: September 7, 2011  
Subject: Acquisition of property interests for drainage system repair projects  
Our File No. 16266.005

The following outline is provided for the Board's information regarding the procedure and timeline for the acquisition of property interests for District projects. This procedure assumes the District is unable to negotiate the acquisition and must exercise its eminent domain authority. This procedure applies equally to the acquisition of easements or fee interests.

### DISTRICT ACQUISITION BY CONDEMNATION

The following is an outline of the condemnation process up to the time possession of the property may be had.

1. Select easements and fee site to be acquired.
2. Hire appraiser (with appropriate Board authorization and in consultation with legal counsel as to appraiser selection).
3. When the appraisal is obtained, the Board should pass a resolution formally approving the appraisal and directing staff to commence negotiations for acquisitions. This same resolution may also authorize staff to proceed using legal counsel to acquire the necessary property interest by condemnation in the event the negotiations fail.
4. An offer and copy of the appraisal is sent or hand delivered to the property owner. The correspondence to the owner includes a letter:
  - 4.1 Offering to purchase the interest for the appraised value.
  - 4.2 Informing the owners that they will have a reasonable period of time (established depending on the complexity of the project and dollars involved) in which to consider the offer and that the District remains available for further negotiation.

September 7, 2011

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- 4.3 Informing the owners that they may have an appraisal made by a qualified appraiser and that the District will pay for that appraisal up to the amount authorized by law. (For single or two family residential land, the maximum amount for the appraisal is \$1,500, and for commercial property, the appraisal can go to \$5,000).
- 4.4 Informing the owners that if an agreement cannot be reached within the established time frame that the District may proceed with condemnation.
- 4.5 Informing the owners that the District will continue to negotiate during the entire process and will review and consider any information provided by the owner.
5. Condemnation is commenced by preparation of a Petition asking the District Court to appoint 3 commissioners to determine the damage resulting from the taking of the property. A date for hearing before the court is established and a Notice of Hearing is prepared. A copy of the Petition and the Notice of Hearing is served on the landowner at least 20 days prior to the hearing date.
6. Assuming title and possession of the property is necessary on a fixed time frame, the Petition and Notice will also include a motion to allow for a "Quick Take" of the property interest being condemned. This allows the District to acquire the property in a 90 day time frame after filing of the Petition. Certified mail notice of the Quick Take must be sent to the property owners to start the 90 day time period for gaining title and possession of the property.
7. At the time of filing the Petition, a notice of pendency of the action (Notice of Lis Pendens) is filed with the County Recorder. This ensures that any subsequent purchaser of the property will be subject to the condemnation action.
8. At the court hearing on the Petition (which will occur prior to the 90 day Quick Take time running), the Judge will review the Petition and the Quick Take motion. The issues for the Court are three part. One, does the District have the legal authority to acquire the property? Two, is the property being acquired for a public use/purpose? Three, is the property necessary? The Judge will give great weight to the decision of the District as to how much property and which property needs to be acquired.
9. After hearing the evidence, the Judge signs an order appointing the commissioners to determine the damages and approves the Quick Take of the property.

September 7, 2011

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10. At the time the Judge approves the Petition, the Judge will also appoint three condemnation commissioners. These commissioners are people who have knowledge in real estate values, such as appraisers and realtors. The Judge usually takes input from the attorneys involved as to which commissioners should serve on the panel.
11. Once the Judge signs the Order and approves the Quick Take, the District will have the right to title and possession of the property upon paying to the property owner (or into Court) the District's appraised value of the property. This time frame should be approximately 90 days from filing of the Petition and mailing the Quick Take notice to the property owner.
12. The commissioners will then view the property and hold a hearing. At the hearing, the District will introduce its appraisal and the property owner will introduce his or her appraisal. Either party may ask the opposing appraiser questions going to the competency of the appraisals. After the viewing and hearing, the commissioners will issue their decision (referred to as their award).
13. The Commissioners' award is filed with the court and a copy is sent to the landowner.
14. Either party may appeal the commissioners' award to a jury. Appeals are somewhat rare, and even if the matter is appealed, it can usually be resolved in a mediation session.







**The timing in a nutshell:**

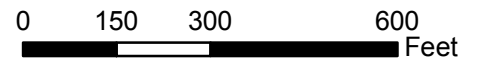
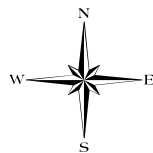
**The District could have title and possession of the property interest within approximately 120 days from start to finish (which assumes about 30 days for the property owner to review and accept a "final offer" from the District).**

**The above assumes that an appraisal is already completed, reviewed and accepted by the District. It may take 30-60 days to obtain, review and accept an appraisal. This time should be added to the 120 days if not already completed.**


\*\*\*\* Given the goal of avoiding condemnation if at all possible, the above includes time and consideration of "good faith" negotiations and appraisal reimbursement for the property owner even though the District may be exempt from these legal requirements by statute. Other exemptions may still be applicable and desired by the District. These can be further discussed in the event the project proceeds.



-  Proposed Judicial Ditch 4 Realignment
-  Judicial Ditch 4 - Current Alignment
-  Revised ACD 15 Alignment
-  Proposed Easement for Main Trunk Realignment
-  Existing Power line Easement
-  Parcel



Sources: TLG, MN DOT,  
MLCCS Land Use  
Aerial: 2010 Metro Imagery

Required Easement for JD 4 Main Trunk Realignment					
Scale:	Drawn by:	Checked by:	Project No.:	Date:	Sheet:
AS SHOWN	KZS		5555-060.18	5/17/2011	
				Maple Grove	
				P: 763.493.4522 F: 763.493.5572	

5:00-5:10 Discussion on ACD 10-22-32 Water  
Management District Preliminary Charge  
Analysis

# MEMO

(External Correspondence)



**To:** Phil Belfiori,  
RCWD Administrator

**Date:** March 6, 2012

**Cc:** John Kolb, Rinke-Noonan

**From:** Chris Otterness, P.E.

**Through:** Mark Deutschman, Ph.D., P.E.

**Subject:** ACD 10-22-32 Water Management  
District Preliminary Charge Analysis

## Introduction

The provisions for the collection of charges under MS 103D.729 gives a Watershed District, through the amendment of its plan or during an update to the WMP, the authority to establish one or more Water Management Districts (WMD) for the purpose of collecting revenues and paying the costs of projects initiated under sections 103B.231, 103D.601, 103D.605, 103D.611, or 103D.730. The establishment of a WMD requires the description of the methods used to determine the charges. These methods were generally described for the ACD 10-22-32 public drainage system within the latest amendment to the Watershed Management Plan (WMP) dated January 25, 2012. The methods for the proposed Anoka County Ditch 10-22-32 Water Management District (ACD 10-22-32 WMD) are further described and the charges determined using these methods described by this Memorandum. A general philosophy for funding project construction believed to be consistent with the policies established within the WMP is also presented.

## Preliminary Opinion of Probable Construction Cost

The Preliminary Opinion of Probable Construction Cost for the project (referred to as the “project estimated cost”) was determined through the Addendum to the ACD 10-22-32 Repair Report dated February 15, 2011 for the alternative preferred by the Board of Managers; i.e., the Engineer’s Recommended Alternative. The Preliminary Opinion of Probable Construction Cost estimated by the District Engineer is \$1.13 million. This estimated cost has been used for the purposes of computing the estimated WMD charges. The actual construction cost will ultimately be used for this purpose.

## Project Funding Approach

The Anoka County Ditch 10-22-32 Repair Report dated September 1, 2010 (as well as the Addendum to the Repair Report) presented a hybrid approach for apportioning the project cost based upon benefit categories. The hybrid approach includes recognizing the existing need to serve lands currently in agricultural production, consider and weigh ecological and natural resource issues and needs, and to plan for the future need of municipalities to use public drainage systems as the means for conveying stormwater as land becomes fully developed. The repair of the Anoka County Ditch 15 / Anoka-Washington Judicial Ditch 4 (ACD 15 / JD 4) system was the first repair proceedings using the new hybrid approach, establishing a funding mechanism expected to be used to repair the remaining public drainage systems within the RCWD. This same general approach is applied to the ACD 10-22-32 public drainage system.

# MEMO



The basic premise of the funding approach is that the costs required to construct the various project features should be paid for by the benefitting entity. Benefitting entities include those residing within the hydrologic boundary of the public drainage system as well as those residing beyond the hydrologic boundary of the public drainage, but within the boundary of the RCWD. Ecological and water quality benefits are generally considered as accruing to the larger, general public and therefore all residents within the RCWD. The Board of Managers previously decided as a matter of policy to assign the cost of individual project components to one or more of four benefit categories: 1) undeveloped (cultivated and idled agricultural land); 2) currently developed; 3) future development and redevelopment; and 4) ecological. Under the guidance of the Board of Managers, the ACD 10-22-32 Repair Report and Addendum also utilized these same categories.

**Table 1** shows the cost of the various project features relative to benefit consistent with the guidance provided by the Board of Managers; i.e., the use of Ad Valorem funds to finance those features or portions of features with public benefit and the use of the water management charge to finance those features or portions of features benefitting lands located within the WMD. Unlike the ACD 15 /JD 4 project, specific project components could not be assigned solely to undeveloped or future development land uses. Rather, the WMD charge is apportioned to the undeveloped, currently developed, and future development lands based on their current (or future) contribution to the overall yearly runoff into the public drainage system.

## Determining the WMD Boundary

The ACD 10-22-32 WMD as defined by the plan amendment dated January 25, 2012 includes properties within the Cities of Columbus, Lino Lakes, and Blaine. The latest parcel information was obtained from Anoka County. All properties within the hydrologic boundary to the Anoka County Ditch 10-22-32 public drainage system are included in the ACD 10-22-32 WMD. This hydrologic boundary was established through the use of the ArcHydro subwatershed delineation tool as part of the District-Wide Model project for the RCWD (see **Figure 1**). When the hydrologic boundary crossed a parcel, that portion of the parcel within the hydrologic boundary was included in the WMD. The lands shown in **Figure 1** are those contributing runoff to the public drainage system.

## Summary of Charge Determination

Each parcel within the ACD 10-22-32 WMD was categorized by current land use (see **Figure 2**) consistent with the methods used by the County in their parcel classification system. Undeveloped (agricultural) lands were identified and categorized through aerial imagery and Figure 2-1 of the ACD 10-22-32 Repair Report. Developed parcels were classified through the USE1\_DESC field in the most current Anoka County parcel databases and by overall parcel size. The classification of the current parcels was spot checked against the most recent aerial imagery and proved consistent with interpretation of the aerial imagery.

**Table 1**  
**Preliminary Allocation of Cost for Revised Engineer's Recommended Alternative**

Description	Units	Unit Price	Engineer's Recommended Alternative		Responsibility			
			Est'd Quantity	Extension	Water Management District			Ad valorem Levy
					Undeveloped	Currently Developed	Municipal Future Developed and Redeveloped	Ecological and Irrigation
<b>Core Agricultural and Stormwater Drainage Functions</b>								
<i>Subtotal</i>				\$220,565.07	30.0%	55.0%	15.0%	0.0%
					<b>\$66,169.52</b>	<b>\$121,310.79</b>	<b>\$33,084.76</b>	<b>\$0.00</b>
<b>Separation of Irrigation and Drainage Functions</b>					0.0%	0.0%	0.0%	100.0%
<i>Subtotal</i>				\$24,000.00	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$24,000.00</b>
<b>Ecological (Wetland Impact Avoidance)</b>					0.0%	0.0%	0.0%	100.0%
<i>Subtotal</i>				\$495,000.00	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$495,000.00</b>
<b>Engineering/Legal/Admin</b>					7.5%	13.8%	3.8%	75.0%
<i>Subtotal</i>				\$244,969.52	<b>\$18,372.71</b>	<b>\$33,683.31</b>	<b>\$9,186.36</b>	<b>\$183,727.14</b>
<b>Contingency</b>	Base Dollar Amount	\$739,565			<b>\$13,233.90</b>	<b>\$24,262.16</b>	<b>\$6,616.95</b>	<b>\$103,800.00</b>
	Percent	20%						
	Dollar Amount	\$147,913						
<b>Allocation of Estimated Total Project Cost</b>	<b>Dollars</b>	<b>\$1,132,448</b>			<b>\$97,776.14</b>	<b>\$179,256.25</b>	<b>\$48,888.07</b>	<b>\$806,527.14</b>
	<b>Category Percentages</b>				<b>8.6%</b>	<b>15.8%</b>	<b>4.3%</b>	<b>71.2%</b>
	<b>Funding Dollars</b>						<b>\$325,920.46</b>	<b>\$806,527.14</b>
	<b>Funding Percentages</b>						<b>28.8%</b>	<b>71.2%</b>
<b>PROJECT TOTAL COST WITH CONTINGENCY</b>								<b>\$1,132,447.60</b>

## MEMO



Those parcels likely to undergo development and redevelopment in the future were also identified and categorized, consistent with the City zoning classifications (see **Figure 3**). Areas likely to develop in the future consisting of currently undeveloped parcels, were grouped by future land use type as identified by the Metropolitan County year 2020 land use shapefile and the City zoning maps. Some currently developed areas have the potential to redevelop. Redevelopment areas were identified by assigning a “Level of Development” (LOD) value to the current and future land uses for each currently developed parcel (see **Table 2**). Any parcel whose future LOD exceeded its current LOD was considered “redevelopable” (see **Figure 4**).

Table 2. Level of Development Categories.

Level of Development (LOD)	Corresponding Land Uses
3 (Fully Developed)	Commercial / Industrial; Right-of-Way; Urban Residential (<2 ac.); Park & Rec.
2 (Moderately Developed)	Rural Residential (>2 ac.)
1 (Undeveloped)	Agriculture

The LODs were used to identify those parcels currently identified as moderately developed that may redevelop in the future and will be subject to an additional incremental charge reflecting the increase in impervious surface and therefore runoff, at the time of development.

#### Initial Charge – Undeveloped and Currently Developed Parcels

The method to determine the charge for each parcel generally consisted of developing an index of the runoff volume from each deeded parcel and the right of way parcels. The amount of revenue needed for each benefit category (e.g. undeveloped, currently developed) is then allocated to each parcel in proportion to the estimated runoff volume from a parcel compared to the total runoff volume from all parcels. The amount of runoff is represented by the runoff coefficient (RC).<sup>1</sup> Each current and future land use classification was assigned a runoff coefficient (see **Table 3**).

Per acre and per lot charges were determined by multiplying the total amount of revenue necessary to pay for the local benefits through the WMD charge (\$321,779 – see **Table 1**) by the ratio between the land use RC for a parcel and the sum of area-weighted RC’s for all of the parcels. The dominant land use was used to represent each parcel. The ratio for each parcel represents the proportion of the total runoff volume for the entire subwatershed coming from that parcel. Per-acre charges were rounded to the nearest \$5.00/acre and a minimum parcel total charge of \$25 established. The minimum charge reflects the fact that all parcels contribute some runoff volume using the public drainage system as an outlet. For the residential parcels, a

<sup>1</sup> The runoff coefficient, representing a proportionality of the ratio between rainfall and runoff, is based on a representative SCS curve number for each land use, assuming sandy/silty soils and a compacted condition in urban lawn areas.

## MEMO



per-parcel charge was derived by normalizing the charge by typical parcel sizes (e.g., for residential parcel types). Per acre charges for undeveloped land were multiplied by the parcel area to determine a total parcel cost. The per acre charges for commercial/industrial, airport, and public lands as shown in **Table 3** were also multiplied by the parcel size to determine the total parcel charge. **Table 3** lists the estimated initial total per-acre charges for the undeveloped land uses and by parcel type. These total amounts can be divided into incremental amounts over multiple years as determined by the Board of Managers.

Table 3. Estimated Initial Charge for Land Currently Developed and Undeveloped.

Land Use Code	Current Land Use	Runoff coefficient	Charge Per Acre	Total Charge Per Parcel	Total Area of Land Use in the WMD (ac)	Total Number of Parcels	Revenue Generated from Charge by Land Use*
<i>Undeveloped (Agricultural and Idle Lands)</i>							
1	Row Crop	65	\$75	-	429	21	\$32,183
2	Hay/Pasture/Open space	45	\$55	-	598	36	\$32,925
3	Sod	49	\$60	-	623	17	\$37,380
<i>Currently developed</i>							
4	Residential -Multifamily	82	-	\$25	32	220	\$5,300
5	Residential - (0.25-2 ac.)	69	-	\$55	646	969	\$52,745
6	Residential - (2-5 ac.)	51	-	\$180	424	144	\$25,920
7	Residential - (5-10 ac.)	49	-	\$450	325	41	\$18,000
8	Residential - (10-30 ac.)	47	-	\$905	362	22	\$19,910
9	Commercial/Industrial	90	\$105	-	239	73	\$14,434
10	Grass airport	63	\$75	-	40	2	\$2,375
11	Public - Park and Rec	60	\$70	-	27	6	\$1,611
12	Public - Institutional / Church	90	\$105	-	245	14	\$14,773
13	Public - Open Space	48	\$55	-	89	61	\$5,558
14	Public - Transportation	92	\$110	-	393	45	\$23,478
<b>Total</b>					<b>4,471</b>	<b>1671</b>	<b>\$286,593</b>

\*Revenue generated from charge may be larger than the product of the land area and the per-acre charge, due to the \$25 minimum charge per parcel.

## MEMO



Based upon the number of residential parcels, the estimated average total charge per residential parcel is \$87.

#### Future Charge – Newly Developed and Redeveloped Parcels

After calculating the initial charge, the future developed and redevelopment charges were estimated reflecting the fact that as the amount of impervious surface increases because of development and redevelopment, so does the proportion of runoff from the parcel and the burden placed on the public drainage system serving as the outlet. Future development and redevelopment charges were assumed to be the difference between the per-acre or per-parcel charge for the current land use and the per-acre or per-parcel charge for the future land use. These incremental additional charges assume the ultimate developed land uses as shown in Figure 3. **Table 4** lists the estimated land area and revenue generated for future developed and redeveloped land uses.

Table 4. Estimated Charge for Future Development and Redevelopment.

<b>Future Land Use Code</b>	<b>Land Use</b>	<b>Total Area of Land Use in WMD (ac)</b>	<b>Total Number of Existing Parcels to be Developed</b>	<b>Revenue Generated from Charge by Land Use*</b>
4	Residential - Multifamily	312	48	\$11,577
5	Residential - (0.25-2 ac.)	1,411	160	\$30,381
6	Residential - (2-5 ac.)	5	1	\$0
7	Residential - (5-10 ac.)	749	27	\$1,758
8	Residential - (10-30 ac.)	0	0	\$0
9	Commercial/Industrial	164	58	\$6,766
10	Grass airport	0	0	\$0
11	Public - Park and Rec	0	0	\$0
12	Public - Institutional / Church	0	0	\$0
13	Public - Open Space	0	0	\$0
14	Public - Transportation	0	0	\$0
<b>Total</b>		<b>2,641</b>	<b>294</b>	<b>\$50,481</b>

# MEMO



## How the Charge Works

Each parcel within the ACD 10-22-32 - WMD will be initially charged per their current land use as shown on **Figure 2** using the per-acre or per-parcel charges from **Table 3**, at the time funds are needed to construct the primary features of the project. The total amount can be financed over a time period decided upon by the District (the ACD 15 / JD 4 WMD was spread over three years). A listing of the number of parcels within the ACD 10-22-32 - WMD with their current land use and preliminary initial charge is tabulated in **Table 3**.

When a currently “undeveloped” parcel becomes developed, or when a currently developed parcel redevelops, the owner will incur a charge for the outstanding balance on its initial charge, plus the difference between proposed and current land use per-acre (or per-parcel) charges as listed in **Table 3**.

The following are examples of a “typical” charge:

Example 1: 40 acre agriculture parcel (row crop), converted to 0.3 acre (average) residential lots in the future.

Initial total charge = 40 ac. \* \$75/ac = \$3,000 (\$1,000/year if the charge is spread over three years).

When this parcel develops....

Development charge = 133 parcels \* \$55/parcel - \$3,000 (credit for previous payments)= \$4,315.

Example 2: 12 acre rural residential parcel, converted to commercial/industrial lots after the 1<sup>st</sup> year of a 3 year charge.

Initial total charge = 1 parcel @ \$905/parcel = \$905 (\$301.67/year for 3 years).

When this parcel develops....

Development charge = 12 ac \* \$105/ac - \$301.67 (credit for one year of payments) = \$958.33.

Essentially the development charge reflects a “connection charge” at the time of development to upgrade the local stormsewer system and connect to the system. The future development charge assumes that the land needed to align the stormsewer along the branches and for the flood easements shown in the Repair Report, will be dedicated at no cost at the time of development.

## Board Policy Considerations

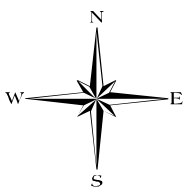
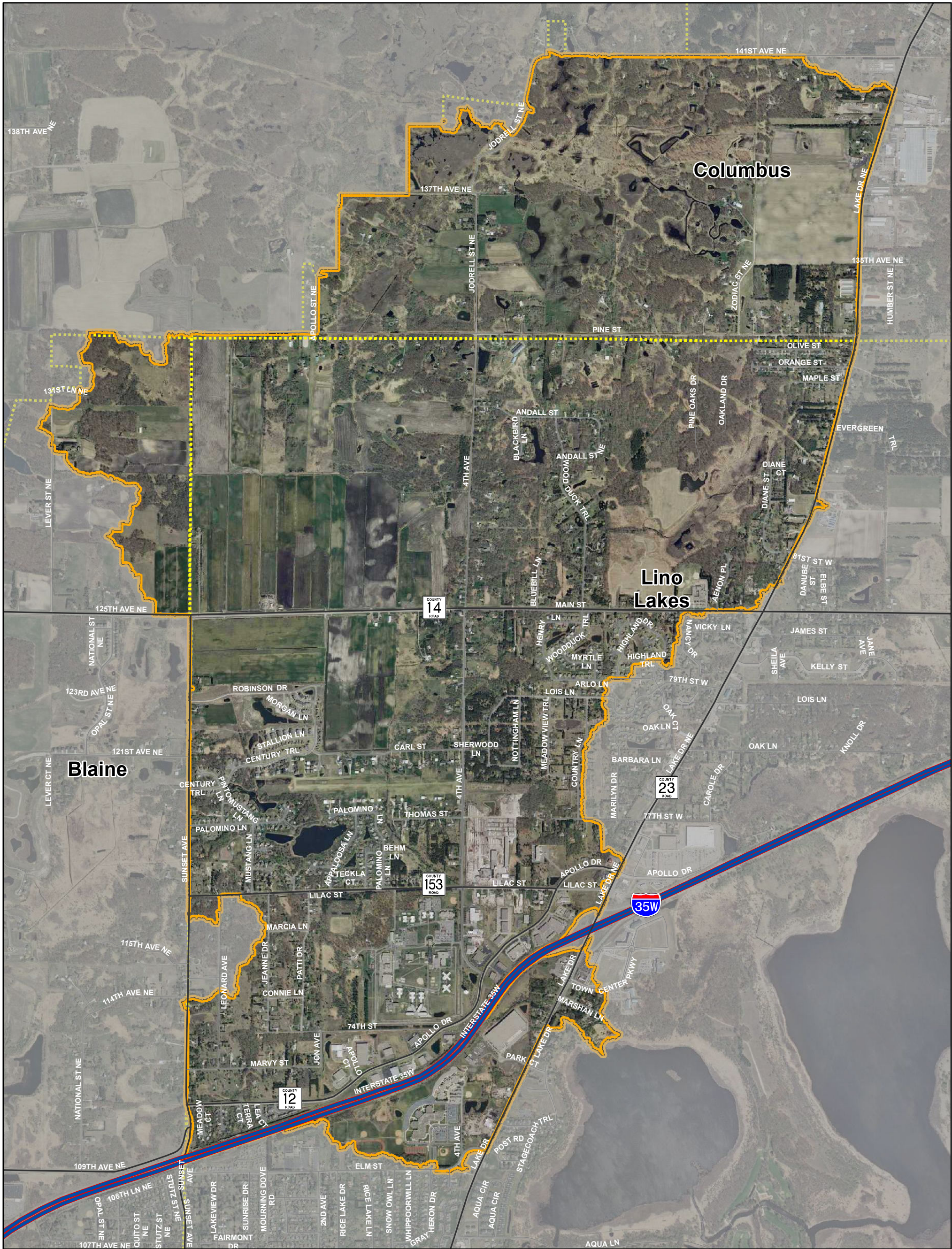
There are several policy considerations, which the Board of Managers may wish to consider:

- Capping the Initial Charge on Undeveloped Properties – Although the undeveloped parcels incur a lower per-acre charge than most of the developed parcels, some of the owners of these undeveloped parcels will experience a relatively large charge compared to other landowners in the WMD due to the size of their parcels. **Figure 5** shows the total charge by landowner for undeveloped parcels. The Board may wish to consider capping the undeveloped initial charge for a single land owner at a maximum amount, and deferring the remaining charge until the property develops.

# MEMO



- Financing the Charge Owed by Future Development / Redevelopment Parcels – Unlike the ACD 15/JD 4 project, the ACD 10-22-32 repair project is anticipated to be completed in a single phase. As a result, the District will not be able to collect the revenue from the future development and redevelopment properties prior to the completion of the project. To provide adequate funding for constructing the project, the District will need to budget additional money and allocated it to another District fund to cover the future development/redevelopment allotment of the charge (\$50,481) until these properties redevelop, at which time the District will recoup the charge.
- Waiving Charges for Public Parks – As specified in the Watershed Management Plan (WMP), publicly owned parcels that were zoned as “Park” were excluded from the ACD 15 / JD 4 WMD charge. The WMP does not specify this exclusion for the ACD 10-22-32 WMD charge, however. Thus, the charge allocation in this memorandum includes per-acre charges for publicly owned parcels currently utilized as parks. The Board may wish to consider excluding these parcels from the ACD 10-22-32 WMD charge consistent with the ACD 15 / JD 4 WMD charge.



0 750 1,500 3,000 Feet

Sources: TLG, RCWD, MN DOT  
Background: 2010 Metro Aerial Imagery

- ACD 10-22-32 WMD Boundary
- Interstate
- US Highway
- County Roads
- Residential Streets
- Cities

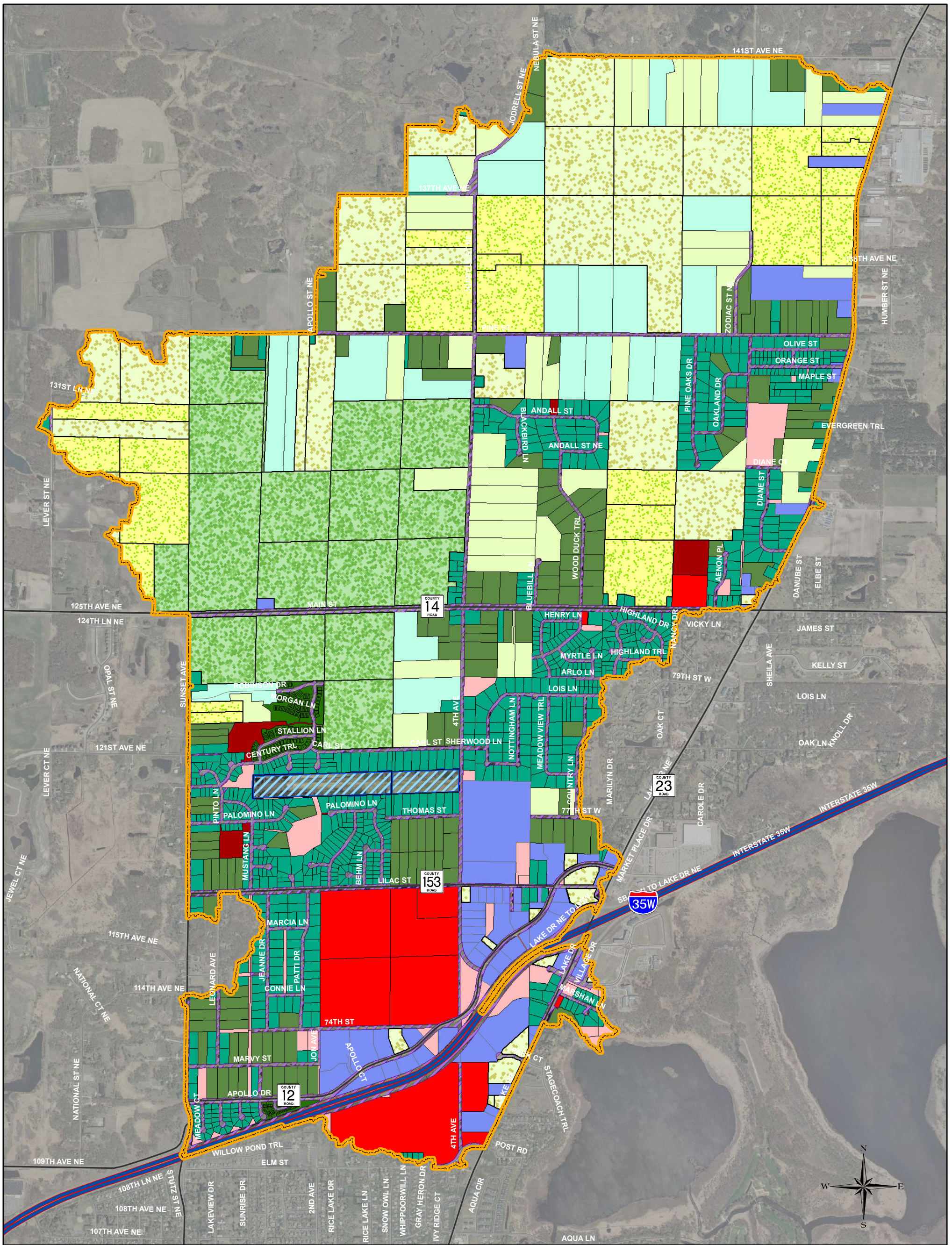
## Rice Creek Watershed District ACD 10-22-32 WMD Boundary

Figure 1 WMD Boundary

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.006	Date: 2/24/12	Sheet:
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# Rice Creek Watershed District ACD 10-22-32 Current Land Use

- ACD 10-22-32 WMD Boundary
- Interstate
- US Highway
- County Roads
- Residential Streets
- Undeveloped**
- Row Crop
- Hayland
- Sod Farms
- Developed**
- Residential Multi-Famil
- Residential - (0.25-2 ac.)
- Residential - (2-5 ac.)
- Residential - (5-10 ac.)
- Residential - (>10 ac.)
- Commercial/Industrial
- Grass Airport
- Park and Recreation
- Public Institutional/ Church
- Public Open Space
- Public Right of Way

0 750 1,500 3,000  
Feet

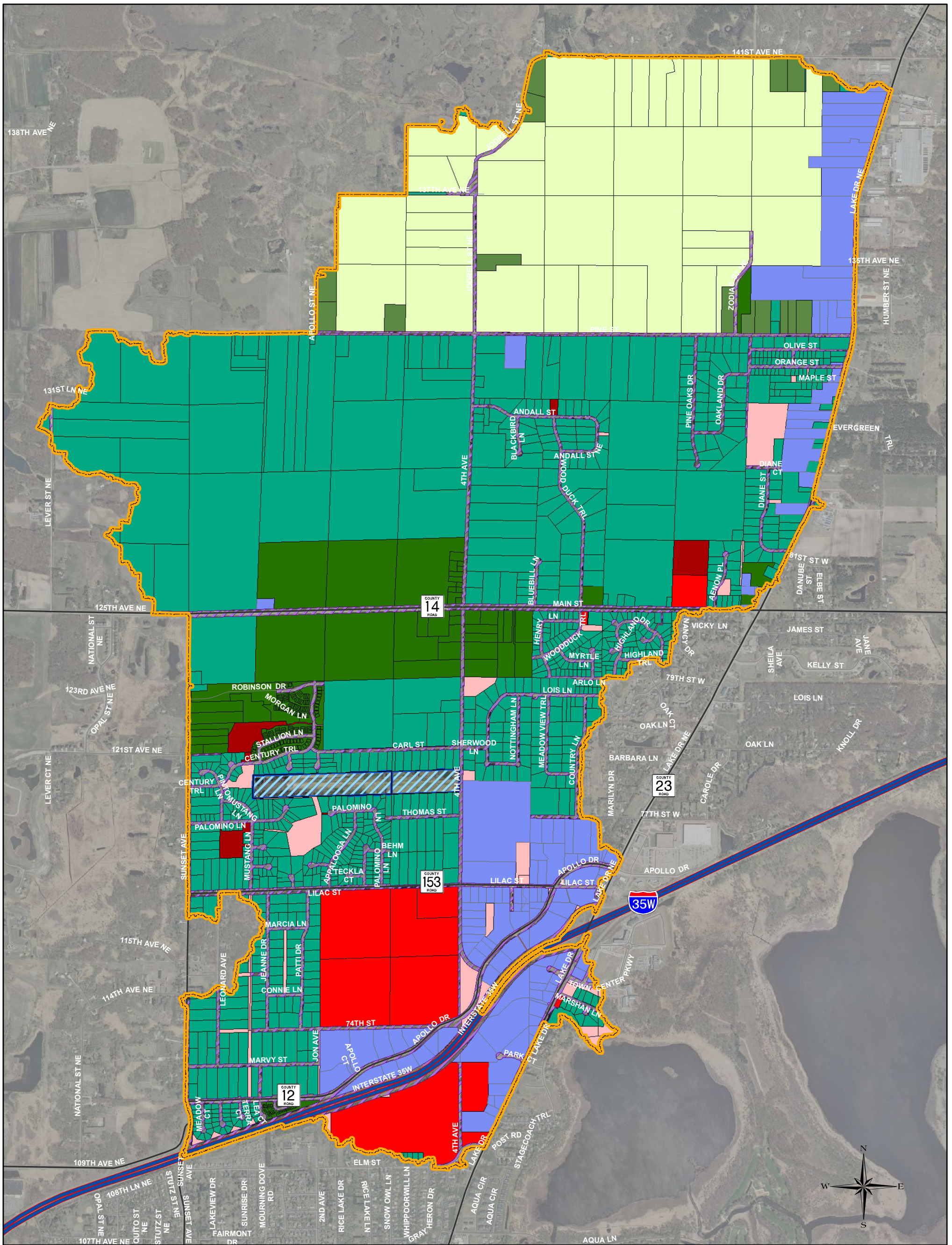
Sources: TLG, RCWD, MN DOT  
Background: 2010 Metro Aerial Imagery

Figure 2 ACD 10-22-32 Current Land Use Classes Used for Charge Analysis

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.006	Date: 2/24/12	Sheet:
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- ACD 10-22-32 WMD Boundary
- Interstate
- US Highway
- County Roads
- Residential Streets
- Developed**
- Residential Mult-Famil
- Residential - (0.25-2 ac.)
- Residential - (2-5 ac.)
- Residential - (5-10 ac.)
- Residential - (>10 ac.)
- Commercial/Industrial
- Grass Airport
- Park and Recreation
- Public Institutional/ Church
- Public Open Space
- Public Right of Way

0 750 1,500 3,000  
 Feet

Sources: TLG, RCWD, MN DOT  
 Background: 2010 Metro Aerial Imagery

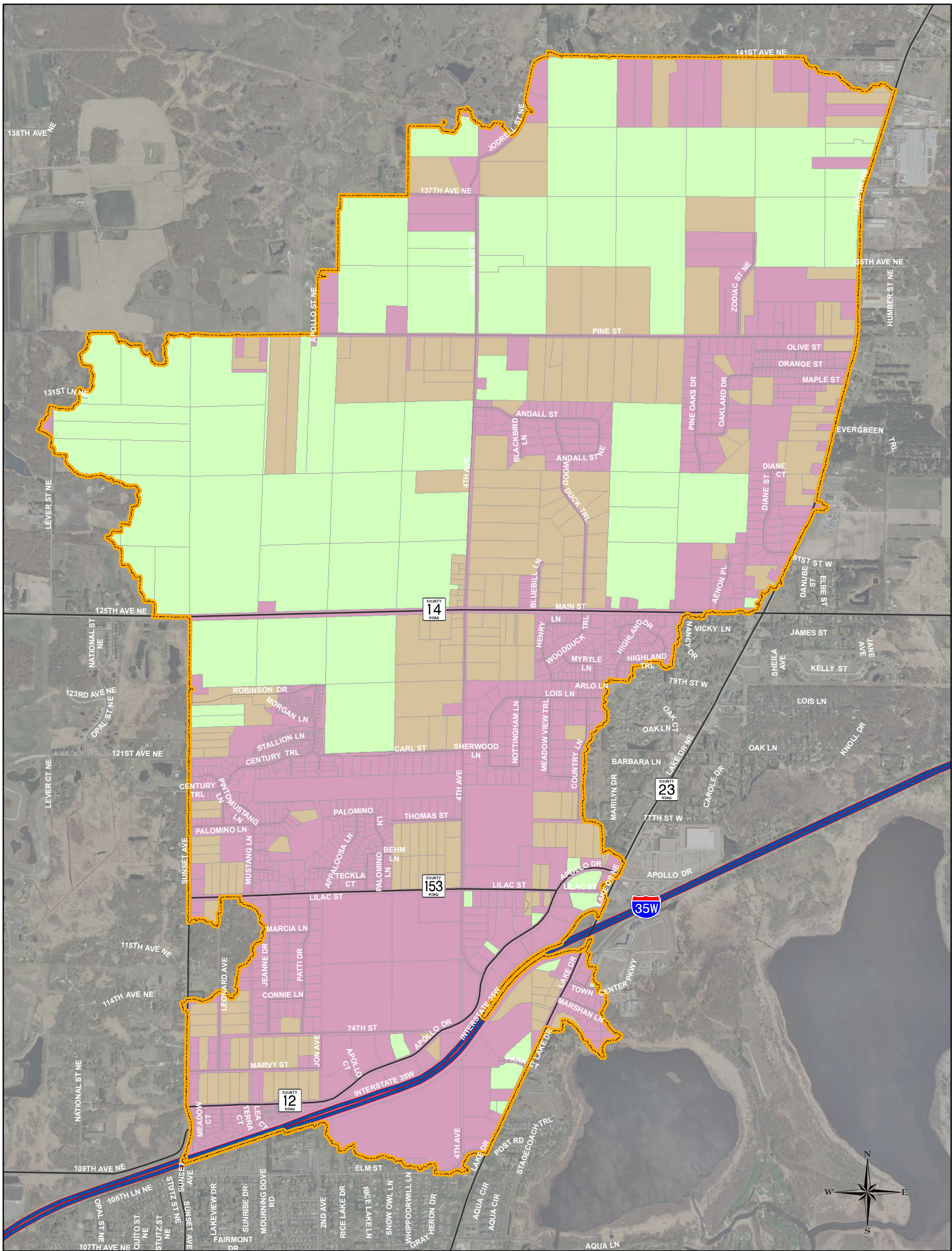
## Rice Creek Watershed District ACD 10-22-32 Future Land Use

Figure 3 ACD 10-22-32 Future Land Use Classes Used for Charge Analysis

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.006	Date: 2/24/12	Sheet:
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- ACD 10-22-32 WMD Boundary
- Interstate
- US Highway
- County Roads
- Residential Streets

**Development Status**

- Currently Undeveloped - To Become Developed
- Currently Developed - To Become Re-Developed
- Currently Fully Developed

0 750 1,500 3,000 Feet

Sources: TLG, RCWD, MN DOT  
Background: 2010 Metro Aerial Imagery

## Rice Creek Watershed District ACD 10-22-32 Development/ Re-Development Locations

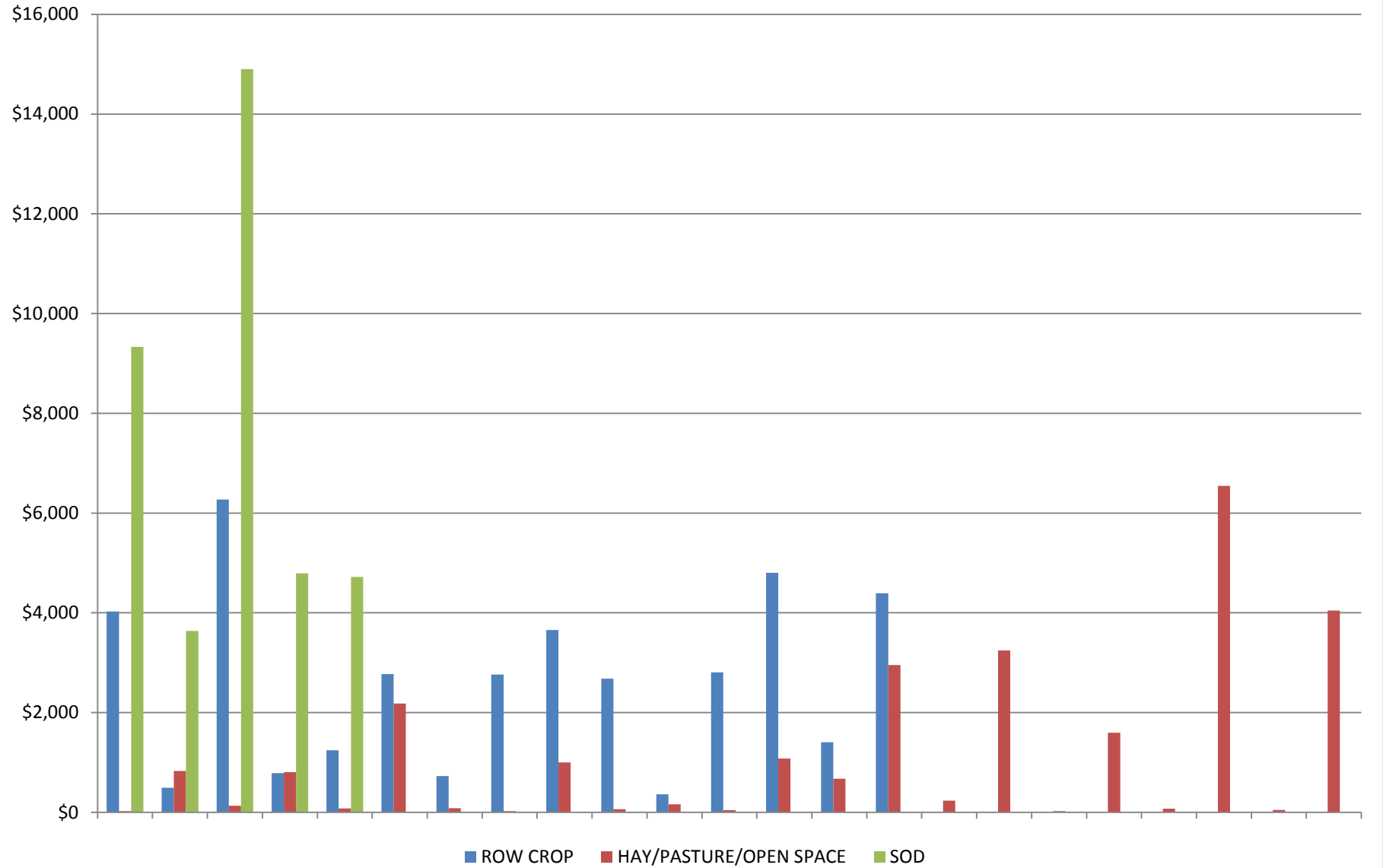
Figure 3 ACD 10-22-32 Development/Re-Development Locations

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.006	Date: 2/24/12	Sheet:
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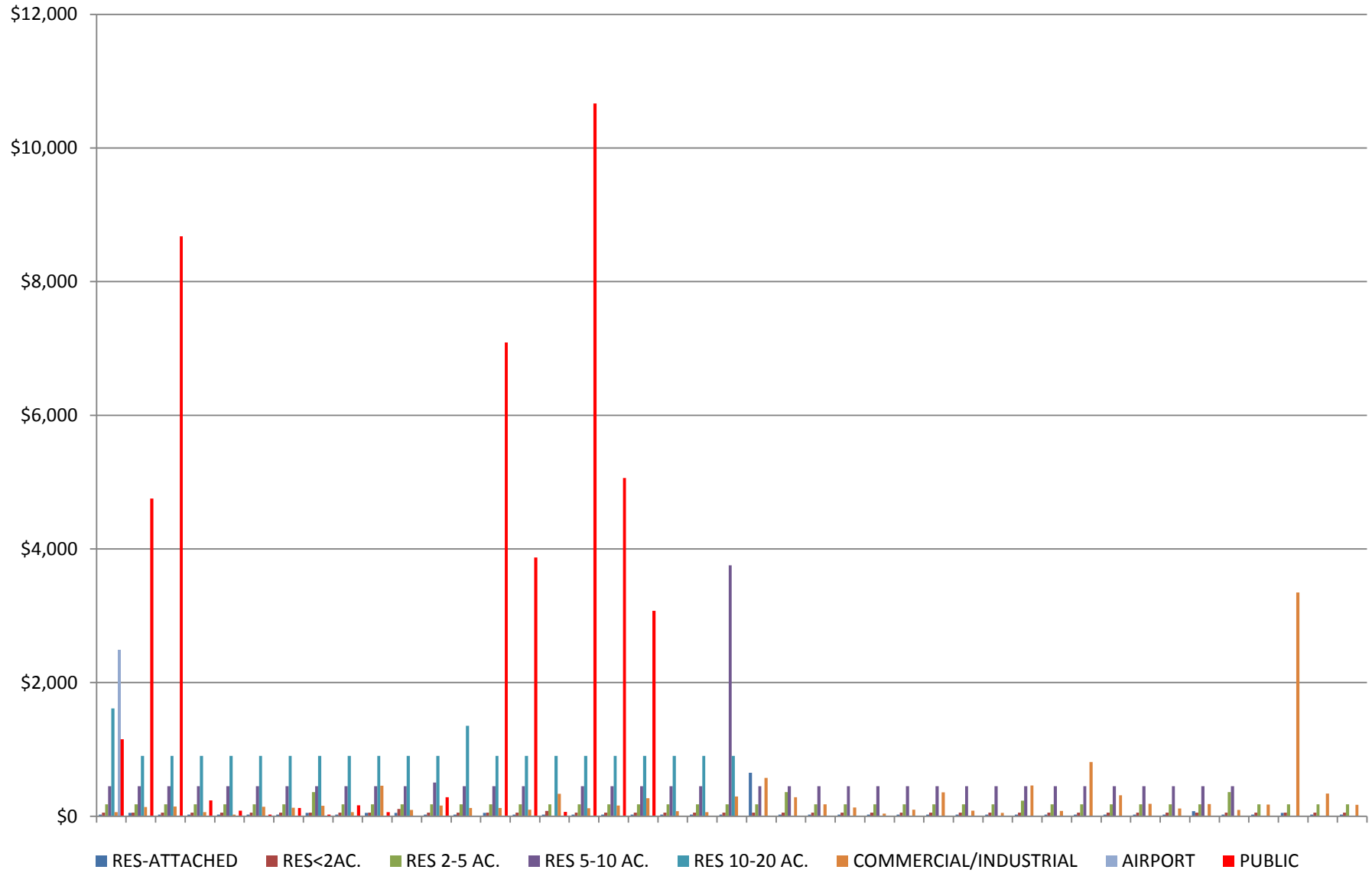


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**FIGURE 5**  
**TOTAL INITIAL CHARGE FOR UNDEVELOPED PARCEL OWNERS**



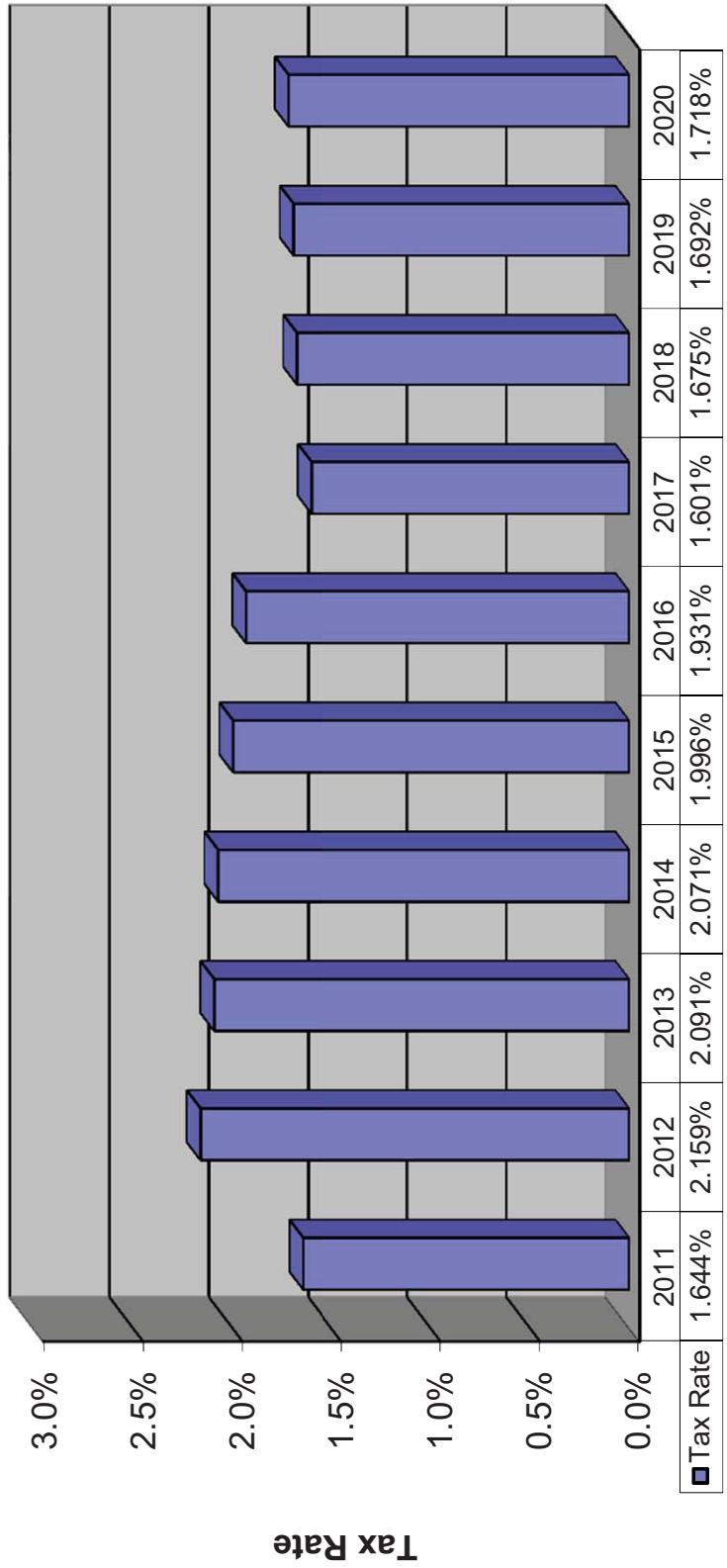
**FIGURE 6**  
**TOTAL INITIAL CHARGE FOR CURRENTLY DEVELOPED PARCEL OWNERS**



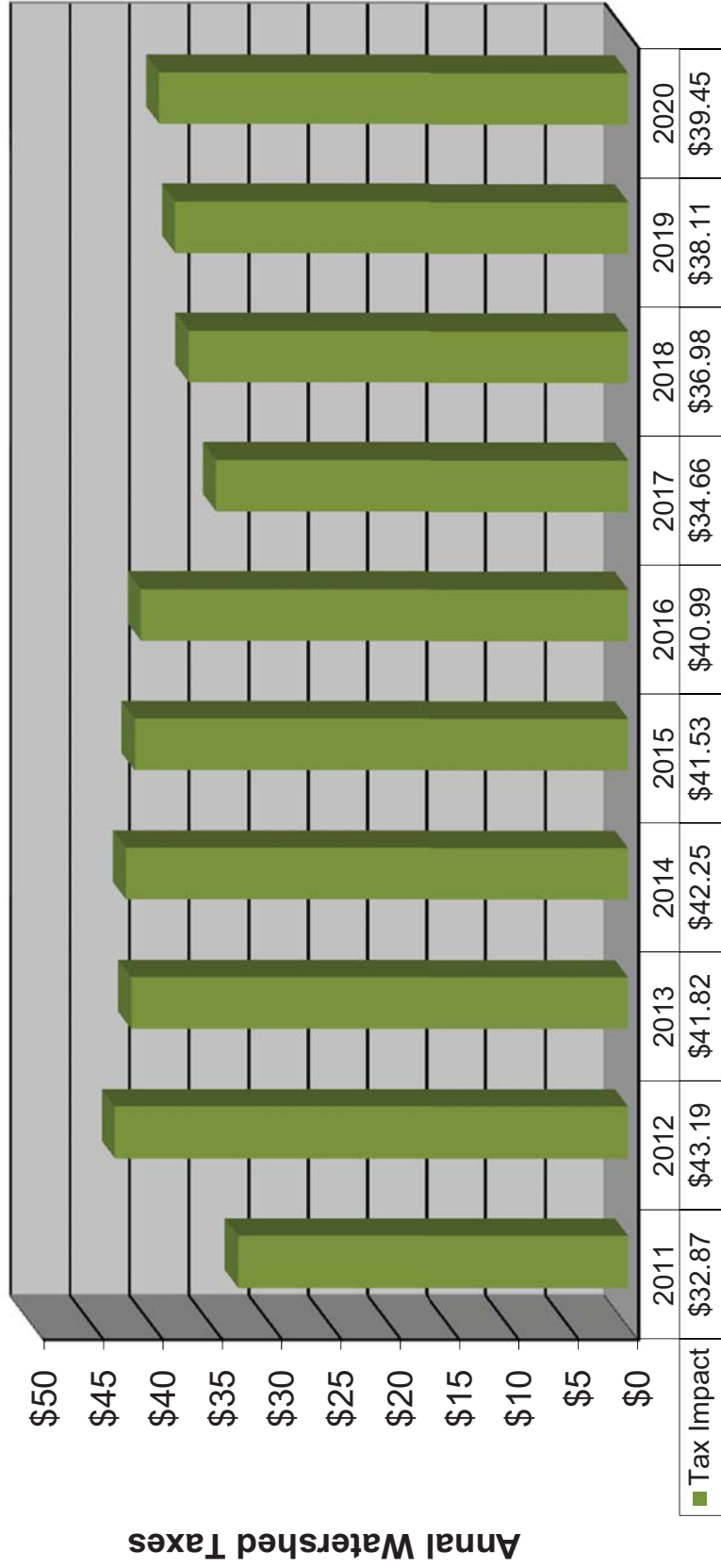
5:35-5:50 Initial Discussion on long range  
workplan for large CIP's



### Rice Creek Watershed District Financial Management Plan Projected Tax Rates



**Rice Creek Watershed District  
Financial Management Plan  
Projected Tax Impacts  
\$200,000 Home**





5:55-6:00 Update on Office Assistant 1 position

**MEMORANDUM**  
**Rice Creek Watershed District**

---

**To:** Board of Managers

**Date:** March 6, 2012

**From:** Phil Belfiori

**Subject:** Update on Filling Vacant 50% time Office Assistant I Position

---

**Background / Discussion**

Given the status of the vacant position, Office Manager Stasica, Permit Coordinator Tomczik and I interviewed two applicants that were also ranked as finalists during the previous interview process. Staff then collected references on the top ranked applicant.

At this time I'm prepared to offer the 50% time Office Assistant I position to the top ranked interviewee, Connie Husby, at the salary range identified in the attached position description. This salary was included in the 2012 budget and is consistent with the salary paid to Doherty Staffing Solutions for the previous position.

Attached:  
Connie Husby's resume  
Position description

## **Connie Husby**

8165 Wood Duck Trail/P.O. Box 348

Lino Lakes, MN 55014

H: 651-784-6268 C: 651-233-0477 Email: jeanHOL@comcast.net

### **PROFESSIONAL SUMMARY**

I am an Administrative Assistant who has extensive experience working with event planning, organizing meetings of every kind, corporate social responsibility and organizational projects. I am a trusted confidant with critical issues; I am known to be a persuasive communicator with well-developed presentation and negotiation skills. I am able to relate creatively with colleagues, customers, partners and staff, and have demonstrated ability to work with a diverse group of people. I have had 3 years experience working as a Receptionist before my Administrative job and I am always cheerful. My proven strengths are being energetic, honest, compassionate, trustworthy, conscientious, motivated, flexible, independent, and I adapt well to change.

### **PROFESSIONAL EXPERIENCE**

**BROCADE** – Plymouth, MN

1996 - 2009

#### **Brocade acquired McData, and McData acquired CNT Administrative Support III/Engineering**

- Orchestrated Integration Celebration Event to new company ensuring all arrangements were made in a timely manner and on budget (Working with San Jose and Broomfield CO Engineering)
- Set-up all meetings within Plymouth inside and offsite for all hands, Engineering, Training, Product Release parties, and Volunteer Corporate Social Responsibility.
- Trained Engineering Administrative Assistant saving management time and money clearing schedules for critical business issues (Trained in Broomfield CO)
- Conducted training in PowerPoint to Administrative team, and assisted with the Product Release celebrations within Engineering (Brocade products were ready for Marketing to customers and Engineering was rewarded for timely completions)
- Saved Directors, Managers and employees time by managing travel arrangements, coordinating calendars, and completing expense reports
- Achieved Floor Warden status-training as Emergency Response team member – CPR and First Aid. Red Cross certified. Tornado and emergency readiness within company for each floor

#### **Division Administrative Assistant/Engineering - McData**

- Saved company \$45,000 planning hotel conference for T11 (Engineering-Product Standards training) for two hundred Advanced Technology Employees across nation at the St. Paul Radisson, with Boating excursion. Received McData Bucks for strong negotiations
- Led Corporate Social Responsibility team strengthening the company's standards in volunteering and making a difference in surrounding communities

**McDATA** continued:

- Managed large employee moves in whole building, thus saving time for facilities to upgrade work cubes and offices (moved over 80 employees in one week)
- Decreased time for buyer by preparing purchase requisitions for capital equipment, resulting in a more efficient delivery time frame, enabling buyer to utilize time more creatively

**Sr. Executive Administrative Assistant to the CTO/VP and VP of Engineering  
Before Administrative promotion, I worked as the Receptionist for 3 years – CNT**

- Arranged all meetings within engineering (over 100 employees) and planned many meetings/events for company offsite.
- Designed new products in PowerPoint for Advanced Technology group and CTO. Prepared slides as tool for sales and marketing new products
- Confidentially assisted the VP's of Engineering twice with lay-offs, lifting his burden on those days (I would be given the list of employees who were to be laid off and arrange boxes for their departure)
- Reduced yearly budgets with Management for their individual departments, obtaining VP approval then onto the CEO with a much leaner bottom line for Engineering
- Monitored Management teams for auditing inspections for ISO 9001; regulated process instructional manuals were in place and documents in order (Very few discrepancies as a result)
- Expedited legally binding NDA's, Patton's and loan agreements, established trustworthy working relationship and continuity between participants involved

### **PROFESSIONAL DEVELOPMENT**

College Business courses, Diversity in the Workplace, MOS, Time Management, LIFO training, Code of Conduct training, and CPR/First Aid certified. I negotiated with DNR for Height of Land Lake, Detroit Lakes, Minnesota with positive results.

### **COMMUNITY SERVICE-VOLUNTEERING and AWARDS**

American Diabetes Association, American Cancer Society, Women's Battered Shelters, PACER and currently volunteer at Assisted Living/Memory Care in Lino Lakes.

Received awards from CNT (Night on the Town) certificates from employees, McData Bucks for demonstrated abilities, and Brocade Buttons for outstanding accomplishments

### **COMPUTER SKILLS**

PowerPoint, Beginning Word, Beginning Excel, Oracle, Outlook, Concur, Internet, Intranet, E-time, Carlson Travel-online

## Theresa Stasica

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**From:** jeanHOL@comcast.net  
**Sent:** Tuesday, April 05, 2011 12:55 PM  
**To:** Theresa Stasica  
**Subject:** Re: Resume for Office Assistant I

Thank you Theresa. I didn't include a cover letter, but want you to know I worked at the City of Lino Lakes for 1 year quite awhile ago working for the Parkboard, Planning and Zoning and Utilities. I did everything from issue permits, answer phones, copy plat maps, create agendas for meetings, take meeting minutes and billed for utilities and entered payments. I enjoyed doing this job, and would love the opportunity to work for Rice Creek Watershed District.

Connie Husby

----- Original Message -----

**From:** "Theresa Stasica" <TStasica@ricecreek.org>  
**To:** jeanHOL@comcast.net  
**Sent:** Tuesday, April 5, 2011 12:50:51 PM  
**Subject:** RE: Resume for Office Assistant I

I received your resume..

Thanks.

Theresa

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**From:** jeanHOL@comcast.net [mailto:jeanHOL@comcast.net]  
**Sent:** Tuesday, April 05, 2011 12:49 PM  
**To:** Theresa Stasica  
**Subject:** Resume for Office Assistant I

**Office Assistant I**  
**Rice Creek Watershed District**  
**4325 Pheasant Ridge Drive**  
**Suite 611**  
**Blaine, MN 55449**  
**763-398-3070**

**POSITION TITLE:** Office Assistant I

**REPORTS TO:** Administrator

**POSITION OBJECTIVE:**

The Office Assistant I position is a 50% time (20 hours per week, some flexibility in allocation with periodic obligations) and work is directed by the Office Manager. The position is responsible for providing office and administrative support for the Office Manager, Administrator and District Staff to ensure efficient office operation. Further, the position is responsible for a wide variety of tasks associated with general clerical, filing and scanning documents as well as providing assistance in administrative support to the District's regulatory program.

**ESSENTIAL FUNCTIONS:**

- A. General Administrative Office Duties (Priority A-70% of time) –.** Assist the Office Manager in office duties. This will include but is not limited to:
1. Maintains District paper and electronic filing system including archival of historic paper documents
  2. Routes mail and phones to appropriate staff; answers general questions
  3. Prints, formats and assembles reports, agendas, memos and letters.
  4. Provides clerical and administrative efforts as delegated by the office manager to provide support for all aspects of District operation such as permit processing and tracking.
- B. Administrative support of District regulatory program administration (Priority B-25% of time).** Provides Administrative and clerical assistance to RCWD staff to support the District's regulatory program as directed by the Permit Coordinator/Wetland Specialist. This will include but is not limited to:
1. Receiving, logging, and distribution of permit applications.
  2. Preparation, mailing and achieving of required notices.
  3. Identify and provide timely response/action to internal database alerts
  4. General organization of regulatory issues by county, municipality, etc to ensure clear accounting and reporting
- C. Other Duties as Assigned (Priority C-less than 5% of time)**  
*(The examples given above are intended only as illustrations of various types of work performed and are not necessarily all-inclusive. This position description is subject to change as the needs of the employer and requirements of the position change.)*

**SALARY**

Position salary is \$12,600 – 15,750 annually (50% position, 20 hours per week) depending on qualifications and experience. This position includes Public Employee Retirement Association (PERA) benefits and holidays will be paid pro rata (No vacation, sick leave time or health/dental/life insurance).

**MINIMUM QUALIFICATIONS**

Applicant needs to have at least four years proven experience in relevant office work; ability to interact professionally and positively. The applicant must be proficient with personal computer (PC) including Microsoft Office, Adobe Acrobat, Microsoft Outlook email as well as database and internet use; scanning/archival experience a plus. The position requires good communication skills.

Please send resume to Theresa Stasica at [tstasica@ricecreek.org](mailto:tstasica@ricecreek.org) or the above address postmarked no later than Friday, April 29, 2011.

6:10-6:15 Discussion on City of Circle Pines  
memo re: RCWD stormwater treatment  
requirements for 2012 road reconstruction  
projects



City of

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# CIRCLE PINES

## *Memorandum*

**To:** *Rice Creek Watershed District Board of Managers*

**From:** *Jim Keinath, City of Circle Pines*

**Date:** *February 21, 2012*

**Re:** *City of Circle Pines Approach to Address RCWD Stormwater Treatment Requirements for 2012 Road Reconstruction Project*

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It is the purpose of this memorandum to request approval of an approach that the City of Circle Pines wishes to take to address stormwater management requirements for its 2012 Street Reconstruction Project. The approach consists of the following:

1. Instead of building BMPs to only provide treatment for runoff from the 2012 road project, utilize the anticipated benefits of the proposed Golden Lake Improvement Project (description attached) to address the stormwater management requirements for the Project as well as 5 future street reconstruction projects.
2. Use the funds that the City would otherwise spend to address stormwater management requirements for the projects as a local match to construct, operate, and maintain the Golden Lake Improvement Project.

### **Discussion of Benefits of this Approach**

The 2012 Street Reconstruction Project consists of reconstructing approximately 6 acres of street surface. To typically meet the RCWD rule requirements for infiltration, BMPs would need to be provided for this area as well as include treatment for 2 additional acres of directly connected impervious surface. Water quality modeling indicates that infiltrating stormwater runoff from this area to RCWD standards would result in the annual removal of 4 pounds of phosphorus at this location. Further analysis indicates that the existing regional pretreatment systems located downstream of the project area (immediately upstream of Golden Lake) would remove approximately 50% of this phosphorus load. This would result in the project providing a net removal of about 2.0 – 2.5 pounds of external phosphorus load to Golden Lake.

This project would provide treatment for only 8 of the 6,000 acre drainage area tributary to Golden Lake and would have no measureable impact on the quality of water in Golden Lake.

If the City's funds were used as a local match toward the construction, operation, and/or maintenance of a flocculation treatment system that could be constructed and operated in Golden Lake, feasibility studies have indicated that over 125 pounds of soluble phosphorus could be removed from water within Golden Lake at a cost of approximately \$1,000 - \$1,500 per pound. Furthermore, the pollutant load reduction anticipated using onsite practices would take approximately 20 years to achieve whereby the implementation of the Golden Lake Restoration Project could achieve those reductions immediately. Furthermore, the District could see its TMDL load reduction goals for Golden Lake achieved with one single project.

The City is formally requesting that the District adopt this approach toward addressing the stormwater management requirements for the City of Circle Pines Street reconstruction projects in the future, and work with the City toward the implementation of the Golden Lake Restoration Project as was requested by the City Council in past correspondence (attached)

### **Other Considerations**

In addition to the above, three additional factors make this approach far and away the most logical and appropriate way to address water quality management needs of the City and the District. They include:

1. The project area for the 2012 Road Reconstruction Project is fully within a wellhead protection area that has been mapped as an area of high vulnerability. Installation of infiltration practices taking stormwater runoff and other pollutants from the street and introducing it directly into this area is not viewed as a sound practice based on requirements from the Department of Health.
2. The City anticipates construction of 4 – 5 similar road reconstruction projects in the next 15 years. If on-site projects are implemented, it is anticipated that only about 10 pounds of additional phosphorus directed into the lake would be removed. The total cost for these measures could range from \$600,000 - \$1.2 million. Even with this capital expenditure, only 40 of the 6,000 acres draining to Golden Lake would be treated through this approach. Using this approach for the cost per pound of phosphorus removed, which has been identified as the pollutant impairing the quality of water in Golden Lake, the cost is estimated at \$5,000 per pound.
3. Failure to approach stormwater management in this manner, and require the City to expend significant funds for stormwater management in this area will remove the only source of funding the City has to provide any significant local contribution toward a project to specifically clean up Golden Lake as outlined in the improved TMDL.

We thank you in advance for your thoughtful consideration of this approach and look forward to working with you in the future in its implementation.



City of

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# CIRCLE PINES

November 8, 2011

Board of Managers  
Rice Creek Watershed District  
4365 Pheasant Drive NE, Suite 611  
Blaine, MN 55449-4539

Re: Request to Partner to Implement Golden Lake Restoration Project  
WSB Project No. 1507-34

Dear Managers:

Please consider this letter as a formal request to the District from the City of Circle Pines to begin taking measures as needed to implement the restoration plan for Golden Lake as generally outlined in the TMDL as soon as possible. After giving some consideration into the steps that must be taken to facilitate the implementation project, we believe the implementation process needs to be broken out into four steps outlined below:

## **Step 1: Approve Final Concept Plan for Improvements**

The Draft Golden Lake TMDL Implementation Plan identifies six high priority engineering implementation activities. The City proposes the implementation of a single multi-faceted project covering all the high priority engineering activities listed with the exception of the in-lake alum treatment task and the added inclusion of a stormwater project on land north of Carl Eck Park. The in-lake alum treatment exception is proposed due its potential impact on reducing the color of the water as a result of tannins. The City would suggest this measure only be utilized if the other tasks do not satisfactorily address the internal nutrient loading.

## **Step 2: Develop Funding/Financing Plan**

Based on the TMDL cost estimates, along with estimates for the cost to implement upstream watershed management activities, over \$5 million will be needed in order to implement activities included in the plan. Outside grant funding will be needed to facilitate this project, but a significant local match along with funds to undertake long-term operation and maintenance will be required. As noted in City's comments on the Draft Golden Lake TMDL Implementation Plan, opportunities for local contributions to fund this project may not be available unless a funding plan is defined soon allowing the District to formally allow the trading of BMP benefits. We would suggest a plan for

financing this project be developed now so that we will be in a position to make applications to secure grand funding as opportunities become available.

**Step 3: Make Application for Grant Funding**

Once a formal plan is in place, a number of grant funding opportunities will be available each year through various programs. The strength of our application to obtain funds from these sources will be in many cases predicated on the extent to which our plan has been refined along with the extent to which the project partners are on board. Refinement of the Districts rules and the ability of the City of Circle Pines and others to dedicate limited resources to this project through trading pollutant load reduction credits will allow this project to be successful and move forward in a timely and cost effective manner.

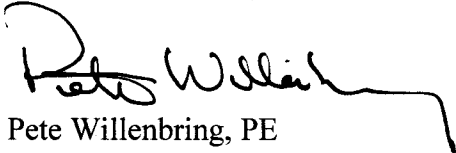
**Step 4: Construct and Operate Project**

The construction of the improvements identified within the engineering implementation activities will require the City of Circle Pines involvement as most of these improvements are within city limits. Furthermore, the ongoing operation and maintenance of these facilities would likely be most efficiently provided by City Public Works staff. We would propose that as part of the development a plan to address design, construction, and ongoing future operation and maintenance issues is defined ahead of time.

We thank you for the opportunity to consider this proposal and look forward to working with you in the future to improve the quality of water within Golden Lake.

Sincerely,

*WSB & Associates, Inc.*



Pete Willenbring, PE  
Vice President

*City of Circle Pines*



Jim Keinath  
City Administrator

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## *Memorandum*

**To:** *Rice Creek Watershed District*

**From:** *Jim Keinath, Pete Willenbring, City of Circle Pines*

**Date:** *November 8, 2011*

**Re:** *Description of Proposed Golden Lake Improvement Project, City of Circle Pines  
WSB Project No. 1507-34*

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Attached are two graphics outlining a proposed improvement project for Golden Lake that encompasses the high priority implementation activities listed in the Golden Lake TMDL Implementation Plan. A description of the features or components of this project are provided below:

### **Upstream Watershed Improvements**

- A Carl Eck Park stormwater retention and treatment facility is proposed to be installed on a parcel of City land located north of Carl Eck Park (see **Figures 1 and 2**).
- The proposed facility will provide retention and treatment for stormwater runoff generated from the upstream watershed prior to its discharge into County Ditch 53-62.
- A water reuse irrigation system will be installed to reduce stormwater runoff volumes from the watershed. Pumped water will be used to irrigate selected areas of Carl Eck Park.
- The land for this project will be donated by the City of Circle Pines as an in-kind contribution towards this project.

### **Improvement Projects Located Immediately Upstream, In, or Immediately Downstream of Golden Lake**

- An HDPE piping system is proposed to be installed that could take raw water from Golden Lake at up to 3 locations and discharge treated water into Golden Lake at three locations or downstream of the lake using a valve/pumping system.
- The northwest corner intake near the County Ditch 53-62 outfall could be utilized to treat in-flows of stormwater runoff entering the lake from the upstream watershed.

- The hypolimnetic intake could be used to withdraw water from Golden Lake and discharge treated water at the northwest corner of the lake, into the south basin, or downstream to Rice Creek.
- The south basin intake could be used as an intake to allow this water to be treated with the flocculation treatment system and then this water could be discharged into to the lake at once of the selected locations.
- The system can facilitate an in-lake the alum treatment in Golden Lake in the vicinity of the intakes and/or treated water outfall locations consistent with High Priority Implementation Activity – Engineer (HPIA-E) No. 1 shown on page 12 and 13 of the Implementation Plan. In particular, the hypolimnetic intake/outfall could be used to treat deep water sediments.
- The upstream alum treatment implementation activity (HPIA-E-2) could be provided by this system through collection of low-flow stormwater runoff directed to Golden Lake via County Ditch 53-62.
- The lake draw down and scraping of littoral sediment component of the project (HPIA-E-3) as outlined in the TMDL can be accommodated by using the hypolimnetic intake to draw water levels down below the dam spillway elevation. Scraping of littoral sediment would need to be completed as a separate project, but the system can facilitate the required drawdown.
- The TMDL associated with diversion/retention of flows (HPIA-E-4) can be fully accommodated by this system.
- The hypolimnetic withdrawal and treatment (HPIA-E-5) can be accommodated with this system
- The component of expanding/enhancing the aeration system (HPIA-E-5) can be accommodated by either withdrawing water from the hypolimnium and aerating it as part of treatment or, obtaining oxygenated water from different parts of the lake and directing it to the hypolimnetic intake/outfall.