

# 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

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## RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, January 9, 2013, 9:00 a.m.

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

### Agenda

- 1
- 2 **CALL TO ORDER**
- 3 **OATH OF OFFICE-STEVE WAGAMON AND JOHN WALLER**
- 4 **ROLL CALL**
- 5 **SETTING OF THE AGENDA**
- 6 **APPROVAL OF DECEMBER 10, 2012 WORKSHOP MINUTES**
- 7 **APPROVAL DECEMBER 12, 2012 REGULAR BOARD MEETING MINUTES**

### 8 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

#### 9 **Table of Contents**

10 No.	Applicant	Location	Plan Type	Recommendation
11 12-062	Anoka County Hwy Dept	Columbus	After-the-fact Street & Utility Construction	CAPROC 4 items

12  
13 *It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_ to approve the consent agenda as*  
14 *outlined in the above Table of Contents in accordance with RCWD staff and District Engineer's Findings and*  
15 *Recommendations dated December 17, 2012.*

### 16 **OPEN MIKE**

17 *Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on*  
18 *the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional*  
19 *comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items*

20 *discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an*  
21 *upcoming agenda.*

22 **ITEMS REQUIRING BOARD ACTION**

- 23 1. Consider Anoka/Washington JD4 Realignment Project Partial Payment Request #2-Peterson  
24 Companies, Inc. (Phil Belfiori)
- 25 2. Consider Long Lake Inlet Channel Project Final Payment and Long Lake Sediment Basin  
26 Project Partial Payment -Belair Sitework Services. (Phil Belfiori)
- 27 3. Consider Hardwood Creek Restoration Project Pay Request #2-Sunram Construction, Inc.  
28 (Phil Belfiori)
- 29 4. Consider Check Register dated 1/9/2013, in the amount of \$27,222.27 prepared by HLB  
30 Tautges Redpath.

31 **ITEMS FOR DISCUSSION AND INFORMATION**

- 32 1. Engineer's Update and Timeline.
- 33 2. Manager's Update.

34 **ADJOURNMENT**

# **OATH OF OFFICE-STEVE WAGAMON AND JOHN WALLER**

**RICE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS  
OATH OF OFFICE**

**I, Steven Wagamon, do solemnly swear (affirm) that I will support the Constitutions of the United States and the State of Minnesota, and will faithfully discharge the duties of the office of Manager of the Rice Creek Watershed District to the best of my judgment and ability.**

**Date: January 9, 2013**

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**Steven Wagamon**

The foregoing instrument was acknowledged before me this 9th day of January 2013, by Steve Wagamon.

[Notary signature and stamp]

**RICE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS  
OATH OF OFFICE**

**I, John Waller, do solemnly swear (affirm) that I will support the Constitutions of the United States and the State of Minnesota, and will faithfully discharge the duties of the office of Manager of the Rice Creek Watershed District to the best of my judgment and ability.**

**Date: January 9, 2013**

---

**John Waller**

The foregoing instrument was acknowledged before me this 9th day of January 2013, by John Waller.

[Notary signature and stamp]

**APPROVAL OF DECEMBER 10, 2012  
WORKSHOP MINUTES**

**APPROVAL DECEMBER 12, 2012 REGULAR  
BOARD MEETING MINUTES**

## RCWD BOARD OF MANAGERS WORKSHOP

Wednesday, December 10, 2012

Rice Creek Watershed District Conference Room  
4325 Pheasant Ridge Drive NE, Suite 611  
Blaine, MN 55449

1 The Board convened workshop at 1:00 p.m.

2 Attendance: –Board members, Patricia Preiner, Harley Ogata, Barbara Haake, and Steve Wagamon

3 Absent: John Waller

4 Others: Administrator Phil Belfiori, Office Manager Theresa Stasica, Permit Coordinator/Wetland Specialist Nick  
5 Tomczik. Regulatory Assistant Tara Daun, Technical Specialist/Permit Reviewer Chris Buntjer, Water Resource  
6 Specialist Kyle Axtell, District Engineer Chris Otterness– Houston Engineering, District Attorney Chuck Holtman  
7 – Smith Partners

### 8 ***Items for Discussion***

#### 9 1. Discussion on Legal review of District permits

10 Administrator Belfiori provided background for this topic, noting that District Engineer Deutschman  
11 covered much of this topic at the last workshop. District Attorney Holtman then went on to describe  
12 the basic goals of attorney review of District engineer reports.

- 13 ■ Ensure permit is evaluated correctly under correct rules and conforms with District guidelines
- 14 ■ Lay out staff interpretations of permits for the board
- 15 ■ Provide a historical record for later clarity (Administrator Belfiori noted this was especially  
16 appreciated by inspection staff)
- 17 ■ All permits create a precedence, review discourages creation of unwanted precedents.

18 District Attorney Holtman also noted that lack of report clarity causes expenditure of time and money at  
19 later dates

20 Manager Preiner noted that the board wanted to know the overall balance of permit cost distributed  
21 between attorneys, engineers, and RCWD staff.

22 District Attorney Holtman gave out a handout summarizing legal costs. An overall declining trend in  
23 costs was noted, with 10-24 hours/month being spent on permits. The decline in hours is partially  
24 attributed to the fact that staff, engineers, and the attorneys have come to consensus on how to  
25 interpret many of the rules and met to increase efficiency.

26 Manager Ogata noted that these interpretation discussions may begin anew once the new rules are  
27 adopted.

28 District Attorney Holtman noted that about half of this time is spent directly reviewing permits and the  
29 other half is spent in discussion of legal issues on closing and transferring permits.

30 Manager Haake noted disapproval that government units do not pay for their permits or legal fees,  
31 significantly reducing District funding.

32 Manager Preiner noted interest in seeing the costs from HEI and attorneys now that additional staff have  
33 been hired to take on some of this responsibility.

## 34 2. Discussion and Update on Rule Revision and Response to Comments

35 Administrator Belfiori introduced the topic of rule revisions and requested board reconsideration. Of  
36 several topics

37 Rule C2 – Regulatory Threshold (When a permit is required by Rule C). – Board reached consensus to  
38 keep the threshold at the proposed 10,000SF.

39 Rule C6 – Water Quality Treatment Standard – Manager Haake noted an error in the packet, it should  
40 state a majority consensus was reached as Haake disagrees with the .75” standard. The board again  
41 reached majority consensus to keep the standard as decided at the last workshop.

42 Rule C7 – Flood Control – Upon further discussions, the board reached consensus to exempt public  
43 linear project from the 80% requirement and from the BMP equivalence table (as posed as questions to  
44 the board in the memo).

- 45 ■ There is a revision in the proposed rule to change to 80% of existing runoff rate per the HEI technical  
46 review in the area downstream of Baldwin Lake and upstream of Long Lake. This area is targeted  
47 specifically because of flood concerns. District Engineer Otterness explained that this area was the  
48 main concern to keep stable rates. District Engineer Otterness also explained that the 80% number  
49 was agreed as a size that would not significantly increase project size but would increase resource  
50 protection. Buntjer supported this.
- 51 ■ Another revision was proposed: exempting public linear projects from the 80% requirement because  
52 of the great difficulty such projects would inherit from the requirement.
- 53 ■ Manager Haake noted concern that these revisions are compromises on the resource in the interest  
54 of economics. District Engineer Otterness noted that overall, the new rules will likely meet or exceed  
55 the current rules in overall resource protection while strengthening flood control. Manager Waller  
56 asked if these new rules will allow the District to solve flooding issues without other projects.  
57 Administrator Belfiori noted that this was definitely not the case and that he understood the  
58 District’s intentions to be to find a balance between regional projects and regulation. Manager  
59 Preiner agreed with this.

60 Rule E – Regulatory Floodplain – board reached consensus to maintain former opinion

61 Rule F – RMP/CWPMP Rule Consolidation

- 62 ■ A map was provided in packet to show the areas which would be included as high quality wetland  
63 according to BWSR & ACOE’s requested standards.
- 64 ■ Columbus would be the only major area affected by this change, according to this map, and overall  
65 the change would have minimal effect.
- 66 ■ Board reached consensus to incorporate the changes to the high quality definition.
- 67 ■ The Board also discussed the ongoing RCWD coordination with the City of Lino Lakes as related to  
68 the SAMP in RMP- 3. Upon further discussion, the board reached consensus that the District will  
69 reiterate its comfort with the rules as submitted and meet with agencies as needed.

70

## 71 3. Discussion on 2013 Final Budget

72 Manager Ogata asked if the increased funding for Ramsey County BMP agreement will affect the 2013  
73 budget. Water Resource Specialist Axtell noted that this would not affect the budget. Board reached  
74 consensus to accept the budget as previously discussed.

## 75 Project &amp; Related Updates:

## 76 ACD 10-22-32 Discussion on Landowner Comments

- 77 ■ It was noted that one Owner has asked that spoil not be spread on his fields (used for a sod business)  
78 as he is worried about germination of unwanted grasses. It was also noted that the owner has also  
79 asked that the ditch be moved to match the property line.
- 80 ■ The Board of Managers expressed concern that these requests would create additional costs to the  
81 watershed.
- 82 ■ Manager Ogata expressed concern that treating one landowner specially would be unfair to the  
83 other landowners. Manager Preiner disagreed, noting that interfering with a business was different  
84 than interfering with private homes.
- 85 ■ The Board decided to wait on reaching a formal decision until HEI could verify how much moving  
86 the extra spoil would cost.

## 87 ACD 15/JD 4 – Discussion on Pay Request

- 88 ■ District Engineer Otterness noted that the deduction of the original pay request from PCI per the HEI  
89 memo dated Dec 10, 2012 that was passed out the workshop. Upon further discussion, the Board  
90 reached majority consensus to pay the agreed upon amount of \$40,000 for the two overage  
91 quantities.

## 92 Long Lake Sediment Basin Dredging Including Landowner Letter

- 93 ■ Board reached consensus, they have no wish to change the policy.
- 94 ■ District Engineer Otterness provided an update that dredging was finished on Tuesday.

## 95 Hardwood Creek Stream Restoration Project

- 96 ■ This project is complete.

## 97 53-62 Profile Discussion (added to agenda)

- 98 ■ District Engineer Otterness noted there are three alternatives as identified on profile sheets passed  
99 out. Upon further discussion, Board reached consensus to use the RMP Profile for the repair report  
100 analysis as suggested by HEI.

101 The Workshop was adjourned at 3:00 p.m.

# DRAFT

For Consideration of Approval at the January 10, 2013 Board Meeting.  
Use these minutes only for reference until that time.

## REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, December 12, 2012

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

### Minutes

#### ROLL CALL

Present: President Patricia Preiner, 1<sup>st</sup> Vice-Pres. Barbara Haake, 2<sup>nd</sup> Vice-Pres. John Waller, Secretary Harley Ogata, and Treasurer Steve Wagamon.

Absent: None.

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, Office Manager Theresa Stasica, Public Ditch Inspector Tom Schmidt.

Consultants: District Engineers Mark Deutschman and Chris Otterness, Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners.

Visitors: Lester Winter, Sylvia Marier, Matt Duenwald, Ryan Johnson, Ann White Eagle

#### CALL TO ORDER

President Preiner called the meeting to order, a quorum being present, at 9:00 a.m.

#### SETTING OF THE AGENDA

District Attorney Smith state under items for discussion he had a brief update on the JD2 Miron/DNR lawsuit.

District Administrator Belfiori added under items requiring board action add Petersen Companies pay request for dredging of the former JD-4 channel alignment within the Houle/Hair.

***Motion by Manager Haake, seconded by Manager Waller, to adopt the agenda as amended. Motion carried 5-0.***

#### READING OF THE MINUTES AND THEIR APPROVAL

***Minutes of the November 13, 2012, Board of Managers Meeting Workshop Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.***

***Minutes of the November 14, 2012, Board of Managers Regular Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.***

***Minutes of the November 28, 2012, Board of Managers Meeting Workshop Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.***

President Preiner recessed the regular meeting.

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**PUBLIC HEARING: TO CORRECT THE DRAINAGE SYSTEM RECORD, FUNCTIONAL ALIGNMENT, DIMENSION AND GRADE OF THE ANOKA COUNTY DITCH 55**

President Preiner welcomed everyone to the meeting. She noted the purpose of the meeting was to receive comments from the public on the District’s intent to adopt an order to correct the drainage system record, identify the scope of the drainage system and abandon portions of the system. She indicated following the Board’s action, the District would be completing a repair report that would consider alternatives for the future repair and maintenance of the system.

President Preiner stated the Board of Managers had reviewed a historical and technical analysis of the system, which was contained in the engineer’s historical review dated August 7, 2012.

She indicated inspection of ACD 55 reveals several undocumented modifications of the drainage system, several areas of disrepair, portions of numerous branches or laterals absent from the landscape and other branches or laterals providing only private benefit.

As part of its analysis of the drainage system, the engineer had identified the existing functional alignment, dimension and grade of this system as it provides beneficial public drainage today. This functional alignment, dimension and grade matches the basic functional efficiency of the system as designed and established to provide beneficial public drainage.

The authority for the Board to take action related to Ditch 55 is found in Statutes Section 103D.335, subd. 8, which allows the Board of Managers to “construct, clean, repair, alter, abandon, consolidate, reclaim or change the course or terminus of any public ditch...within the watershed district.

She invited the District’s engineer to review the historical review memorandum and the recommended functional alignment of the ditch along with portions of the ditch recommended for abandonment.

District Engineer Deutschman pointed out that they were going to talk about what is the public system as opposed to how to repair the public system.

District Engineer Otterness stated this presentation was almost identical to the presentation presented at the landowner meeting. He noted this was one of many public drainage systems the District manages. He indicated this public drainage system was initially established in 1898 and that system was somewhat ineffective in providing drainage so the system was re-plumbed in 1915 and the previous system was established as Branch 5. That system did not provide a function that was needed for drainage, so in 1955, they reestablished this as a tile system and it was renamed as Anoka County Ditch 55. He noted the boundary for this drainage system went into Washington County, but the benefitting landowner area only exists within Anoka County. He noted they went through all of the historical records and determined what the history of the system was as far as the alignment and the construction of the system as well as looking at the historical profile and using data that was acquired by RCWD staff and Houston engineering staff they were able to determine elevation of the tile system as it was now and be able to use the profiles that were done back in the establishment of the system in 1915 and use it to establish what the as constructed profile system was and the slide shows an example that was included in the report. There have been several recent repairs along the system in recent years repairing a lot of blow outs. What has been incurring is that the system was so flat and there have been so much area with water coming into the system that the system had become overloaded and all the condition on the tile was such that the water elevation was up against all of that and what occurred was that the tile would blow out based on the rupturing of the tile system and staff has been very busy in the last few years repairing the tile blow outs and replacing portions of the system that are deteriorating. He indicated a lot of the system created previously still existed of the old clay tile and they are replacing it now with poly-

87 ethylene tile. One of the figures that was shown in the report that they have provided was the example of the capacities of  
 88 the system. The capacities for the various branches were fairly low. The tile side ranges from 4-18 inches through the  
 89 system. Most of the branches and laterals have a diameter of six inches or less and with that small of a diameter and  
 90 shallow slopes in the system this did not provide a very large volume for drainage in the system and that was part of the  
 91 reason why there have been ruptures in the system and poor drainage. He noted they cannot identify all of the tiles as  
 92 they were because they were buried. He recommended the District maintain authority over the main trunk of the system  
 93 which carried the most flow and those tiles were 8 inches or greater as well as being the only parts of the system conveying  
 94 water for more than one property. He proposed abandonment of branches 5-7 and 9. He noted those braches were in the  
 95 area of the small diameter of tile and did not provide benefit to more than one landowner. He stated the tiles would  
 96 remain intact, but they were going to remove the function or the outlet for the tiles, but simply eliminate them from the  
 97 scope of the district’s maintenance and authority. He noted the district would still continue to maintain the main trunk.  
 98 He proposed abandonment of branches 1-4. He indicated the function of these branches had been replaced by other  
 99 drainage features. He was sure a couple of the tiles had been removed or replaced by drainage ponds, open channels, or  
 100 ditches along Main Street. He recommended as a next step was to continue with the consolidation proceedings, complete  
 101 a repair report to guide whatever repairs need to be performed in the future on the system.

102  
 103 District Administrator Belfiori noted they had been in contact with the City of Lino Lakes and the landowners in the area  
 104 also and would continue to work with them throughout this process.

105  
 106 Manager Waller asked about the City of Hugo where urbanization was going on. He asked if there had been any contact  
 107 with them. He stated because this extended into Washington County would Washington County be included in the  
 108 planning also. District Engineer Deutschman responded they were going to be considering the drainage coming off all  
 109 parts of the system including Hugo as part of the repair report process. He noted the City of Hugo had not yet  
 110 commented, but they would consider the flows and allow for adequate drainage.

111  
 112 District Administrator Belfiori stated they had spoken with the Hugo City Engineer and Administrator so the City was  
 113 aware of this and would be included in future discussions as well.

114  
 115 President Preiner invited comment from the public regarding the engineer’s recommendation and the proposed action of  
 116 the Board to adopt the functional alignment and to abandon those portions of the drainage system that no longer provide  
 117 any public benefit.

118  
 119 She stated if a member of the audience wanted to make a comment, to come up to the podium. She noted if a member of  
 120 the audience had a specific question concerning the Drainage System Record, Functional Alignment, Dimension and Grade  
 121 of the Ditch System, the Managers might ask staff to address the question. She noted the proceedings were being  
 122 recorded.

123  
 124 There were no public comments made at the hearing.

125  
 126 President Preiner closed the Public Hearing and opened the regular meeting.

127  
 128 **CONSENT AGENDA**

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

132  
 133 **Table of Contents**

134 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

135 <b>No.</b>	<b>Applicant</b>	<b>Location</b>	<b>Plan Type</b>	<b>Recommendation</b>
136 12-078	Bill's Suprette & 137 G-Will Liquor	Lino Lakes	Final Site Drainage	VARIANCE REQUEST CAPROC 7 items

139 Permit Coordinator/Wetland Specialist Tomczik stated the project was subject to District Rule C, D, and RMP-3 and the  
140 applicant was seeking a variance to the unique treatment requirements for a .5 inch of stormwater treatment of RMP-3  
141 8.(c). He noted this was a final site drainage. He indicated this project was for a gas station and liquor store in the  
142 northeast corner of Lake Drive and Main Street in Lino Lakes. He noted the Managers needed to consider and weigh the  
143 following criteria for variance as well as the district engineer's response to the submitted application for variance :

- 144
- 145 - How substantial the variation is in relation to the RCWD Rule requirement(s)
- 146

147 Technical Specialist/Permit Reviewer Buntjer stated Rule RMP-3 required 2.3 inches for water treatment and an initial ½  
148 inch and the applicant was proposing an infiltration basin that meets the 2.8 inch standard and also proposed a swale  
149 going around the back of the development that would provide impervious disconnect and they would also get some credit  
150 for the infiltration that was happening. He noted they would meet the requirements for the 2.8 inches and additionally  
151 they met approximately 46 percent of the additional ½ inch requirement.

- 152
- 153 - the effect the variance would have on government services;
- 154

155 Technical Specialist/Permit Reviewer Buntjer responded there would be no effect on governmental services.

- 156
- 157 - whether the variance will effect a substantial change in the character of the watershed resource or will be a  
158 substantial detriment to neighboring properties;
- 159

160 Technical Specialist/Permit Reviewer Buntjer responded this site met the rate control requirements and there would be no  
161 adverse impact to neighboring properties. He noted there were also no wetlands on the site, which would be impacted.  
162 He stated the water drained along Main Street to a private ditch and then into George Washington Lake.

- 163
- 164 - whether the practical difficulty can be alleviated by a feasible method other than a variance (economic  
165 considerations play a role in the analysis under this factor);
- 166 - how the practical difficulty occurred, including whether the landowner created the need for the variance;
- 167

168 Technical Specialist/Permit Reviewer Buntjer noted there were five options for them to meet the additional ½ inch  
169 requirement. There were no wetlands on the site so they could not do the first two. The other option was to restore  
170 upland vegetation, which had to be at least ½ acre and separate from the BMP and they would need an additional ½ inch  
171 of a contiguous area. He noted the vegetation on the site did not meet preservation requirements so the vegetation would  
172 need to be reestablished.

173

174 Permit Coordinator/Wetland Specialist Tomczik noted the applicant had disconnected as much of the parking area as  
175 feasible with the design and also with the half acre of upland that could be utilized and would reduce the size of the area.

- 176
- 177 - whether in light of all of the above factors, allowing the variance will serve the interests of justice.
- 178

179 Technical Specialist/Permit Reviewer Buntjer responded this was largely on the shoulders of the Board, but he noted there  
180 was one other permit in this area that had similar circumstances and a variance was granted.

181

182 Manager Haake inquired about the other variance approves. She asked if it was true when a variance was given that was in  
 183 effect changing the rule. District Attorney Smith responded each variance consideration required staff to evaluate the  
 184 unique characteristics of the site and the reason the variance was being requested was the applicant was saying to follow  
 185 the rule exactly would be causing a hardship and they were seeking an alternative way to comply and meet the purpose of  
 186 the rule. He stated they had had under RMP-2 a similar request, but each variance needed to be looked at on its own  
 187 terms.

188  
 189 Manager Ogata asked how the infiltration requirement was being done. Technical Specialist/Permit Reviewer Buntjer  
 190 responded the infiltration basin on the site would be holding back the 100 year storm based on the modeling. He noted  
 191 that basin accounted for the volume reduction. He noted infiltration would be happening on site.

192  
 193 Permit Coordinator/Wetland Specialist Tomczik stated he agreed the infiltration was happening on site and would be  
 194 subject to a maintenance declaration on the property.

195  
 196 **Motion by Manager Ogata, seconded by Manager Wagamon, to approve permit application 12-078 the CAPROC and**  
 197 **variance memo. Motion carried 5-0.**

198

199	12-084	Cyde Rehbein	Shoreview	Land Development	CAPROC 6 items
200					
201	12-087	MnDOT	Arden Hills	Street & Utility Construction	CAPROC 1 item
202					
203					

204 Permit Coordinator/Wetland Specialist Tomczik stated the new document handed out at the meeting included a  
 205 Stipulation 4. He stated this application was recognizing specific language to stipulation MnDOT's maintenance.

206  
 207 Manager Ogata stated this responded to the Board's concern regarding what the Board wanted MnDOT to do with  
 208 respect to maintenance. Permit Coordinator/Wetland Specialist Tomczik responded that there were other issues in play  
 209 with MnDOT but the maintenance was consistent with past administration and direction given.

210

211	12-090	Plymouth Housing Partners, LLC	Mahtomedi Final Site Drainage		CAPROC 4 items
212					
213					
214	12-092	Sentman Enterprise	Roseville	Final Site Drainage	CAPROC 5 items
215					

216 **Motion by Manager Ogata, seconded by Manager Wagamon, to approve the consent agenda as outlined in the above**  
 217 **Table of Contents in accordance with RCWD staff and District Engineer's Findings and Recommendations, dated**  
 218 **November 26, 2012 and December 5, 2012. Motion carried 5-0.**

219  
 220 Manager Haake stated with respect to the variance, she noted this variance was done by Houston Engineering and when  
 221 the criteria was given to the applicant, the applicant was then supposed to ask their engineers as to come up as to how  
 222 they would abide by the rules. In this case, Houston Engineering went through and wrote the variances reasons. She  
 223 believed this was an expensive document and she objected to the District's engineer spending time and funds on the  
 224 variance responses. She asked if the applicant was charged for these services. Permit Coordinator/Wetland Specialist  
 225 Tomczik responded the fee schedule did not include a variance fee, but rather the schedule has a flat fee. He noted the  
 226 applicant does fill out a variance application form and they outlined how they were proposing to address the regulations  
 227 and Houston's memorandum was to provide a technical response to those proposed variance requests. He believed it  
 228 would be good to discuss this further at a workshop meeting.

229  
230 District Engineer Deutschman believed it would be worth revisiting this. He noted this was the guidance legal counsel had  
231 said they needed to follow as a standard and if the Board wanted to revise this, legal counsel should probably also be  
232 involved in the process in order to ensure due diligence.

233  
234 Manager Waller stated he wanted to discuss at a workshop the variance fee also.

235  
236 Manager Haake asked how much time was involved in the variance review. She stated she would like to know this for  
237 discussion at the workshop.

238  
239 Manager Waller stated he also would like to know the staff time involvement.

240  
241 District Administrator Belfiori asked if the Managers wanted to wait until Manager Haake returned, or did they want to  
242 discuss this sooner. He noted this was a specific procedure they followed for this variance and this element was proposed  
243 to be eliminated through the proposed draft rule so it had been addressed.

244  
245 Manager Waller stated he would still like to have the conversation, but it was okay to wait until Manager Haake was  
246 available.

247  
248 **OPEN MIKE – LIMIT 12 MINUTES.** Any RCWD resident may address the Board in his or her individual capacity, for up to  
249 three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the  
250 record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on  
251 items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming  
252 agenda.

253  
254 There were no comments made at Open Mike.

255  
256 **ITEMS REQUIRING BOARD ACTION**

257 **1. Consider Resolution regarding the correction of the Drainage System Record, Functional Alignment,**  
258 **Dimension and Grade Of The Anoka County Ditch 55 System (Phil Belfiori)**

259 Administrator Belfiori explained the Resolution was related to Anoka County Ditch 55 system. He noted a letter  
260 was passed out before the meeting from the City of Centerville dated December 11, 2012 to be entered into the  
261 record. He noted the letter was dated December 11 and concerned page 9, item 2, where the Willow Glen ponds  
262 and outlets were listed under the heading “problem areas”. He indicated the City stated the problem was that the  
263 ponds submerge the tile outlet during and after rain events. He stated the City was requesting the District engage  
264 in conversation with them regarding the proposed modifications. He noted the City wanted to ensure that the  
265 modifications to the pond, as well as previous modifications, did not short-circuit the ponds’ water quality  
266 functions. He stated the City was questioning whether the best alternative might be to reroute the ditch/tile  
267 around the ponds, which would separate the two.

268  
269 ***Motion by Manager Wagamon, seconded by Manager Haake, to approve Resolution 2012-46, Findings and***  
270 ***Order Correcting Drainage System Record, Identifying Scope of Drainage System and Abandoning Portions of***  
271 ***Drainage System of No Substantial Public Purpose***

272  
273 **ROLL CALL:**

274 ***Manager Waller – Aye***

275 ***Manager Haake– Aye***

276 **Manager Ogata - Aye**  
 277 **Manager Wagamon – Aye**  
 278 **President Preiner - Aye**

279  
 280 **Motion carried 5-0.**

281  
 282 **2. Consider Authorizing Final actions related to Land Purchase with Connexus Entergy. (Phil Belfiori)**

283 District Belfiori explained this action was to request Board consideration to authorize President Preiner to sign and  
 284 execute the Final Plat for the Connexus parcel once final review was complete and execute all closing documents  
 285 conveying the parcel to Connexus pursuant to the purchase agreement for the purchase price of \$110,000. He  
 286 noted the District has now completed the last action required to gain City of Columbus approval of the final plat.  
 287 Upon final review of the plat by the Anoka County Surveyor, the final plat would then be signed by the District,  
 288 City, and County Surveyor and then recorded. Once the plat is recorded, the District can proceed with the closing  
 289 with Connexus.

290  
 291 **Motion by Manager Haake, seconded by Manager Waller, to authorize the Board President to execute the Final**  
 292 **Plat for the “Connexus” Parcel once final County review is complete and to execute all closing documents**  
 293 **conveying the parcel (LOT 1) to Connexus pursuant to the purchase agreement. Furthermore, moves to**  
 294 **authorize the recording of the final plat of LOT 1 and to authorize payment of any and all fees associated with**  
 295 **recording the plat and closing. Motion carried 5-0.**

296  
 297 **3. Consider 2013 Water Quality BMP Cost-Share Program Authorization (Kyle Axtell)**

298 Water Resource Specialist Axtell stated the District operated its Water Quality BMP Cost-Share Program for five  
 299 years. Several major program changes were implemented in 2010 and 2011 and no changes were made for 2012.  
 300 He indicated staff feels that the current program is generally successful and fair and aims to direct funding to  
 301 projects in keeping with the stated goals and policies of the RCWD. There were a few situations that arose during  
 302 2012 that have led staff to propose some changes to the program.

303  
 304 He noted as in prior years, the RCWD will enter into service agreements with Anoka, Ramsey and Washington  
 305 Conservation Districts to provide technical assistance to program participants. For 2013, the Ramsey  
 306 Conservation District had requested that the service agreement cost be increased to a maximum of \$20,000. The  
 307 Anoka Conservation District had requested that their agreement be increased to a maximum of \$13,000. The  
 308 Washington Conservation District did not request any increase for 2013. He indicated based on the relative  
 309 workload and in anticipation of the demand for services in 2013, staff was proposing that the service agreement  
 310 with the Ramsey Conservation District be increased to a maximum of \$15,000 and that the services agreement  
 311 with the Anoka Conservation District and Washington Conservation District be capped at \$10,000.

312  
 313 He stated the Citizens Advisory Committee had approved the proposal and recommended that the Board  
 314 authorize promotion and initiation of its 2013 Quality BMP Cost-Share Program incorporating the adjustments to  
 315 the program guidelines.

316  
 317 President Preiner stated she believed there should be a provision that says if somebody does their project before  
 318 receiving funding then the Board would not consider the request. Water Resource Specialist Axtell stated the  
 319 Committee was not in favor of that strong of approach, but it would be up to the Board as to how they wanted to  
 320 proceed. He noted he has had calls over the years where someone would call up and say they had installed a  
 321 raingarden and asked if they could receive funding for it. He stated in those cases, those people were told funding  
 322 was not available for already completed projects, but in the case where the District had been working all along

323 with an applicant, but the project was completed before the funding was approved; the District knew the project  
324 was a good project. He stated the Board could alter the proposed language if they wanted.

325  
326 President Preiner believed the program should be that the funding had to be available first before the project was  
327 done.

328  
329 Manager Haake asked how many people were not in attendance at the CAC meeting. Water Resource Specialist  
330 Axtell noted there were three members not in attendance.

331  
332 Manager Waller stated even if they made it a harder rule that would not have included the applicant earlier this  
333 summer because that person had been working through the process with the District. Water Resource Specialist  
334 Axtell stated the District had all of the plans and the individual was a contractor himself and went ahead and did  
335 it.

336  
337 President Preiner stated she did not disagree with anyone wanting to get their project done, but she wanted the  
338 rules to be followed.

339  
340 Manager Ogata stated he would follow the majority on this one.

341  
342 Manager Haake asked if there was a way for staff to tell the applicants verbally that they needed to have the  
343 funding prior to doing the project without putting the stricter language in the policy.

344  
345 Manager Ogata proposed an amendment to change the language to: "Additionally applicants cannot begin  
346 project installation prior to final funding approval by the RCWD Board of Managers. Any work completed prior to  
347 RCWD approval would not be eligible for funding."

348  
349 ***Motion by Manager Ogata, seconded by President Preiner, to amend the motion to change the language on***  
350 ***Schedule 9 to: "Additionally applicants cannot begin project installation prior to final funding approval by the***  
351 ***RCWD Board of Managers. Any work completed prior to RCWD approval would not be eligible for funding".***  
352 ***Motion failed 2-3.***

353  
354 ***Motion by Manager Haake, seconded by Manager Waller, to approve the Water Quality BMP Cost-Share***  
355 ***Program Guidelines as presented and authorize staff to promote the implement the 2012 Water Quality BMP***  
356 ***Cost-Share Program. Motion carried 4-1 (President Preiner).***

357  
358 ***Motion by Manager Haake, seconded by Manager Ogata, to approve service agreements with the ACD, RCD***  
359 ***and WCD for up to \$10,000, \$15,000 and \$10,000, respectively, to provide technical assistance for the 2013***  
360 ***Water Quality BMP Cost-Share Program. Motion carried 4-1 (President Preiner).***

361  
362 **4. Consider Final Certification of 2013 Tax Levy and Budget (Phil Belfiori)**  
363 District Administrator Belfiori stated that on September 12 the Board approved the 2013 tax levy and budget. He  
364 noted if there were no changes to the budget and levy no further action was needed at this time. He noted the  
365 tax levy for 2013 was \$4,300,000 which is No increase from 2012. He also noted that the budget was adopted for a  
366 total amount of \$5,085,065.

367  
368 **5. Consider ACD15/AWJD4 Water Management District Abatement of parcels in Washington County (Phil**  
369 **Belfiori)**

370 District Administrator Belfiori stated Washington County had found some additional parcels identified in the ACD  
371 15/JD4 WMD that should be exempt and should be abated because the charge for the contributing drainage area  
372 was already accounted for in the multi-family residential charge on the properties that are part of the  
373 development.

374  
375 District Engineer Deutschman noted there would be some slight reduction in corresponding total and in the  
376 future they were trying to pay attention to this where there were common areas that were originally assigned  
377 some charge, but really those charges should have been rolled back into the complexes.

378  
379 **Motion by Manager Ogata, seconded by Manager Haake, to approve Resolution 2012-47, Resolution**  
380 **Abatement of Charges ACD15/AWJD4 Water Management District.**

381  
382 **ROLL CALL:**

383 **Manager Waller – Aye**

384 **Manager Haake– Aye**

385 **Manager Ogata - Aye**

386 **Manager Wagamon – Aye**

387 **President Preiner - Aye**

388  
389 **Motion carried 5-0.**

390  
391 District Engineer Deutschman noted this issue would be coming back to them soon as this was the last year of the  
392 three year charge for the capital improvements that have occurred and they would be looking at what was needed  
393 for a future maintenance budget and adjust this for the maintenance of the project.

394  
395 **6. Consider Hardwood Creek Restoration Project Partial Payment #1 (Phil Belfiori)**

396 District Administrator Belfiori stated this was a request for partial payment to Sunram Construction, Inc. for the  
397 Lower Hardwood Creek Restoration and Stabilization Project. He noted Sunram Construction, Inc. was requesting  
398 payment in the amount of \$200,792.13, which was a partial payment of 63 percent less the retainage of 5 percent.

399  
400 Lakes & Stream Specialist Matt Kocian updated the Board on the progress of the project.

401  
402 **Motion by Manager Haake, seconded by Manager Waller, to approve partial payment number 1 to Sunram**  
403 **Construction in the amount of \$200,792.13. Motion carried 5-0.**

404  
405 **7. Consider Check Register dated December 26, 2012 Check Register – Resolution Authorizing Treasurer**  
406 **Approval (Phil Belfiori)**

407  
408 **Motion by Manager Ogata, seconded by Manager Haake, to approve Resolution 2012-48, Resolution**  
409 **Authorization for Payment of December 2012 Check Register in an amount not to exceed \$300,000.**

410  
411 **ROLL CALL:**

412 **Manager Waller – Aye**

413 **Manager Haake– Aye**

414 **Manager Ogata - Aye**

415 **Manager Wagamon – Aye**

416 **President Preiner - Aye**

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*Motion carried 5-0.*

- 8. Consider Check Register dated 12/21/2012, in the amount of \$29,048.93 prepared by HLB Tautges Redpath.

*Motion by Manager Wagamon, seconded by Manager Ogata, to approve check register dated 12/12/12, in the amount of \$29,048.93, prepared by HLB Tautges Redpath. Motion carried 5-0.*

- 9. Petersen Companies Pay Request for Dredging of the former JD-4 Channel Alignment within the Houle/Hair District Administrator Belfiori stated recently received was a pay request from Petersen Companies who dredged the former JD-4 channel alignment within the Houle/Hair wetland restoration bank, which was completed in November. He noted the contract was complete and recommended approval of the payment for the full contract price of \$38,000.00.

*Motion by Manager Waller, seconded by Manager Ogata, to approve payment to Petersen Companies Inc. for \$38,000.00. Motion carried 5-0.*

**ITEMS FOR DISCUSSION AND INFORMATION**

- 1. Update on the JD2 Miron/DNR lawsuit

District Attorney Smith stated with respect to the settlement with DNR and Miron, this was approved and all parties had approved it and signed it and it had been submitted to the Court. As of late last week, the records reflected that the Court has apparently approved the settlement because the trial has been taken off of the docket, but to date no one has received a signed copy of the order from the Court formally approving the settlement. He stated they expected to receive the order this week, but as a result of not having received the order, the easements that the Miron are to grant to the DNR have not been executed yet. He stated the DNR has had plans to repair work at the weir and he wanted to discuss that and he met on Monday with Dave Iverson who represents the DNR and he reviewed the District's permit requirements under Rule I and also discussed with him the petition provisions. According to Mr. Smith, as of Monday Mr. Iverson was not aware of what the current DNR plans were. He thought that the snowstorm might have caused some delay and he was going to check on that. Mr. Iverson does know that the only meeting of the Board was today. He stated they were waiting to hear back from the DNR.

Manager Waller noted there had been some recent press reported in the newspaper. He noted the costs quoted did not include the cost of the Attorney General's Office, the administrative costs of the DNR, the cost of the RCWD attorneys that was paid for by the insurance companies, the cost of the RCWD administration, so the \$475,000 issue was rather small. He stated he was very sad about this situation and how the issues had been handled here. He noted the risk to the District had not been reduced due to the settlement. He encouraged the Managers to enforce the drainage code because flooding was a very serious issue. He believed this had ramifications for other taking issues that had gone on. He indicated taking was a cost issue that had to be paid for. He hoped they would take the attitude that they would protect the drainage systems.

- 2. Engineer's Update and Timeline

District Engineer Deutschman pointed out there were some items marked in red, which he flagged for the Managers for budget purposes. He stated normally, when there were items like this where they were coming close to the budget, he would put some kind of corrective action in place. He indicated some of the corrective actions would be that they could freeze the budget and then minimize future work by Houston. In some cases, they provided another task order where they already accomplished the scope and there were remaining funds they

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464 would use those as long as the task order was consistent with what they were doing. He indicated in some cases,  
465 they had shifted some of the Houston work over onto the retainer budget. He stated they were trying to watch  
466 things to stay within the budget as much as possible, but there might be times when he would need to come back  
467 to the District for additional funds. He believed overall they had been staying within the budget.  
468

469 **2. Staff Reports**

470 Permit Coordinator/Wetland Specialist Tomczik noted back in November they received a 10-day violation notice  
471 for Mounds View and those materials had been submitted.  
472

473 District Administrator Belfiori thanked everyone for the recent holiday get together and the Board for their  
474 leadership in 2012.  
475

476 **3. January Calendar**

477 There were no comments.  
478

479 **4. Manager's Update**

480 Manager Waller asked the Managers to take a look the articles from Editor Deb Barnes in the White Bear Press. He  
481 noted she had a lot of experience with drainage issues and the costs involved.  
482

483 Manager Haake updated the Manager on the MAWD resolutions previously discussed by the Board.  
484

485 **ADJOURNMENT**

486 ***Motion by Manager Ogata, seconded by Manager Haake, to adjourn the meeting at 10:33 a.m. Motion carried 5-0.***  
487

# PERMIT APPLICATIONS REQUIRING BOARD ACTION

## Table of Contents

No.	Applicant	Location	Plan Type	Recommendation
12-062	Anoka County Hwy Dept	Columbus	After-the-fact Street & Utility Construction	CAPROC 4 items

*It was moved by Manager \_\_\_\_\_ and seconded by Manager \_\_\_\_\_, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD staff and District Engineer's Findings and Recommendations dated December 17, 2012.*

**RICE CREEK WATERSHED DISTRICT  
CONSENT AGENDA**

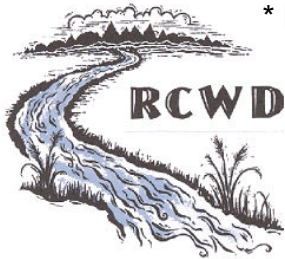
**January 9, 2013**

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to Approve, Conditionally Approve Pending Receipt Of Changes, or Deny, the Permit Application noted in the following Table of Contents, in accordance with the District Engineer’s Findings and Recommendations, as contained in the Engineer’s Findings and Recommendations, as contained in the Engineer’s Report, dated December 17, 2012.

**TABLE OF CONTENTS**

<b><u>Permit Application No.</u></b>	<b><u>Applicant</u></b>	<b><u>Page</u></b>	<b><u>Recommendation</u></b>
Permit Location Map		23	
12-062	Anoka County Highway Department	24	CAPROC

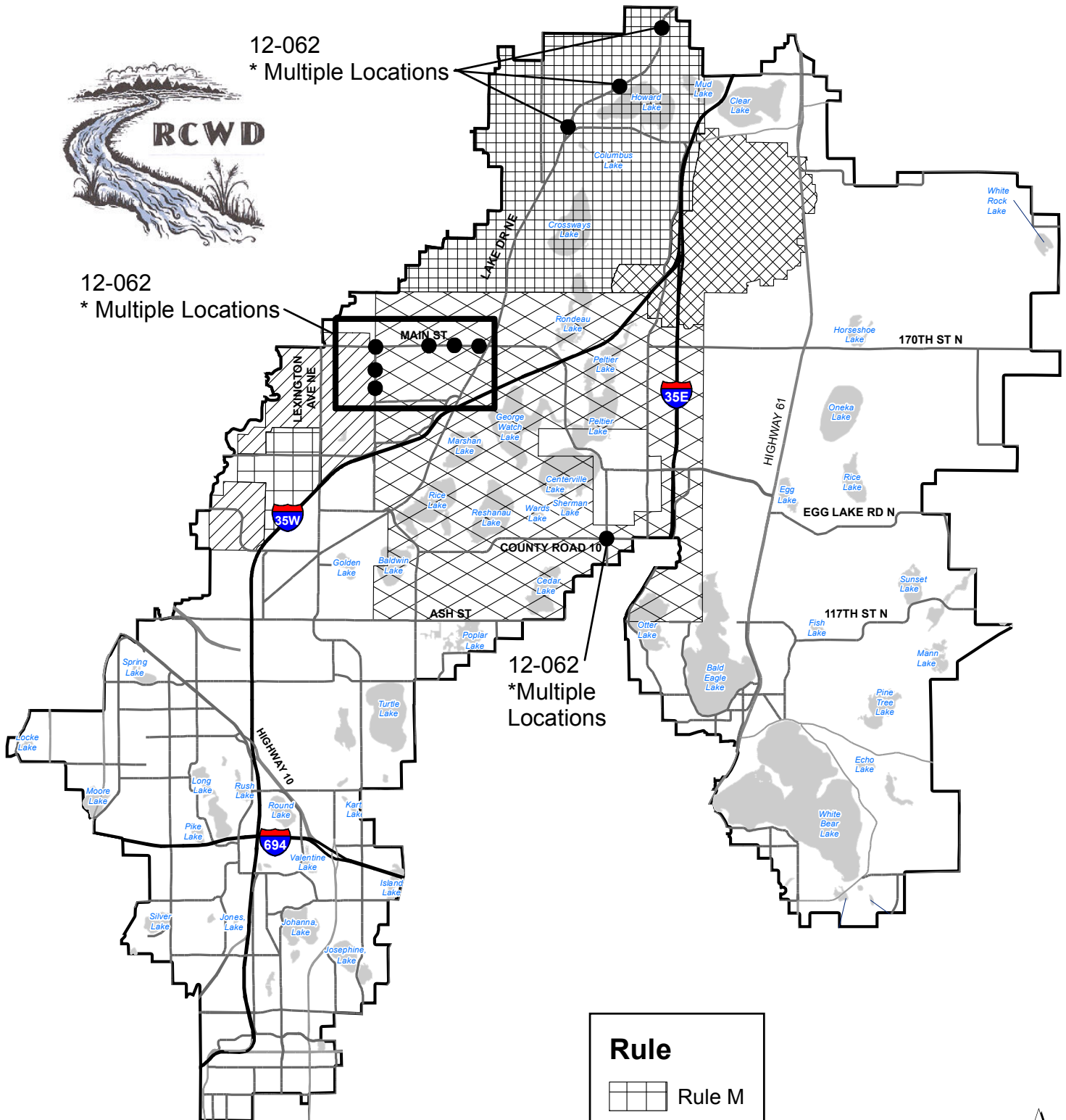
# Rice Creek Watershed District



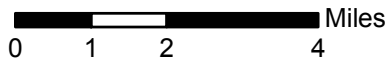
12-062  
\* Multiple Locations

12-062  
\* Multiple Locations

12-062  
\* Multiple Locations



Rule	
	Rule M
	RMP-1
	RMP-2
	RMP-3
	RMP-4



Permit Reviews  
1/9/2013 Agenda



Maple Grove  
P: 763.493.4522  
F: 763.493.5572



Permit Application Number:

12-062

Permit Applicant Name:

2012 Anoka County Overlay Program

Applicant:

Doug Fischer  
Anoka County Highway Department  
1440 Bunker Lake Blvd NW  
Andover, MN 55304  
Ph: (763) 862-4213  
Fx: (763) 862-4201  
doug.fischer@co.anoka.mn.us

Contact:

Dan Frey  
Anoka County Highway Department  
1440 Bunker Lake Blvd NW  
Andover, MN 55304  
Ph: 763-862-4209  
Fx: 763-862-4201  
daniel.frey@co.anoka.mn.us

Project Name: 2012 Anoka County Overlay Program

Purpose: **After-the Fact S&UC** – Street & Utility Plan; Reclaim and Overlay or Mill and Overlay County Road and safety improvements (right turn lanes and bypass lanes).

Site Size: 3.4± miles of CSAH 62, 12,448± S.F. new impervious area, 25,000± S.F. disturbed area

Location: CSAH 62, Columbus

T-R-S: Sections 11, 12, 14, 15, 22, T32N, R22W

District Rule: C, D

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Rule D – Erosion and Sediment Control

1. Per Rule D.4(c), submit the name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.

Administrative

2. Permit application must be signed by the successful bidder, or indicate if Anoka County will construct the project.
3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.
4. Applicant must execute a maintenance agreement for Maintenance of Stormwater Management Facilities acceptable to the District for proposed onsite stormwater management features. A draft document should be submitted to the District for consideration prior to execution. The process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then send two endorsed agreements.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.

Exhibits:

1. Pond design sheets, (Sheet 15), no date, received 10-16-2012.
2. Revised CSAH 62 plan set containing sheets 1-27 of 27, dated 3-4-2012 and received 10-12-2012. Replaces set received 7-20-2012 and 8-16-2012.
3. CSAH 21 plan set containing sheets 1-18 of 18, dated 3-4-2012 and received 8-16-2012. Replaces set received 7-20-2012.
4. CSAH 14 plan set containing sheets 1-15 of 15, dated 3-4-2012 and received 7-20-2012.
5. CSAH 53 plan set containing sheets 1-16 of 16, dated 3-4-2012 and received 7-20-2012.
6. Permit application, dated 7-20-2012 and received 7-25-2012.
7. Permit narrative, no date, received 7-25-2012.
8. FIRM Lino Lakes panel 5 of 10 (270015 0005B), dated 5-17-82, received 7-20-2012
9. FIRM Lino Lakes panel 10 of 10 (270015 0010B), dated 5-17-82, received 7-20-2012.
10. FIRM unincorporated Anoka County Panel 100 of 150 (270005 0100A), dated 1-16-80, received 7-20-2012.
11. Permit application checklists, no date, received 8-16-2012.
12. Hydraulic calculations, no date, received 8-16-2012.
13. Drainage maps of intersection areas, no date, received 8-16-2012.
14. CSAH 62 proposed BMP locations, no date, received 9-7-2012.
15. Public linear guidance worksheet, dated 5-7-2012 and received 9-7-2012.
16. Alternative sequencing design narrative, dated and received 9-7-2012.
17. Turn lane locations no date, received 9-7-2012.
18. Revised public linear guidance worksheet, dated 10-8-2012 and received 10-12-2012.
19. Infiltration basin location map, no date, received 10-12-2012.
20. Soil boring logs, dated 10-9-2012, received 10-17-2012.
21. Email from Anoka County with description of boring locations, dated and received 10-17-2012.
22. Permit debit request with revised linear guidance worksheet, dated 12-6-2012 and received 12-12-2012.

Findings:

1. Description – The table below is a description work of proposed work by Anoka County Highway department:

Street	Length (L.F.)	Cross Street(s)	City	Work
CSAH 14 (Main St.)**	4,710±	4 <sup>th</sup> Avenue to 1000± feet west of CSAH 23 (Lake Dr.)	Lino Lakes (RMP-3)	Rehabilitation
CSAH 21 (Centerville Road)**	3,200±	600± L.F. north of CSAH 34 to RCWD boundary*	Lino Lakes (RMP-3)	Rehabilitation
CSAH 62 (Kettle River Blvd.)	18,210±	CSAH 23 (Lake Drive) to CSAH 18 (Broadway Ave.)	Columbus (RMP-4)	Turn lanes/rehabilitation
CSAH 53 (Sunset Ave.)**	5,905±	500± L.F. South of Lilac Street to CSAH 14	Blaine (RMP-1) Lino Lakes (RMP-3)	Mill and overlay

\*Work extends an additional 5,570± L.F. outside of RCWD jurisdiction to CSAH 81

\*\* Plans submitted but no permit required (see below)

The work on CSAH 62 involves the addition of 8 right turn lanes over the length of the project corridor, resulting in an increase of 12,448± S.F. of impervious surface. This work is in the contributing area of ACD 31 and Howard Lake. The work is located within the RMP-4 project area, however there are no proposed wetland impacts or changes in drainage to wetlands and thus RMP-4 is not applicable. For the remaining project areas, there will be no increase in impervious area, no impact to wetlands and no change to drainage patterns or areas. As such, RMP-1 and RMP-3 are not triggered and no other RCWD Rules are triggered; thus there is no permit requirement for these areas.

2. Stormwater – The project is classified as a public linear project with new construction of less than an acre on a county road. As such the Rule C.5 Water Quality and Volume (hereafter Volume) requirement for the project is 1-inch over the new impervious surface of 12,448± S.F, for a total volume requirement of 933± cubic feet, using a 0.9 runoff co-efficient.

The applicant is proposing one infiltration basin to meet the Volume requirement:

Proposed BMP Description	Location	Pretreatment:	Volume provided
Infiltration Basin – “Pond A”	16735 CSAH 62	Sheet flow over pervious surface	596± cubic feet

Adequate pre-treatment is provided via sheet flow over pervious surface prior to the infiltration basin per Rule C.8(a)(1). The soils at Pond A are SP-SM, which are expected to support draw-down within 48-hours per Rule C.8(a)(2). The soil borings show rust seams (indicative of the season high water level (SHWL)) located approximately 4.5 feet below the surface. As Pond A is 1-foot deep, this allows for adequate separation (C.8(a)(3)). The project is not located in a DSWMA area.


The applicant has provided 596± cubic feet of the 933± cubic feet of Volume requirement. The applicant originally proposed three infiltration basins to meet the Volume requirement. However, two of the locations showed rust seams at approximately 3-feet below the surface. As rust is an indicator of the SHWL, infiltration is not feasible at these locations due to inadequate separation. Due to right-of-way limitations, existing trees, and drive entrances, these basins were the only feasible physical locations. As there is not adequate drop to feasibly outlet a drain-tile, (bio)filtration is not feasible. Thus, the applicant has complied with the Volume requirement to the extent feasible. All flow from the road sheet flows to a vegetated road side ditch, which will remove TSS to the extent practicable. The applicant has submitted a formalized, signed request for a debit of 337 cubic feet. The request proposes to meet the debit on the CASH 21 project, scheduled for 2013. Thus the applicant has met the alternative sequencing and Volume requirements of Rule C.5(f).


The applicant will not change the flow patterns or the existing emergency overflows. Therefore C.8(e) is not applicable.

There are 6 separate discharge points for the turn lane. The increase at each point, (less than 0.1 cfs), is within the accuracy of the input data of the model and therefore negligible, and thus the project has complied with the requirements of Rule C.6.

3. Wetlands – While there are potential wetland sites within the project area, they are not located in the areas of the proposed turn lanes. Thus the project will not impact any wetlands.
4. Floodplain – While there are several flood plains within the project area, they are not located in the areas of the proposed turn lanes. Thus no fill will be placed below the flood plain elevations.
5. Erosion Control – Proposed erosion control methods include silt fence, which is adequate for the project. An NPDES permit is not required for the project. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Documenting Easements and Maintenance Obligations – Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities to ensure proper functioning.
7. Previous Permit Information – No previous permit information was found for this site.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

  
\_\_\_\_\_  
Greg Bowles  
MN Reg. No 41929

  
\_\_\_\_\_  
Katherine MacDonald  
MN Reg. No 44590

## **ITEMS REQUIRING BOARD ACTION**

1. Consider Anoka/Washington JD4 Realignment Project Partial Payment Request #2-Peterson Companies, Inc. (Phil Belfiori)

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

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**To:** Board of Managers **Date: January 3, 2013**  
**From:** Phil Belfiori  
**Subject:** Anoka/Washington JD4 Realignment Project Partial Payment Request #2-Peterson  
Companies, Inc.

---

Attached please find for Board consideration the Houston Engineering, Inc. (HEI) memo dated December 27, 2012, related to background and recommendation for partial payment#2 for the Anoka/Washington Judicial Ditch 4 Realignment Project.

As you will note the majority of this pay request is related to Change Order #2 in the amount to \$40,000.00 for work associated with the additional export agreement with Peterson Companies Inc. that was discussed (the Board reached majority consensus) at the December 10, 2012 Board workshop meeting.

Staff has reviewed the HEI memo and given the Board's majority consensus at the December 10, 2012 workshop would agree with the HEI recommendation for authorization of Change Order #2 in the amount to \$40,000.00 for work associated with the additional export agreement detailing additional haul & dispose of organic soils offsite and authorization of \$53,180.44 for payment to Peterson Companies, Inc. for work completed within the original scope of the contract (plus authorized change orders) under this pay request.

**Proposed Motions**

Manager \_\_\_\_\_ moves Change Order #2 in the amount to \$40,000.00 for work associated with the additional export agreement detailing additional haul & dispose of organic soils offsite.

Manager \_\_\_\_\_ moves to authorize \$53,180.44 for payment to Peterson Companies, Inc. for work completed within the original scope of the contract (plus authorized change orders) under this pay request and authorizes the Board president to sign the payment certification form.

Attachments:

- HEI memo dated December 27, 2012

# MEMO

External Memorandum



**To:** Phil Belfiori

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

**Date:** December 27, 2012

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

**Cc:** Tom Schmidt  
File 115555-060.018

**Subject:** Anoka/Washington Judicial Ditch 4  
Realignment Project  
Partial Payment #2

The purpose of this memorandum is to recommend partial payment to Peterson Companies, Inc. (PCI) for the Anoka/Washington Judicial Ditch 4 Realignment Project.

## Project Update

The contractor has completed excavation of the channel realignment, placement of the clay liner, and offsite haul of excess organic soils. The excess organic soils stockpiled onsite have been leveled and seeded. All culverts, sewers, and structures have been installed. Most of the exposed soils have been seeded, with the exception of the stormwater pond south of the Connexus pad and an area adjacent the 48" storm sewer inlet north of 195<sup>th</sup> St. North. Seeding in the two locations would have required snow removal, which would have exacerbated the risk of erosion. These areas will be monitored into the spring to ensure vegetation gets established prior to closing out the project and making final payment.

The following punch list items remain to be completed:

1. Seeding of the stormwater pond on the Connexus property and area adjacent the 48" storm sewer inlet north of 195<sup>th</sup> St. North.; and
2. Placement of erosion control blanket at the corner of Elmcrest St. and 141<sup>st</sup> Ave.

## Payment Application Review

We have reviewed the invoice dated December 18, 2012 submitted by Peterson Companies, Inc. A full payment, less pending seeding activities, has been requested minus the retainage. The payment request includes minor work to complete class 5 grading activities, installation of various erosion control BMPs and work associated with the additional export agreement (Change Order #2) detailing haul & dispose of organic soils offsite (LV) and topsoil re-spread on the Connexus pad.

The project retainage has been reduced to 2.5% considering that only minor work seeding work remains to be completed, the cost of which is considerably less than the remaining 2.5% retainage.

The site will be monitored into the spring of 2013 to ensure the disturbed areas are properly restored. Once sufficient vegetation is established an IC-134 form, release of liens from the subcontractor and a final pay request are needed to close out the project contract.

# MEMO

The following is a summary of the recommended payment:

Work Completed to date:	\$ 398,594.88
Less 2.5% retainage:	\$ 9,964.87
Less previous payments:	\$ 335,449.57
Payment Recommended	\$ 53,180.44

## Recommendation

We recommend authorization of Change Order #2 in the amount to \$40,000.00 for work associated with the additional export agreement detailing additional haul & dispose of organic soils offsite (LV) and the topsoil re-spread on the Connexus pad.

We recommend authorization of \$53,180.44 for payment to Peterson Companies, Inc. for work completed within the original scope of the contract (plus authorized change orders) under this pay request.

## Attachments

The following items are included with this memorandum as attachments:

- Payment Certification form. (This form is a contract document that formally certifies the payment. We have completed this form using the payment recommended above).
- Payment summary spreadsheet;
- Change Order #2;
- Pay request summary from PCI;
- Payment Application Explanation; and
- Trucking tickets (Class 5 gravel) from PCI

## PARTIAL PAYMENT CERTIFICATION

OWNER: Rice Creek Watershed District  
ENGINEER: Houston Engineering Inc.

PROJECT: Anoka / Washington JD4 Repairs &  
Realignment Project  
CONTRACTOR: Peterson Companies, Inc.

PARTIAL PAYMENT: 2  
PERIOD OF ESTIMATE: Through 12/18/12

### CONTRACT CHANGE ORDER SUMMARY

No.	Deduction	Additions
1		6,564.00
2		40,000.00
Totals		46,564.00
Net Change to Contract		

### CONTRACT TIME:

Original Days:

Revisions:

Days Remaining:

On Schedule (y/n):

Starting Date:

Projected Completion: November 30,  
2012

### ESTIMATE

Original Contract Amount.....	\$ 349,896.40
Change Orders.....	\$ 46,564.00
Revised Contract Amount.....	\$ 396,460.00
Completed to Date Amount.....	\$ 398,594.88
Materials On-Site.....	\$ 0.00
Subtotal.....	\$ 398,594.88
Retainage.....	\$ 9,964.87
Previous Payments.....	\$ 335,449.57
Amount Due This Payment.....	\$ 53,180.44

(see attached breakdown)

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that to the best of their knowledge, information and belief, the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous payment estimates were issued and for which payments were received from the Owner, and that current payment shown herein is now due.

Contractor: Peterson Companies Inc.  
By: [Signature]  
Date: 12-21-12

ENGINEER'S CERTIFICATION

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Engineer: Houston Engineering, Inc.  
By: [Signature]  
Date: 12-21-12

OWNER'S APPROVAL

Owner: \_\_\_\_\_  
By: \_\_\_\_\_  
Date: \_\_\_\_\_

## Anoka / Washington Judicial Ditch 4 Repairs and Realignment Project

Houston Eng PROJECT NO: 555-060.18

Pay App # 1 Work thru 11/5/2012

Pay App # 2 Work thru 12/18/2012

Item	Unit	Unit	Quantity	Contract Unit Price	Amount	Previous Quantity	Previous Amount	Quantity this period	Amount this period	WMD	Ad Valorem
1	MOBILIZATION	LUMP SUM	1.00	\$21,740.00	\$21,740.00	0.93	\$20,120.00	0.07	\$1,620.00	\$648.00	\$972.00
2	CLEARING	ACRE	2.00	\$3,500.00	\$7,000.00	2.00	\$7,000.00				
3	REMOVE CMP CULVERTS	LIN. FT.	156.00	\$12.50	\$1,950.00	156.00	\$1,950.00				
4	REMOVE 6' BRIDGE	LUMP SUM	1.00	\$1,100.00	\$1,100.00	1.00	\$1,100.00				
5	COMMON EXCAVATION (CV)(P)	CU. YD.	23623.00	\$4.22	\$99,689.06	23,623.00	\$99,689.06				
6	CLAY EXCAVATION & PLACEMENT (CV)(P)	CU. YD.	10683.00	\$4.86	\$51,919.38	10,683.00	\$51,919.38				
7	HAUL & DISPOSE OF ORGANIC SOILS OFFSITE (LV)	CU. YD.	5082.00	\$8.00	\$40,656.00	5,082.00	\$40,656.00				
8	WATER CONTROL	LUMP SUM	1.00	\$2,000.00	\$2,000.00	1.00	\$2,000.00				
9	MOTOR GRADER	HOURS	10.00	\$150.00	\$1,500.00	18.50	\$2,775.00	3.00	\$450.00		\$450.00
10	AGGREGATE BASE, CLASS 5	TON	77.00	\$14.00	\$1,078.00	79.28	\$1,109.92	27.92	\$390.88		\$390.88
11	12" GS APRON	EACH	1.00	\$238.00	\$238.00	0.00	\$0.00				
12	18" GS APRON	EACH	7.00	\$253.00	\$1,771.00	8.00	\$2,024.00				
13	48" GS APRON	EACH	2.00	\$921.00	\$1,842.00	2.00	\$1,842.00				
14	48" RCP APRON	EACH	1.00	\$1,125.00	\$1,125.00	1.00	\$1,125.00				
15	48" RCP APRON W/ GRATE	EACH	1.00	\$2,820.00	\$2,820.00	0.50	\$1,410.00	0.50	\$1,410.00	\$1,353.60	\$56.40
16	60" RCP APRON	EACH	2.00	\$1,385.00	\$2,770.00	2.00	\$2,770.00				
17	48" RCP SEWER, CL. 3	LIN. FT.	486.00	\$95.75	\$46,534.50	486.00	\$46,534.50				
18	60" RCP SEWER, CL. 3	LIN. FT.	16.00	\$207.00	\$3,312.00	16.00	\$3,312.00				
19	12" HDPE SEWER	LIN. FT.	266.00	\$17.00	\$4,522.00	0.00	\$0.00				
20	18" HDPE SEWER	LIN. FT.	105.00	\$39.00	\$4,095.00	300.00	\$11,700.00				
21	18" CMP SEWER	LIN. FT.	50.00	\$33.64	\$1,682.00	121.00	\$4,070.44				
22	48" CMP SEWER	LIN. FT.	42.00	\$85.38	\$3,585.96	42.00	\$3,585.96				
23	CONNECT TO EXISTING TILE	EACH	1.00	\$500.00	\$500.00	1.00	\$500.00				
24	IN-LINE WATER CONTROL STRUCTURE	EACH	1.00	\$6,650.00	\$6,650.00	1.00	\$6,650.00				
25	MANHOLE, 72", W/CASTING	EACH	1.00	\$4,010.00	\$4,010.00	1.00	\$4,010.00				
26	RANDOM RIPRAP, CLASS 2	CU. YD.	12.00	\$130.00	\$1,560.00	11.68	\$1,518.40				
27	RANDOM RIPRAP, CLASS 3	CU. YD.	155.00	\$82.00	\$12,710.00	143.63	\$11,777.66				
28	GEOTEXTILE FILTER FABRIC TYPE 4	SQ. YD.	405.00	\$2.80	\$1,134.00	500.00	\$1,400.00				
29	TRAFFIC CONTROL	LUMP SUM	1.00	\$10,200.00	\$10,200.00	1.00	\$10,200.00				
30	TREATED TIMBER (2"x12")	LIN.FT.	20.00	\$10.75	\$215.00	20.00	\$215.00				
31	SILT FENCE, TYPE PREASSEMBLED	LIN. FT.	385.00	\$2.00	\$770.00	385.00	\$770.00	31.00	\$62.00		\$62.00
32	FLOATATION SILT CURTAIN, TYPE WORK AREA	LIN. FT.	40.00	\$14.00	\$560.00	40.00	\$560.00				
33	SEEDING, MULCH, FERTILIZER, & DISK ANCHORING	ACRE	8.50	\$995.00	\$8,457.50	7.90	\$7,860.50	1.565	\$1,557.18		\$1,557.18
34	EROSION CONTROL BLANKET, CATEGORY 1	SQ. YD.	100.00	\$2.00	\$200.00	0.00	\$0.00				
			Subtotal		\$349,896.40		\$352,154.82		\$5,490.06	\$2,001.60	\$3,488.46
CO-01 (Pipe Revisions)											
	24" RCP Apron	EACH	1.00	\$950.00	\$950.00	1.00	\$950.00				
CO-02 (Additional Export Agreement)											
	HAUL & DISPOSE OF ORGANIC SOILS OFFSITE (LV)	CU. YD.	4,640.00	\$8.00	\$37,120.00			4640.00	\$37,120.00		\$37,120.00
	TOPSOIL RESPREAD ON CONNEXUS PAD	LUMP SUM	1.00	\$2,880.00	\$2,880.00			1.00	\$2,880.00		\$2,880.00
			Subtotal				\$353,104.82		\$45,490.06	\$2,001.60	\$43,488.46
								Completed to date	\$398,594.88		
								2.5% Retainage	\$9,964.87		
								Total earned less retainage	\$388,630.01		
								Less previous payments	\$335,449.57		
								Current Payment Due	\$53,180.44	\$2,304.67	\$50,875.77

**SECTION 00930**  
**CHANGE ORDER**

Change Order No. 2

Date: December 21, 2012

Agreement Date: July 18, 2012

**A/W JD 4 REPAIRS AND REALIGNMENT PROJECT**

Owner: Rice Creek Watershed District  
Class of Work: PUBLIC DRAINAGE SYSTEM REPAIRS AND REALIGNMENT  
  
Contractor: Peterson Companies, Inc.

The following changes are hereby made to the Contract Documents:

- 1) The removal of additional peat material was required to complete the project. The contract will be modified with the addition of 4,640.00 Cubic Yards (CU. YD.) of (HAUL & DISPOSE OF ORGANIC SOILS OFFSITE (LV)) at the contract unit price of \$8.00 per CU. YD.. Subtotal = 4,640 CU. YD. x \$8.00 per CU. YD = \$37,120.00 (A)
  
- 2) The district has also requested that the contractor re-spread topsoil of the Connexus pad. This work will be completed for the lump sum price of \$2,880.00. Subtotal = \$2,880.00 (B)

Grand total = \$37,120.00 (A) + \$2,880.00 (B) = \$40,000.00

Justification: See Above

Change to Contract Price:	<u>\$40,000.00</u>
Original Contract Price:	<u>\$349,896.40</u>
Current Contract Price adjusted to previous Change Order:	<u>\$356,460.40</u>

The Contract Price due to this Change Order will be (increased) (decreased) by

\$40,000.00

The new Contract Price including this Change Order will be

\$396,460.40

Change to Contract Time: Not Applicable

The Contract Time will be (increased) (decreased) by 0 calendar days.

The date for completion of all work will be November 30, 2012 (Date).

Approvals Required:

To be effective, this Change Order must be approved by the Owner and the Contractor as required by the Contract Documents.

Requested by:  12-21-12  
(Engineer) (date)

Ordered by: \_\_\_\_\_  
(Owner) (date)

Accepted by:  12-21-12  
(Contractor) (date)

\*\*END OF SECTION\*\*



Peterson Companies, Inc.  
 8326 Wyoming Trail  
 Chisago City, MN 55013  
 Phone: (651) 257-6864  
 Fax: (651) 257-3393

# INVOICE

18708

*www.petersoncompanies.net*

SOLD TO Rice Creek Watershed District  
 4325 Pheasant Ridge Drive  
 Suite 611  
 Blaine, MN 55449

SHIP TO Houston Engineering, Inc.  
 6901 East Fish Lake Road  
 Suite 140  
 Maple Grove, MN 55369

ACCOUNT NO	PO NUMBER	SHIP VIA	DATE SHIPPED	TERMS	INVOICE DATE	PAGE
RCWD				Net 30	12/18/12	1

ITEM NO	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED
1	1	Anoka Washington JD 4 Partial Pay Estimate #2. See attached for unit breakdown	43,215.57	43,215.57

ITEM TOTAL	43,215.57
TAX	0.00
<b>TOTAL AMOUNT</b>	<b>43,215.57</b>

Finance charges will be applied to all accounts not paid in full within 30 days of the invoice date at an Annual Percentage Rate of 18%, with a minimum finance charge of \$.25.

To(OWNER): Rice Creek Watershed District  
4325 Pheasant Ridge Drive  
Suite 611  
Blaine, MN 55449

Project: Anoka/Washington JD4  
145th & Elmcrest Ave N  
Forest Lake, MN 55025

Application No: 2  
Invoice No: 18708  
Invoice Date: 12/18/2012  
Terms: Net 30  
Due Date: 1/17/2013  
Period To: 12/18/2012  
Project No: 12118F  
Contract Date: 7/18/2012

From: Peterson Companies, Inc.  
8326 Wyoming Trail  
Chisago City, MN 55013  
(651) 257-6864

Via(Architect/ Engineer): Houtson Engineering, Inc.  
6901 East Fish Lake Rd.  
Suite 140  
Maple Grove, MN 55369-5455

For: Anoka / Washington JD4

Original Contract sum.....	349,896.40
Change Orders.....	40,950.00
Contract sum.....	390,846.40
Completed to date.....	398,594.88
Retainage.....	19,929.74
Total earned less retainage.....	378,665.14
Previous billings.....	335,449.57
Current payment due.....	43,215.57
Sales tax.....	0.00
Total due.....	43,215.57

To(OWNER): Rice Creek Watershed District  
 4325 Pheasant Ridge Drive  
 Suite 611  
 Blaine, MN 55449

Project: Anoka/Washington JD4  
 145th & Elmcrest Ave N  
 Forest Lake, MN 55025

Application No: 2  
 Invoice No: 18708  
 Invoice Date: 12/18/2012  
 Terms: Net 30  
 Due Date: 1/17/2013  
 Period To: 12/18/2012  
 Project No: 12118F  
 Contract Date: 7/18/2012

From: Peterson Companies, Inc.  
 8326 Wyoming Trail  
 Chisago City, MN 55013  
 (651) 257-6864

Via(Architect/ Engineer): Houtson Engineering, Inc.  
 6901 East Fish Lake Rd.  
 Suite 140  
 Maple Grove, MN 55369-5455

For: Anoka / Washington JD4

No.	Description	Total Quantity	Unit	Total Cost	Completed Units	Current Value	Prior Value	Due This Request
1	MOBILIZATION	1		1,500.00	1	1,500.00	1,350.00	150.00
1	MOBILIZATION	1		14,700.00	1	14,700.00	13,230.00	1,470.00
1	MOBILIZATION	1		4,640.00	1	4,640.00	4,640.00	0.00
1	MOBILIZATION	1		900.00	1	900.00	900.00	0.00
2	CLEARING	2	ACRE	3,500.00	2	7,000.00	7,000.00	0.00
3	REVOVE CMP CULVERTS	156	LF	12.50	156	1,950.00	1,950.00	0.00
4	REMOVE 6' BRIDGE	1	LS	1,100.00	1	1,100.00	1,100.00	0.00
5	COMMON EXCAVATION	23,623	CY	4.22	23,623	99,689.06	99,689.06	0.00
6	CLAY EXCAVATION & PLACEMENT (CV)(P)	10,683	CY	4.86	10,683	51,919.38	51,919.38	0.00
7	HAUL & DISPOSE OF ORGANIC SOILS OFFSITE	5,082	CY	8.00	5,082	40,656.00	40,656.00	0.00
8	WATER CONTROL	1	LS	2,000.00	1	2,000.00	2,000.00	0.00
9	MOTOR GRADER	10	HRS	150.00	21.5	3,225.00	2,775.00	450.00
10	AGGREGATE BASE, CLASS 5	77	TON	14.00	107.2	1,500.80	1,109.92	390.88
11	12" GS APRON	1	EA	238.00	0	0.00	0.00	0.00
12	18" GS APRON	7	EA	253.00	8	2,024.00	2,024.00	0.00
13	48" GS APRON	2	EA	921.00	2	1,842.00	1,842.00	0.00
14	48" RCP APRON	1	EA	1,125.00	1	1,125.00	1,125.00	0.00
15	48" RCP APRON W/ GRATE	1	EA	2,820.00	1	2,820.00	1,410.00	1,410.00
16	60" RCP APRON	2	EA	1,385.00	2	2,770.00	2,770.00	0.00
17	48" RCP SEWER, CL. 3	486	LF	95.75	486	46,534.50	46,534.50	0.00
18	60" RCP SEWER, CL. 3	16	LF	207.00	16	3,312.00	3,312.00	0.00
19	12" HDPE SEWER	266	LF	17.00	0	0.00	0.00	0.00
20	18" HDPE SEWER	105	LF	39.00	300	11,700.00	11,700.00	0.00
21	18" CMP SEWER	50	LF	33.64	121	4,070.44	4,070.44	0.00
22	48" CMP SEWER	42	LF	85.38	42	3,585.96	3,585.96	0.00
23	CONNECT TO EXISTING TILE	1	EA	500.00	1	500.00	500.00	0.00
24	IN-LINE WATER CONTROL STRUCTURE	1	EA	6,650.00	1	6,650.00	6,650.00	0.00
25	MANHOLE, 72", W/ CASTING	1	EA	4,010.00	1	4,010.00	4,010.00	0.00
26	RANDOM RIPRAP, CLASS 2	12	CY	130.00	11.68	1,518.40	1,518.40	0.00
27	RANDOM RIPRAP, CLASS 3	155	CY	82.00	143.63	11,777.66	11,777.66	0.00
28	GEOTEXTILE FILTER FABRIC TYPE 4	405	SY	2.80	500	1,400.00	1,400.00	0.00
29	TRAFFIC CONTROL	1	LS	10,200.00	1	10,200.00	10,200.00	0.00
30	TREATED TIMBER(2"X12")	20	LF	10.75	20	215.00	215.00	0.00
31	SILT FENCE, TYPE PREASSEMBLED	385	LF	2.00	416	832.00	770.00	62.00

To(OWNER): Rice Creek Watershed District  
 4325 Pheasant Ridge Drive  
 Suite 611  
 Blaine, MN 55449  
 From: Peterson Companies, Inc.  
 8326 Wyoming Trail  
 Chisago City, MN 55013  
 (651) 257-6864

Project: Anoka/Washington JD4  
 145th & Elmcrest Ave N  
 Forest Lake, MN 55025  
 Via(Architect/  
 Engineer) Houtson Engineering, Inc.  
 6901 East Fish Lake Rd.  
 Suite 140  
 Maple Grove, MN 55369-5455

Application No: 2  
 Invoice No: 18708  
 Invoice Date: 12/18/2012  
 Terms: Net 30  
 Due Date: 1/17/2013  
 Period To: 12/18/2012  
 Project No: 12118F  
 Contract Date: 7/18/2012

For: Anoka / Washington JD4

<u>No.</u>	<u>Description</u>	<u>Total Quantity</u>	<u>Unit</u>	<u>Cost</u>	<u>Total Cost</u>	<u>Completed Units</u>	<u>Current Value</u>	<u>Prior Value</u>	<u>Due This Request</u>
32	FLOATATION SILT CURTAIN, TYPE WORK AREA	40	LF	14.00	560.00	40	560.00	560.00	0.00
33	SEEDING, MULCH, FERTILIZER & DISK ANCHORING	8.5	ACRE	995.00	8,457.50	9.465	9,417.68	7,860.50	1,557.18
34	EROSION CONTROL BLANKET, CATEGORY 1	100	SY	2.00	200.00	0	0.00	0.00	0.00
CO1.30	24" FES	1	EA	950.00	950.00	1	950.00	950.00	0.00
CO2.30	Additional Export	1		40,000.00	40,000.00	1	40,000.00	0.00	40,000.00
					<u>390,846.40</u>		<u>398,594.88</u>	<u>353,104.82</u>	<u>45,490.06</u>



December 18, 2012

JD 4 Ditch Realignment  
Houston Engineering  
Chris Otterness

RE: Payment Application Explanation

Chris,

Only a few items were invoiced:

Item #1: I altered the mobilization to full quantity

Item #9: 3 hours reshaping and adding gravel to road per city requirements on 11-30-12.

Item #10: 27.92 TN of gravel hauled in, see trucking sheet and weight slips – 11-30-12.

Item #15: Invoiced for other half of apron

Item #31: This is for the 31' of bio roll installed

Item #33: Seeding that was completed for areas that were graded included the pasture area of 28,272 SF and a portion of the sub-station site, 39,897 SF or a total of 1.565 acres.

There is still a portion of the substation site that will need to be seeded this coming spring along with areas Northeast of the substation site and the erosion control blanket that was not installed.

Item CO2: I added the \$40,000 agreed additional amount of export as a change order. If you would like to see this in the line item let me know. I assume that you will be sending me a pay estimate to sign anyways.

Please let me know if you have any questions,

Luke Kowarsch  
651-257-0307

12118F.20 = 27.91 ton Recycle In from N.Pine

3pm

### DAILY TRUCKING REPORT & TIMESHEET



Date: 11/30/12

Name: Jake Landahl Company: Petersons

Truck #: 24 # of Axles: \_\_\_\_\_

Start Time for Day: 9 : 30 AM/PM

Stop Time for Day: 11 : 45 AM/PM = 2.25 BSN

Load Time: 10 : 30 Dump Time: 10 : 45 (1)  
Load Site: North Pine Dump Site: Anoka/washington JOB4

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: 12118 Phase: 20 Job #: 12118 Phase: \_\_\_\_\_

Material\*: Recycle

Qty: 14.13 TONS/YDS

Load Time: 11 : 00 Dump Time: 11 : 20 (2)  
Load Site: North Pine Dump Site: Anoka/washington JOB4

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: 12118 Phase: 20 Job #: 12118 Phase: \_\_\_\_\_

Material\*: Recycle

Qty: 13.79 TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_  
Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_  
Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_  
Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_ (4)

Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_ (6)

Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

Load Time: \_\_\_\_\_ Dump Time: \_\_\_\_\_ (8)

Load Site: \_\_\_\_\_ Dump Site: \_\_\_\_\_

(Pit/Vendor/Job Name) (Pit/Vendor/Job Name)

Job #: \_\_\_\_\_ Phase: \_\_\_\_\_ Job #: \_\_\_\_\_ Phase: \_\_\_\_\_

Material\*: \_\_\_\_\_

Qty: \_\_\_\_\_ TONS/YDS

30 NOV 12 12:03:11PM  
No Pine  
744. LOADER B  
TRUCK 524  
Class 6 13.78 ton  
Add (2) 5.25 ton  
Add (1) 7.55 ton  
Zero -8.09 ton  
LOADRITE PRO  
SW 60276 U I.08  
12118-20

30 NOV 12 11:23:04AM  
No Pine  
744. LOADER B  
TRUCK 524  
Class 6 14.13 ton  
Add (2) 5.55 ton  
Add (1) 8.58 ton  
12118-20

\* Refer to Employee Materials List for Material Codes and Descriptions - you must use BOTH!

## **ITEMS REQUIRING BOARD ACTION**

2. Consider Long Lake Inlet Channel Project Final Payment and Long Lake Sediment Basin Project Partial Payment -Belair Sitework Services. (Phil Belfiori)

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

---

**To:** Board of Managers **Date: January 3, 2013**  
**From:** Phil Belfiori  
**Subject:** Project payment request for Long Lake Inlet Channel Project final payment and Long Lake Sediment Basin Project partial payment

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Attached please find for Board consideration the Houston Engineering, Inc. (HEI) memos dated December 19, 2012, related to background and recommendation for Project payment request for Long Lake Inlet Channel Project final payment and Long Lake Sediment Basin Project partial payment.

As you will note the Long Lake Inlet Channel project final payment request includes a request for full payment (including approved change orders) minus retainage given that HEI has determined that the required elevations per the construction plans (including the 820 CY of material previously identified by HEI as having not been dredged below the estimated quantity of 3100 CY) have been achieved.

You will also note that the Long Lake Sediment Basin Project partial payment request includes a request for full payment minus retainage given that HEI has determined that the required elevations per the construction plans have been achieved.

Staff has reviewed the HEI memos dated December 19, 2012 and given the Board previous direction and consensus on these two projects would agree with the HEI recommendations for authorization of \$35,171.71 for payment to Belair Sitework Services for work completed under this pay request for the Long Lake Inlet Channel project and authorization of \$148,422.35 for payment to Belair Sitework Services for work completed under this pay request for the Long Lake Sediment Basin Project.

**Proposed Motions**

Manager \_\_\_\_\_ moves authorization of \$35,171.71 for payment to Belair Sitework Services for work completed under this pay request for the Long Lake Inlet Channel project and authorizes the Board president to sign the payment certification form.

Manager \_\_\_\_\_ moves to authorize \$148,422.35 for payment to Belair Sitework Services for work completed under this pay request for the Long Lake Sediment Basin Project and authorizes the Board president to sign the payment certification form.

Attachments:

HEI memos (2) dated December 19, 2012 as related to the Long Lake Inlet Channel Project final payment and Long Lake Sediment Basin Project partial payment

# MEMO

## External Memorandum



**To:** Phil Belfiori

**From:** Joe Lewis, P.E. 

**Date:** December 19, 2012

**Subject:** Long Lake Inlet Channel  
Final Payment

**Cc:** File 105555-95.002

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The purpose of this memorandum is to recommend payment to Belair Sitework Services for the Long Lake Inlet Channel Project.

### **Project Update**

Dredging of the Long Lake Inlet Channel was completed by Belair Sitework Services and Petersen Companies Inc. (PCI) during the weeks of October 22 and 29, 2012. Dredging was limited to the areas deemed outside of the project specifications (> 0.5 feet above plan elevations) during the 2011 post-dredge survey or approximately half of the inlet channel project area. The areas were dredged to the plan elevations not achieved in 2011.

Channel bottom elevations were surveyed following partial completion on October 25, 2012. On November 1, 2012 PCI provided notification that they had completed dredging. Additional channel bottom elevations were collected via field survey later on November 1, 2012. Based upon the survey the required elevations per the construction plans have been achieved.

Other aspects of the project, including riprap installation and associated restoration have been fulfilled.

### **Change Order Summary**

Change Order #1 was issued on November 11, 2011 to move rip-rap along the south bank of the inlet channel to improve the tie-in to existing bank and increased the Contract Price by \$200

Change Order #2 was issued on December 15, 2011 to extend substantial completion date from March 2, 2012 to June 30, 2012. No adjustment to the Contract Price was made.

Change Order #3 was issued on May 14, 2012 to extend substantial completion date from June 30, 2012 to December 31, 2012 and increase the dredging quantity by 100 C.Y. The Contract Price was increased by \$4,000 based on the contract unit prices associated with dredging.

### **Payment Application Review**

We have reviewed the invoice dated December 10, 2012 submitted by Belair Sitework Services. A full payment minus retainage has been requested. See below for a summary of the payment amounts. A detailed summary of work completed is attached. An IC-134 form, release of liens from the subcontractor and a final pay request are needed to close out the project contract.

# MEMO

The following is a summary of payment:

Work Completed:	\$ 183,049.00
Less Retainage (5%)	\$ 9,152.45
<u>Less previous payments:</u>	<u>\$ 138,725.84</u>
Payment Recommended:	\$ 35,170.71

## **Recommendation**

We recommend authorization of \$35,171.71 for payment to Belair Sitework Services for work completed under this pay request.

**LONG LAKE INLET PROJECT, RICE CREEK WATERSHED DISTRICT**  
**Partial Payment #2**  
**12/18/2012**

DESCRIPTION	Unit	Unit Cost	ESTIMATED QUANTITY		COMPLETED TO DATE 12/10/2012	
			Estimated Quantity	Price	Quantity	Price
MOBILIZATION	L.S.	\$39,298.00	1	\$39,298.00	1	\$39,298.00
SITE ENTRANCE PREPARATION AND GATE	L.S.	\$1.00	1	\$1.00	0	\$0.00
CLEARING	L.S.	\$1.00	1	\$1.00	0	\$0.00
REMOVALS	L.S.	\$1.00	1	\$1.00	0	\$0.00
LOADING, TRUCKING & DISPOSAL OF LEVEL 2 MATERIAL (P)	CU. YD.	\$73.56	100	\$7,356.00	100	\$7,356.00
HYDRAULIC DREDGING (P)	CU. YD.	\$29.60	3,100	\$91,760.00	3,100	\$91,760.00
TOPSOIL STRIPPING, STOCKPILING AND RESPREADING	CU. YD.	\$0.01	818	\$8.18	0	\$0.00
STOCKPILE & DEWATERING OF DREDGE MATERIAL (P)	CU. YD.	\$10.39	3100	\$32,209.00	3,100	\$32,209.00
TEMPORARY ACCESS ROAD MAINTENANCE AND RESTORATION	L.S.	\$1.00	1	\$1.00	0	\$0.00
RANDOM RIPRAP, CLASS 3	CU. YD.	\$125.00	22	\$2,750.00	22	\$2,750.00
ROCK CONSTRUCTION ENTRANCE	EACH	\$0.50	2	\$1.00	0	\$0.00
GEOTEXTILE FILTER FABRIC TYPE 4	SQ. YD.	\$4.50	44	\$198.00	44	\$198.00
TRAFFIC CONTROL SIGN	EACH	\$1.00	1	\$1.00	0	\$0.00
TEMPORARY FENCE, TYPE 4-FT ORANGE DIAMOND MESH	LIN. FT.	\$0.01	675	\$6.75	0	\$0.00
SILT FENCE, TYPE PREASSEMBLED	LIN. FT.	\$0.01	1,030	\$10.30	0	\$0.00
FLOATING SILT CURTAIN	LIN. FT.	\$25.60	205	\$5,248.00	205	\$5,248.00
SEEDING	ACRE	\$0.83	1.2	\$1.00	0	\$0.00
SEED MIXTURE, PRI SHORELINE GRASS	POUND	\$0.08	12	\$0.96	0	\$0.00
SEED MIXTURE, PRI SHORELINE FORB MIX	POUND	\$0.83	1.2	\$1.00	0	\$0.00
MnDOT SEED MIX 110	POUND	\$0.03	30	\$0.90	0	\$0.00
SEED MIXTURE, MnDOT SEED MIX 330	POUND	\$0.40	2.5	\$1.00	0	\$0.00
YEAR 1 MONITORING AND REPORTING	L.S.	\$1.00	1	\$1.00	0	\$0.00
YEAR 2 MONITORING AND REPORTING	L.S.	\$1.00	1	\$1.00	0	\$0.00
YEAR 3 MONITORING AND REPORTING	L.S.	\$1.00	1	\$1.00	0	\$0.00
YEAR 4 MONITORING AND REPORTING	L.S.	\$1.00	1	\$1.00	0	\$0.00
YEAR 5 MONITORING AND REPORTING	L.S.	\$1.00	1	\$1.00	0	\$0.00
MULCH MATERIAL, TYPE 3	TON	\$0.83	1.2	\$1.00	0	\$0.00
DISC ANCHOR	ACRE	\$0.83	1.2	\$1.00	0	\$0.00
EROSION CONTROL BLANKET	SQ. YD.	\$0.03	30	\$0.90	0	\$0.00
LOADING, TRUCKING & DISPOSAL OF LEVEL 1 MATERIAL (P)	CU. YD.	\$0.01	3,000	\$30.00	3,000	\$30.00
CO #1 - MOVE RIPRAP	L.S.	\$200.00	0	\$0.00	1	\$200.00
CO #3 - INCREASE DREDGE QUANTITY	CU. YD.	\$29.60	0	\$0.00	100	\$2,960.00
CO #3 - INCREASE DEWATERING QUANTITY	CU. YD.	\$10.39	0	\$0.00	100	\$1,039.00
CO #3 - INCREASE DISPOSAL QUANTITY	CU. YD.	\$0.01	0	\$0.00	100	\$1.00

		<b>Total Work</b>	
<b>Original Contract Amount</b>	<b>\$178,892.97</b>	<b>Completed to Date</b>	<b>\$183,049.00</b>
<b>Change Order #1 Amount</b>	<b>\$200.00</b>	Retainage (5%)	\$9,152.45
<b>Change Order #2 Amount</b>	<b>\$0.00</b>		
<b>Change Order #3 Amount</b>	<b>\$4,000.00</b>	Previous Payments	\$138,725.84
		<b>AMOUNT DUE</b>	
<b>Revised Contract Amount</b>	<b>\$183,092.97</b>	<b>THIS PAYMENT</b>	<b>\$35,170.71</b>

## PARTIAL PAYMENT CERTIFICATION

OWNER: Rice Creek Watershed District  
ENGINEER: Houston Engineering Inc.

PROJECT: Long Lake Inlet Project  
CONTRACTOR: Belair Builders, Inc.

PARTIAL PAYMENT: 2  
PERIOD OF ESTIMATE: Work Completed Prior to 12/10/2012

### CONTRACT CHANGE ORDER SUMMARY

No.	Deduction	Additions
1	\$0.00	\$200.00
2	\$0.00	\$0.00
3	\$0.00	\$4,000.00
<b>Totals</b>	<b>\$0.00</b>	<b>\$4,200.00</b>
<b>Net Change to Contract</b>		

### CONTRACT TIME

Revisions: 3  
Revised Substantial Completion: 12/31/2012  
On Schedule (y/n): Y  
Starting Date: 8/21/2011  
Final Completion: 12/31/2012

### ESTIMATE

Original Contract Amount.....	\$ 478,892.97	178,892.97	<i>ph</i>
Change Orders.....	\$ 4,200.00		
Revised Contract Amount.....	\$ 483,062.97	183,092.97	<i>ph</i>
Completed to Date Amount.....	\$ 483,049.00	183,049.00	<i>ph</i>
Materials On-Site.....	\$ 0.00		
Subtotal.....	\$ 483,049.00	183,049.00	<i>ph</i>
Retainage.....	\$ 9,152.45	9,152.45	<i>ph</i>
Previous Payments.....	\$ 138,725.84		
Amount Due This Payment.....	\$ 35,142.24	35,170.71	<i>ph</i>
	(see attached breakdown)		

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that to the best of their knowledge, information and belief, the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous payment estimates were issued and for which payments were received from the Owner, and that current payment shown herein is now due.

Contractor: Belair Builders, Inc.

By: *Tracy Dabrowski*

Date: *12/18/12*

ENGINEER'S CERTIFICATION

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Engineer: Houston Engineering, Inc.

By: *Joseph Lewis, P.E.*

Date: *12-18-2012*

OWNER'S APPROVAL

Owner: Rice Creek Watershed District

By:

Date:

# MEMO

External Memorandum



**To:** Phil Belfiori

**From:** Joe Lewis, P.E. *J.L.*

**Date:** December 19, 2012

**Subject:** Long Lake Sediment Basin Partial  
Payment Recommendation

**Cc:** File 105555-95.004

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The purpose of this memorandum is to recommend partial payment to Belair Sitework Services for the Long Lake Sediment Basin Dredging Project.

### **Project Update**

Dredging of the Long Lake Sediment Basin was completed by Belair Sitework Services and Petersen Companies Inc. (PCI) in November and into the first week of December in 2012. The dredged area has been compared to Revised Dredged Plan #2 dated November 28, 2012 for conformance to plan elevations. Depth measurements were taken on November 12, 2012, November 20, 2012, and December 3, 2012. Based upon this survey, the required elevations per the construction plans have been achieved.

The access route on which dredging equipment was brought to the sediment basin has been graded, mulched and seeded. The access route will be monitored into the spring to ensure vegetation gets established prior to closing out the project and making final payment.

### **Payment Application Review**

We have reviewed the invoice dated December 10, 2012 submitted by Belair Sitework Services. A full payment minus the retainage has been requested. A detailed summary of work completed is attached. The site will be monitored into the spring of 2013 to ensure the disturbed areas were properly restored. Once sufficient vegetation is established an IC-134 form, release of liens from the subcontractor and a final pay request are needed to close out the project contract.

The following is a summary of payment:

Work Completed:	\$ 156,234.05
Less 5% retainage:	\$ 7,811.70
Less previous payments:	\$ 0
Payment Recommended:	\$ 148,422.35

### **Recommendation**

We recommend authorization of \$148,422.35 for payment to Belair Sitework Services for work completed under this pay request.

**LONG LAKE SEDIMENT BASIN PROJECT, RICE CREEK WATERSHED DISTRICT**

**Partial Payment #1**

**12/18/2012**

DESCRIPTION			ESTIMATED QUANTITY		COMPLETED TO DATE 12/10/2012	
	Units	Unit Cost	Quantity	Price	Quantity	Price
MOBILIZATION	L.S.	\$2,089.00	1	\$2,089.00	1	\$2,089.00
REMOVE AND REINSTALL ENTRANCE GATE AND BERM	L.S.	\$1,165.00	1	\$1,165.00	1	\$1,165.00
DREDGING, DEWATERING, & DISPOSAL OF LEVEL 1 MATERIAL (P)	CU. YD.	\$20.23	7150	\$144,644.50	7150	\$144,644.50
TEMPORARY ACCESS ROAD MAINTENANCE AND RESTORATION	L.S.	\$5,627.00	1	\$5,627.00	1	\$5,627.00
SILT FENCE, TYPE PREASSEMBLED	LIN. FT.	\$5.75	110	\$632.50	0	\$0.00
FLOATING SILT CURTAIN	LIN. FT.	\$21.61	90	\$1,944.90	90	\$1,944.90
SEEDING	ACRE	\$6,558.00	0.1	\$655.80	0.1	\$655.80
MnDOT SEED MIX 350	POUND	\$7.11	5	\$35.55	5	\$35.55
MULCH MATERIAL, TYPE 3	TON	\$723.00	0.1	\$72.30	0.1	\$72.30

<b>Original Contract Amount</b>	<b>\$156,866.55</b>	<b>Total Work Completed to Date</b>	<b>\$156,234.05</b>
		Retainage (5%)	\$7,811.70
		Previous Payments	\$0.00
		<b>AMOUNT DUE THIS PAYMENT</b>	<b>\$148,422.35</b>

## PARTIAL PAYMENT CERTIFICATION

OWNER: Rice Creek Watershed District ENGINEER: Houston Engineering Inc.	PROJECT: Long Lake Sediment Basin CONTRACTOR: Belair Builders, Inc.
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PARTIAL PAYMENT: 1 PERIOD OF ESTIMATE: Work Completed Prior to 12/10/2012
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<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align: left; padding-left: 5px;">CONTRACT CHANGE ORDER SUMMARY</th> </tr> <tr> <th style="text-align: left; padding: 5px;">No.</th> <th style="text-align: left; padding: 5px;">Deduction</th> <th style="text-align: left; padding: 5px;">Additions</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Totals</td> <td style="text-align: right; padding: 5px;">\$0.00</td> <td style="text-align: right; padding: 5px;">\$0.00</td> </tr> <tr> <td colspan="3" style="padding: 5px;">Net Change to Contract</td> </tr> </tbody> </table>	CONTRACT CHANGE ORDER SUMMARY			No.	Deduction	Additions	Totals	\$0.00	\$0.00	Net Change to Contract			<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 5px;">CONTRACT TIME</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Revisions:</td> </tr> <tr> <td style="padding: 5px;">Revised Substantial Completion:</td> </tr> <tr> <td style="padding: 5px;">On Schedule (y/n): Y</td> </tr> <tr> <td style="padding: 5px;">Starting Date: 9/11/2012</td> </tr> <tr> <td style="padding: 5px;">Final Completion: 12/1/2012</td> </tr> </tbody> </table>	CONTRACT TIME	Revisions:	Revised Substantial Completion:	On Schedule (y/n): Y	Starting Date: 9/11/2012	Final Completion: 12/1/2012
CONTRACT CHANGE ORDER SUMMARY																			
No.	Deduction	Additions																	
Totals	\$0.00	\$0.00																	
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CONTRACT TIME																			
Revisions:																			
Revised Substantial Completion:																			
On Schedule (y/n): Y																			
Starting Date: 9/11/2012																			
Final Completion: 12/1/2012																			

ESTIMATE	
Original Contract Amount.....	\$ 156,866.55
Change Orders.....	\$ 0.00
Revised Contract Amount.....	\$ 156,866.55
Completed to Date Amount.....	\$ 156,234.05
Materials On-Site.....	\$ 0.00
Subtotal.....	\$ 156,234.05
Retainage.....	\$ 7,811.70
Previous Payments.....	\$ 0.00
Amount Due This Payment.....	\$ 148,422.35
	(see attached breakdown)

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that to the best of their knowledge, information and belief, the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous payment estimates were issued and for which payments were received from the Owner, and that current payment shown herein is now due.

Contractor: Belair Builders, Inc.

By: *Troy Dabrowski*

Date: *10/10/12*

ENGINEER'S CERTIFICATION

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

Engineer: Houston Engineering, Inc.

By: *Josh Luni, P.E.*

Date: *12-18-12*

OWNER'S APPROVAL

Owner: Rice Creek Watershed District

By:

Date:

## **ITEMS REQUIRING BOARD ACTION**

3. Consider Hardwood Creek Restoration Project  
Pay Request #2-Sunram Construction, Inc.  
(Phil Belfiori)

December 27, 2012

Honorable Chair and Board of Managers  
RICE CREEK WATERSHED DISTRICT  
4325 Pheasant Ridge Drive Northeast  
Blaine, MN 55449

**SUBJECT: LOWER HARDWOOD CREEK RESTORATION AND STABILIZATION PROJECT  
PARTIAL PAYMENT #2**

Dear Chair and Members of the Board of Managers:

The purpose of this memo is to recommend partial payment to Sunram Construction, Inc. (Sunram) for the Lower Hardwood Creek Restoration and Stabilization Project

Since the previous partial payment report on November 29, 2012 and the payment application date of December 14, 2012, work on the project had progressed as follows:

- The excavation was completed on the Mouacheupao property.
- Seeding of the stream banks and other exposed soils was completed on both properties, as was placement of erosion control blankets.

Both project sites have been stabilized for the winter and no further work is planned until the spring of 2013.

We have reviewed the enclosed Application and Certification for Payment form that Sunram submitted for work completed through December 14, 2012 and received on December 18, 2012. The first page certifies the values of the contract, any change orders, the total completed and stored to date, and the retainage, and is signed by myself and the contractor. The second page includes a schedule of values itemization that indicates progress for a lump sum project.

In the Application and Certification for Payment, Sunram indicates that 73% of work is complete. They request partial payment of \$53,320.00 less a 5% retainage. We agree with the percentage of work completed and recommend payment to Sunram for the amount requested, \$50,654.00.

Please let me know if you have any questions about this pay request.

Sincerely,

SRF CONSULTING GROUP, INC.



Walter Eshenaur, PE (MN)  
Senior Associate

WCE/rms

Enclosures

cc: Phil Belfiori, Administrator  
Ryan Sunram, Sunram Construction, Inc.

**OWNER'S APPROVAL**

Owner: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

**APPLICATION AND CERTIFICATION FOR PAYMENT**

AIA DOCUMENT G702

PAGE ONE OF TWO

PAGES

TO OWNER: RICE CREEK WATERSHED PROJECT: LOWER HARDWOOD  
 4325 PHEASANT RIDGE DRIVE CREEK RESTORATION  
 BLAINE MN 55449

APPLICATION NO: 2

Distribution to:

- OWNER
- ARCHITECT
- CONTRACTOR

PERIOD TO: 12/14/12

FROM CONTRACTOR:  
 VIA ARCHITECT: SRF CONSULTING  
 SUNRAM CONSTRUCTION I CARLSON PKWY N  
 20010 75TH AVE N MINNEAPOLIS MN 55447  
 CORCORAN MN 55340 SRF # 107203

PROJECT NOS: SRF # 107203

CONTRACT FOR: CHANNEL RESTORATION & STREAMBANK STABILIZATION

CONTRACT DATE:

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$	344,900.00
2. Net change by Change Orders	\$	(8,300.00)
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$	336,600.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	264,680.14

5. RETAINAGE:

a. <u>5</u> % of Completed Work	\$	13,234.01
(Column D + E on G703)		
b. <u>    </u> % of Stored Material	\$	
(Column F on G703)		
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	13,234.01

6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	251,446.13
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	200,792.13
8. CURRENT PAYMENT DUE	\$	50,654.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	85,153.87

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		\$8,300.00
Total approved this Month		
TOTALS	\$0.00	\$8,300.00
NET CHANGES by Change Order		(\$8,300.00)

CONTRACTOR:

By: Lee W. Sunram Date: 12/14/2012

State of: Minnesota County of: Hennepin  
 Subscribed and sworn to before me this 14th day of December 2012  
 Notary Public: Annette Shierts  
 My Commission expires: January 31, 2015



**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 50,654.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: Deborah B. Sunram Date: 12/21/12

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

# CONTINUATION SHEET

AIA DOCUMENT G703

PAGE 2 OF 2 PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 2  
 APPLICATION DATE: 12/14/12  
 PERIOD TO: 12/14/12  
 ARCHITECT'S PROJECT NO: 107203

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D O R E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)						
	Carlson - BMPS	\$6,837.50	\$6,837.50				\$6,837.50	100.00%	
	Carlson - Temp Crossing	\$10,127.81	\$10,127.81				\$10,127.81	100.00%	
	Carlson - Channel Excavation	\$18,750.00	\$18,750.00				\$18,750.00	100.00%	
	Carlson - Streambed Stone	\$46,634.72	\$46,634.72				\$46,634.72	100.00%	
	Carlson - Root Wads	\$4,792.50	\$4,792.50				\$4,792.50	100.00%	
	Carlson - Rifle	\$23,843.17	\$23,843.17				\$23,843.17	100.00%	
	Carlson - RSS	\$6,219.86					\$6,219.86		
	Carlson - Fill Channel	\$6,200.00					\$6,200.00		
	Carlson - Plantings Dormant	\$15,000.00					\$15,000.00	100.00%	
	Mouacheupao - BMPS	\$4,766.67					\$4,766.67	100.00%	
	Mouacheupao - Excavation	\$39,640.00			\$19,820.00		\$39,640.00	100.00%	
	Mouacheupao - Fence	\$1,950.00					\$1,950.00	100.00%	
	Mobilization in 2012	\$20,437.77					\$20,437.77	100.00%	
	Mobilization in 2013	\$4,500.00					\$4,500.00	100.00%	
	Clear & Grub (both sites)	\$30,200.00					\$30,200.00	100.00%	
	Potted Planting	\$30,000.00					\$30,000.00	100.00%	
	2012 Seed/Blanket (both sites)	\$50,000.00			\$33,500.00		\$50,000.00	100.00%	
	2013 Seed/Blanket (both sites)	\$25,000.00					\$25,000.00	100.00%	
	Change Order #1	(\$8,300.00)					(\$8,300.00)	100.00%	
	<b>GRAND TOTALS</b>	\$336,600.00	\$211,360.14	\$53,320.00	\$0.00	\$264,680.14	\$71,919.86	78.63%	

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

## **ITEMS REQUIRING BOARD ACTION**

4. Consider Check Register dated 1/9/2013, in the amount of \$27,222.27 prepared by HLB Tautges Redpath.

**I**

**Rice Creek Watershed District**  
**Check Register**  
**December 27, 2012 - January 9, 2013**  
**To Be Approved at the January 9, 2013 Board Meeting**

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
Dir.Dep.	01/15/13	Kyle J. Axtell	01/15 Payroll	\$1,315.91
Dir.Dep.	01/15/13	Philip J. Belfiori	01/15 Payroll	2,429.41
Dir.Dep.	01/15/13	Jessica R. Bromelkamp	01/15 Payroll	1,518.93
Dir.Dep.	01/15/13	Christopher R. Buntjer	01/15 Payroll	1,787.85
Dir.Dep.	01/15/13	Tara R. Daun	01/15 Payroll	458.00
Dir.Dep.	01/15/13	Matthew J. Kocian	01/15 Payroll	1,430.50
Dir.Dep.	01/15/13	Jordan M. Kudrna	01/15 Payroll	1,062.00
Dir.Dep.	01/15/13	Elizabeth M. Hosch	01/15 Payroll	1,516.29
Dir.Dep.	01/15/13	Thomas E. Schmidt	01/15 Payroll	1,882.68
Dir.Dep.	01/15/13	Theresa M. Stasica	01/15 Payroll	1,649.29
Dir.Dep.	01/15/13	Nicholas A. Tomczik	01/15 Payroll	2,132.23
EFT	01/15/13	Internal Revenue Service	01/15 Federal Withholding	5,556.08
EFT	01/15/13	Minnesota Dept. of Revenue	01/15 State Withholding	883.67
EFT	01/15/13	ING Retirement Services	01/15 Deferred Compensation	260.00
EFT	01/15/13	PERA	01/15 PERA	3,339.43
<b>Total</b>				<b><u><u>\$27,222.27</u></u></b>

# **TEMS FOR DISCUSSION AND INFORMATION**

## **1. Engineer's Update and Timeline.**



**District Engineer - Monthly Project Report Through December 2012**  
**Rice Creek Watershed District**



Date Prepared: 2-Jan-13  
 Prepared by: M. Deutschman

Project Name	Estimated Budget	Cost to Date	Remaining Budget	Project Complete / Transfer Funds?	Estimated Progress Based on Work Completed	Estimated Progress Based Upon Percent Budget Expended	Within Budget? (Y/N)	District Billed for Change in Services? (Y/N)	Initial Target Completion Date	Revised Target Completion Date	Items of Interest / Concern
Inspection Database Integration into Permit Database	\$21,700	\$21,221	\$479	N	100.0%	1.0%	Y	N/A	End of April 2012	Currently being used by RCWD	This project adds an inspection component to the current permit database. A beta version is complete and RCWD inspection staff are using the application and finding it valuable for saving time and generating reports. The Task Order is completed.
HydroViewer Maintenance	\$3,500	\$3,500	\$0	N	100.0%	100.0%	Y	N/A	31-Dec-12	Not Applicable	This budget is used to maintain, make periodic revisions, and update the website.
Permit Viewer Maintenance	\$4,000	\$3,864	\$136	N	100.0%	96.6%	Y	N/A	31-Dec-12	Not Applicable	This budget is used to maintain, make periodic revisions, and update the website.
Drainage System Viewer and Portal Maintenance	\$3,500	\$3,841	(\$341)	N	100.0%	109.7%	Y	N	31-Dec-12	Not Applicable	We continue to add records to the portal as they are generated through the activities of the District Engineer and RCWD staff.
Annual Maintenance of District Wide Modeling Program Products	\$5,000	\$4,649	\$351	N	100.0%	93.0%	Y	N/A	31-Dec-12	Not Applicable	A spreadsheet describing factors affecting the modeling products is complete and filed in the model library. Select model changes have been made.
Long Lake Inlet Dredging Plans, Specifications & Construction Management	\$86,675	\$86,286	\$389	N	99.9%	99.6%	Y	N/A	Fall 2011	1-Dec-12	The final pay request has been processed by HEI. Construction is complete.
Long Lake Sediment Basin	\$35,097	\$30,233	\$4,864	N	99.9%	86.1%	Y	N/A	1-Dec-12	31-Dec-12	The final pay request has been processed by HEI. Construction is complete. There may be some final site cleanup work required next spring.
ACD 15 / JD 4 Repair Construction Plans, Bid Package and Construction Management	\$108,100	\$107,865	\$235	N	99.0%	99.8%	Y	N/A	End 2012	Not Applicable	Grading of the future Connexus site and the Branch 3 outlet is complete. These areas have been seeded and mulched. Construction is complete.
Year 2012 Hydrology Monitoring and reporting	\$27,500	\$29,109	(\$1,609)	N	100.0%	105.9%	N	N	31-Dec-12	Not Applicable	RCWD staff comments have been incorporated and the report is now final. The report will now be submitted to the BWSR with a request for an initial 15% of the credit.
Vegetation Management of Houle / Hair Wetland Restoration (Implementation)	\$76,000	\$36,961	\$39,039	N	50.0%	48.6%	Y	N/A	31-Dec-13	Not Applicable	Work will continue in 2013. The District Engineer plans to solicit bids for the 2013 restoration work. CCES will continue to manage the vegetative restoration effort. The budget is for two years of professional services.



## District Engineer - Monthly Project Report Through December 2012 Rice Creek Watershed District



Date Prepared: 2-Jan-13  
Prepared by: M. Deutschman

Project Name	Estimated Budget	Cost to Date	Remaining Budget	Project Complete / Transfer Funds?	Estimated Progress Based on Work Completed	Estimated Progress Based Upon Percent Budget Expended	Within Budget? (Y/N)	District Billed for Change in Services? (Y/N)	Initial Target Completion Date	Revised Target Completion Date	Items of Interest / Concern
Construction Management for Houle / Hair Dredging	\$9,800	\$10,214	(\$414)		100.0%	104.2%	Y	N	31-Dec-12	Not Applicable	Construction of the channel through the Houle / Hair wetland complex is complete.
ACD 53/62 Repair Report Phase I & II (As Constructed Condition)	\$54,400	\$48,440	\$5,960	N	75.0%	89.0%	Y	N/A	1-Sep-12	31-Jan-12	A meeting with the MnDNR is needed to discuss the proposed alternatives. The MnDNR has expressed concern about the ability to permit the repair alternatives. The remaining technical work in on hold pending the outcome from the MnDNR meeting.
Jodrell Street Culvert Replacement	\$17,400	\$11,205	\$6,195	N	97.5%	64.4%	Y	N/A	31-Jul-12	31-Aug-12	The project is essentially complete. The wear course is not smooth, but is functional. The District sent the City of Columbus a letter asking them whether they will accept the work. The City want it chip sealed, which the contractor has agreed to do. We are holding the retainage until the chip seal is completed.
ACD 10-22-32 Construction Plans, Bidding and Construction Management	\$97,800	\$21,545	\$76,255	N	22.0%	22.0%	Y	N/A	30-Mar-13	Not Applicable	We are working on drawings showing the area reasonably necessary for construction, which can be used at a future public hearing. These drawings are expected to be completed by the end of January 2013.
ACD 10-22-32 WMD Charge Analysis and Certification	\$19,700	\$24,451	(\$4,751)	N	100.0%	124.1%	N	Y	15-Sep-12	31-Dec-12	Because of the considerable coordination with the Cities and many changes to the spreadsheets, additional work was necessary to certify the charges. However, all charges have been certified.
Comprehensive Wetland Protection and Management Plan Report to BWSR	\$15,200	\$15,739	(\$539)	N	100.0%	103.5%	Y	N	31-Dec-12	Not Applicable	Comments provided by RCWD staff have been incorporated into the final report. This work is completed.
Anoka County Ditch 55 Historical Review	\$23,000	\$12,250	\$10,750	Y	100.0%	53.3%	Y	N/A	15-Jul-12	31-Dec-12	The consolidation and division hearing is completed. This project can move to the repair report phase.
2012 Rule Revision	\$37,000	\$39,426	(\$2,426)	N	100.0%	106.6%	N	Y	End of 2012	Not Applicable	No work was performed by HEi during December.



Vaues in red are either potential budget concerns or changes in schedule.

The "overage" for those projects shown as "over budget" is not billed to the District. The cost to date column reflects HEi's actual internal cost.



District Engineer  
 Monthly Progress Report (Actual & Estimated Progress)  
 Through December 2012



 Based upon dollars spent  
 Based upon work completed

