

Approved



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, March 12, 2014

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

Minutes

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ROLL CALL

- Present: President Patricia Preiner, 2nd Vice-Pres. John Waller, and Treasurer Steve Wagamon.
- Absent: 1st Vice-Pres. Barbara Haake (with prior notice) and Secretary Harley Ogata (with prior notice).
- 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 Nancy Stowe, Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners.
- Visitors: Martin Harstad, Jim Hafner, Mark Smith.

CALL TO ORDER

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

SETTING OF THE AGENDA

District Administrator Belfiori requested under Board Action to move number 5 to number 2 and adding a new number 3 – Consider permit application 40-001 for Mark Smith.

***Motion by Manager Wagamon, seconded by President Preiner to adopt the agenda as amended.
Motion carried 2-1 (Manager Waller).***

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the February 26, 2014, Board of Managers Regular Meeting.

District Attorney Smith requested the following corrections:

- Line 134, Page 7, “correcting” drainage system records.
- Line 204, Page 8 “unit” costs.

Manager Waller requested the following corrections:

38 Page 11, when they were talking about drainage ditch 6, during Schmidt's report, he recommended number 6 be deleted
39 off of the list. Inspector Schmidt recommended they hand it over to Forest Lake and he recommended that be changed
40 and a different ditch system be chosen in Ramsey County.

41
42 President Preiner requested staff locate Manager Waller's comments and add these comments to the Minutes.

43
44 **Motion by Manager Wagamon, seconded by Manager Waller, to approve the minutes as amended. Motion carried 3-**
45 **0.**

46
47 **APPOINTMENT OF ACTING SECRETARY**

48 **Motion by Manager Waller, seconded by Manager Wagamon, to appoint Manager Waller as the Acting Secretary.**
49 **Motion carried 3-0.**

50
51 **CONSENT AGENDA**

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

55
56 **Table of Contents**

57 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

No.	Applicant	Location	Plan Type	Recommendation
14-002	City of Lino Lakes	Lino Lakes	Street & Utility Plan	CAPROC 8 items

60
61 Permit Coordinator/Wetland Specialist Tomczik stated this morning they passed out an amended document based on last
62 minute submittals by the applicant. He stated the main changes were adjustments to the wetland impact amount. He
63 noted the other adjustments were just clarification on the first recommendation.

64
65 **Motion by Manager Wagamon, seconded by Manager Waller, to CAPROC permit 14-002 as outlined in the above**
66 **Table of Contents in accordance with RCWD staff and District Engineer's Findings and Recommendations, dated**
67 **March 4, 2014. Motion carried 3-0.**

68
69 **Motion by Manager Wagamon, seconded by Manager Waller, to recess the regular meeting for the Public Hearing on**
70 **the Clear Lake Water Quality Treatment Project. Motion carried 3-0.**

71
72 **PUBLIC HEARING: CLEAR LAKE WATER QUALITY TREATMENT PROJECT**

73 President Preiner stated this was a public hearing for funding of the proposed Clear Lake Water Quality Treatment Project.
74 She indicated the purpose of the hearing was to hear comments and take testimony from parties having an interest in the
75 proposed project to be constructed in partnership with the City of Forest Lake. She asked Water Resource Specialist
76 Axtell to provide a summary of the proposed project.

77
78 Water Resource Specialist Axtell stated this was a joint project with the City of Forest Lake at the new City Hall and Public
79 Services Facility. He stated Clear Lake was a Tier 1, high priority lake in the District. He noted the Clear Lake Association
80 had been very active. He stated some of the past studies and reports done for this project. He noted later in the meeting
81 there was a Resolution and intergovernmental agreement for the Board approval.

82

83 President Preiner noted the purpose of the hearing was to receive comments from interested parties and not to get into a
84 discussion with the Board members. The Board members were to hear the comments only. She asked each person when
85 they approached the podium to state his or her name and their address for the record.

86
87 There were no comments made during the public hearing.

88
89 ***Motion by Manager Wagamon, seconded by Manager Waller, to close the public hearing and open the regular***
90 ***meeting. Motion carried 3-0.***

91
92 ***Motion by Manager Wagamon, seconded by Manager Waller, to close the regular meeting and open the Public***
93 ***Hearing for Anoka County Ditch 53-62 Branch 1 Repair Report. Motion carried 3-0.***

94
95 **PUBLIC HEARING: ANOKA COUNTY DITCH 53-62 BRANCH 1 REPAIR REPORT**

96 President Preiner welcomed the members of the public attending the hearing. She stated under consideration today is the
97 designation of a repair area for Anoka County Ditch 53-62. The purpose of this hearing is to receive comments from the
98 public on the District's proposed designation of the areas adjacent to the drainage system that are reasonably necessary to
99 be occupied and effected in order for the Drainage Authority to carry out its statutory repair obligations.

100
101 She stated to facilitate comments at today's hearing, mailed notice was given to the owners of all properties directly
102 impacted by the repair of the drainage system. The direct notice included a copy of a map indicating the portion of each
103 property within with repair area where equipment operation, tree removal and spoil disposal, will occur. General notice of
104 the proceedings was provided to each owner within the drainage area of the drainage system and to the general public by
105 published notice.

106
107 She stated the proceedings were being recorded.

108
109 She indicated the order of business for this hearing will be as follows: The District's Drainage Attorney will provide a
110 summary of the proceedings to date. The District's Engineer will present information regarding the proposed repair areas,
111 including a description of the work proposed to be accomplished along various reaches of the drainage system.

112
113 After the initial presentation, she indicated she would open the hearing for public comment. She stated Board would like
114 to hear public comments and concerns regarding the proposed repair area. She indicated the Board's decision must be
115 based on the legal requirements related to the repair of the drainage system, taking into consideration and unique
116 characteristics of property that would justify an alternative repair design or alteration of repair methods.

117
118 She indicated the Board had already adopted the Order directing the repair of Branch 1 of ACD 53-62. Comments
119 directed on the repair itself and not the work area are not appropriate for this hearing.

120
121 She noted the Board was aware of the public concern related to a proposal to develop property in the northeast quadrant
122 of the Interstate 35W and Lexington Avenue interchange for a Wal-Mart. The Board's consideration of work area for the
123 repair of Branch 1 of ACD 53-62 was based on the requirements of Minnesota Statutes Chapter 103E and the Board's
124 obligation, as Drainage Authority, to maintain the public drainage system. She stated the Board, in its role as Managers of
125 the Rice Creek Watershed District, has commented on the Environmental Assessment Worksheet for the proposed
126 development and had notified the developer of the requirements of the District's administrative rules related to
127 stormwater management – especially the rate and volume control requirements, requirements to continue adjacent
128 drainage and water quality requirements.

129

130 She indicated this was not a proper forum to discuss the development. Issues related to the proposed development would
131 be addressed during the District's permitting process.

132
133 After the initial presentation, she stated she would open the hearing for public comment.

134
135 She stated during the public hearing, managers may ask questions of staff making presentations and of commenters, in
136 order to clarify testimony.

137
138 She noted if a member of the public asked a question and a manager believed that a response from District staff or a
139 District consultant could readily resolve the question or enrich the testimony, the manager might ask me to have the
140 appropriate staff member or consultant speak to the question. She stated she would exercise her judgment as to whether
141 to allow such discussion.

142
143 She indicated managers' expression of their positions and general discussion concerning the subject of the public hearing
144 should be avoided during the public hearing. Board discussion would occur after all members of the public have had a
145 chance to speak and the public comment period had been closed. Board discussion might occur at this or a subsequent
146 meeting, as the Board decides.

147
148 She stated if a member of the public wanted to make a comment, to come up to the podium when she recognizes them,
149 speak into the microphone and state their name and address for the record. If someone had a specific question
150 concerning the proposed repair area, they might ask the administrator, engineer or legal counsel to respond. She stated if
151 they had anything in writing to submit, that could be provided to her during the public comments and she would note its
152 receipt in the record.

153
154 To ensure that all wishing to comment on the proposed repair area have time to speak, she indicated she might limit the
155 time any single speaker may comment to five minutes. She asked that comments not be redundant or have repetitive
156 comments.

157
158 District Administrator Belfiori highlighted the project status and the types of work to be completed. He noted the 53-62
159 Branch 1 system ordered for repair was located in Blaine, which flowed from north to south. He stated the branch 1
160 system ended to the west of Lexington Avenue. He stated it was largely open channel in nature. He noted what had been
161 done on the project so far and what still needed to be completed.

162
163 District Engineer Nancy Stowe noted the types of work that was expected to occur within the designated area. She
164 indicated the ditch would be excavated, trees removed, replacement of culverts, and vegetation removal. She noted they
165 had looked for special considerations in the ditch during construction. She stated they had designed eight works types
166 needed to complete the work. She noted they needed the reasonable necessary areas for construction for equipment
167 access, completion of the work, placement of the excavated materials and vegetation removal. She indicated bridges
168 would be removed and replaced at the owners risk with no financial compensation if they break. She recommended the
169 landowners remove the bridges prior to construction. She stated the post construction spoil and future maintenance
170 would be where the spoil would be smoothed out; they would be seeding with native/upland seed and not turf grass; and
171 they would use herbicide for maintenance and to prevent tree growth. They would encourage the residents to leave the
172 native grasses and not mow to the ditch and to remind them that have all fences and sheds needed to stay outside of the
173 right-of-way.

174
175 President Preiner asked if any of the homeowners came out during the site visit. District Engineer Nancy Stowe responded
176 one homeowner came out who had a culvert running under his driveway who had some questions, but this area had been
177 taken care of previously.

178

179 District Administrator Belfiori noted the tentative scheduled for moving forward with March 2014 having the completion
180 of the draft construction plans; March through April 2014 permit acquisition; March 2014 completion of final
181 construction plans; April through May 2014 bid letting; between June through September, 2014 the construction would
182 begin; and December 2014 the construction would end.

183

184 President Preiner asked the Manager if they had any questions. There were no questions asked.

185

186 President Preiner asked if there were any comments from the public.

187

188 Martin Harstad, stated he had a significant amount of property along Branch 1, Lateral 1 where the proposed Walmart was
189 being located which was approved by the City recently. He noted this was a complex area and he appreciated everyone's
190 works and desires to get everything done. He stated his property was unique. He had owned the property for 30 years
191 and he had seen over the years that his wetlands had increased and it was a significant clean out on their end of the ditch.
192 He stated they had worked with staff to donate land for the reroute of the DNR wetland adjoining his property. He stated
193 his greatest concern was about the spoils that were coming out. He stated there would be a pretty sizeable amount of
194 spoil removed. He stated the last thing he wanted to do was to remove the silt out of the ditch and put it on the side of
195 the ditch and all of a sudden, his wetland would become greater. He noted they needed some daylight in there and staff
196 has assured him that he would be able to be onsite and visit with the contractor as this was being done. He stated if need
197 be, he offered to get a dump truck in there himself to remove the material. He believed staff had addressed this properly
198 and just wanted to get it on record.

199

200 There were no other comments received.

201

202 ***Motion by Manager Wagamon, seconded by Manager Waller, recess the hearing to the Boards regular meeting on***
203 ***March 26; and open the regular Board meeting. Motion carried 3-0.***

204

205 **OPEN MIKE – LIMIT 12 MINUTES.** Any RCWD resident may address the Board in his or her individual capacity, for up to
206 three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the
207 record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on
208 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
209 agenda.

210

211 There were no comments made at Open Mike.

212

213 **ITEMS REQUIRING BOARD ACTION**

214

215 **1. Consider modifications to RCWD Surety Schedule (Nick Tomczik)**

216

217 Permit Coordinator/Wetland Specialist Tomczik explained this item and resolution was based on the discussion of
218 the Board to date. He stated the Board previously adopted all three of the items (fee schedule, surety schedule,
219 variance policy) at one time and they were all interrelated, so if they move one, they should move them all
220 together regardless of the changes. He stated the Board could take individual action on cases, but it was more
221 legally defensible to look at the issue as a whole; determining the appropriateness of the given schedule. He noted
222 what staff had changed on the fee schedule; cap of \$10,000 for stormwater. He noted that the board should
consider that a cap would prevent a higher fee for a stadium or other large development.

223 He stated if this was approved, the schedule was retroactive and would refund the fee amounts on the permits
224 affected by the change. He noted it would affect four permits under Rule C, since adoption of the current fee
225 schedule, for a total refund of \$58,680.00.
226

227 ***Motion by Manager Wagamon, seconded by President Preiner, to approve Resolution 2014-13, Adopting***
228 ***Revised Permit Fee and Surety Schedules and Permit Variance Guidance.***
229

230 Permit Coordinator/Wetland Specialist Tomczik noted Mr. Smith and Jim Hafner were in attendance at the
231 meeting also.
232

233 Jim Hafner, Stormwater Manager for the City of Blaine, thanked staff and the Board for letting him attend the
234 workshop meeting to express the City's concerns. He corrected a previous statement he made saying that he
235 thought the sureties of the City were close to what the District would charge for the Western Woods project, but
236 he said that in error. He stated those sureties had not been calculated at this time. He stated there was some
237 concern on the part of the City that both the City and the Watershed District were charging fees for the same
238 things and when it came down to actually doing repair work, they would not be spending the same money to do
239 the same thing so they believed they could find a way to hopefully reduce fees to contractors by not being
240 redundant on the fees charged them. When the city looks at these projects, we take a look at what the actual bid
241 cost are for doing the earth moving work and then we add 25% to that. So our surety is reflected in 125% of what
242 those cost. He stated the City did not complete projects, but rather stabilized them. He requested the Board keep
243 the fees reasonable for the developers.
244

245 Manager Waller stated that during the recent workshop discussion he had suggested the City follow a similar
246 process as the City of Hugo who acted as the permit authority. He stated this would be a one stop shopping deal
247 and the City did most of the managing as well as the lead on the rules and regulations. That way costs would be
248 saved and there would not be double fees charged. He believed this type of a situation would work well.
249

250 Jim Hafner stated this was something the City could look at going forward. He noted currently the City did rely
251 on the District for stormwater management regulation as well as erosion control and wetland regulation. He
252 stated they were required to have their regulations up to par with the District's rules. He stated they were open
253 to working with the District going forward.
254

255 District Administrator Belfiori thanked the City and their staff for their continued partnership.
256

257 Mark Smith, 2120 Otter Lake Drive, Lino Lakes, stated he appreciated the Board taking the time to find a
258 resolution to this situation. He stated his project had 9,000 yards of material they were moving. He noted they
259 needed the material. He stated there was talk about phasing the project, but working with the City they wanted
260 water coming from the west side of Lexington and they needed to remove the fill from the west side to bring to
261 the east side so they were not able to do any phasing on the project. He stated it was impossible to convince a
262 bank to do a surety with these numbers. As Jim Hafner from the City of Blaine explained, the city charges a 125%
263 charge of actual costs. When he does a project, he shows the city his bids so the city can verify them. On this bid
264 sheet, Mr. Smith stated he is paying \$2.35 a cubic yard, actually \$1.70 per cubic yard to remove, but the bid he is
265 using is \$2.35. The bank is willing to finance 125% of the estimated cost, but not willing to do something that is
266 ten times as much, such as basing it on the district surety schedule either at \$50 or \$23. He stated this created a
267 huge hardship with the bank in securing a letter of credit. He stated that these numbers might work for most
268 projects, but he asked if the Board could look at his project independently with a more reasonable number.
269

270 President Preiner asked if they could approve this today and continue working on the issue. Permit
 271 Coordinator/Wetland Specialist Tomczik responded yes. He stated his thoughts would be it was appropriate to
 272 adopt the schedule and if they wanted to deal with one particular project, the applicant would apply for a
 273 variance. If the Board feels overall that the \$23 per cubic yard is still too high or any other portion of the surety
 274 schedule is substantially high, the Board could further revise the schedule.
 275

276 Manager Waller stated he did not support changes to the fees and schedules at the workshop and he did not
 277 support this Resolution 2014-13. He stated there was no need to do this at that time.
 278

279 **ROLL CALL:**

280 **Manager Waller – Nay**

281 **Manager Haake – Absent**

282 **Manager Ogata – Absent**

283 **Manager Wagamon – Aye**

284 **President Preiner – Aye**
 285

286 Manager Waller stated he believed this was an issue that should be before the full Board and not just three
 287 Managers. He believed this had been reflected in the previous minutes of their meeting when Manager Ogata was
 288 worried about whether or not the District was going to have enough protection on the issue. He stated he did
 289 not support the change.
 290

291 Manager Wagamon agreed that the entire Board should be involved, but he believed they needed to do this for
 292 the people in front of them now and that they can look at it as a full Board again. He believed it was critical that
 293 this was looked at again because he believed they needed to be covered insurance wise for the tax payers, but it
 294 also should not be punitive to the applicants coming before them for permits.
 295

296 Manager Waller noted Mr. Smith seemed to feel the adopted resolution at \$23 was too high and it was suggested
 297 he come in for a variance. He stated that Mr. Smith's concern existed even before they changed the surety
 298 schedule from \$50 to \$23 by Resolution today. However Mr. Smith could have come in for a variance before this
 299 meeting.
 300

301 Permit Coordinator/Wetland Specialist Tomczik stated at this time staff had presented the CAPROC engineer's
 302 report and it was ready for their consideration. If it was approved, it is what it is and if Mr. Smith wanted to
 303 contest it, he would bring a variance request to the District.
 304

305 ***Motion carried 2-1.***

306
 307 **2. Consider Modification of permit application fee for permit 13-068 (Nick Tomczik)**

308 Discussed under previous item number 1.
 309

310 **3. Consider Permit Application 14-001 for Mark Smith**

311 Mark Smith stated if he needed to request a variance, he would proceed by doing that. He stated he was not sure
 312 if he should have the permit approved now, or wait until he files for a variance.
 313

314 Manager Wagamon asked if they could get the schedule done before the next Board meeting. Manager Waller
 315 noted all of the Managers would not be in attendance until April. Permit Coordinator/Wetland Specialist
 316 Tomczik stated in order to adjust the surety schedule further, they needed some direction from the Board as to

317 what they wanted staff to do. He stated if they passed this and if Mr. Smith could not obtain the surety, this
318 would not do him any good. The Board could consider the variance application however. He stated there was
319 limited time before the next meeting and unlikely enough for the applicant to submit a variance application and
320 the District to review it.

321
322 District Attorney Smith stated Mr. Smith had the ability to request a variance whether they acted on his permit
323 today or not and the 60-day variance that ran could also be unilaterally extended by the District for whatever
324 reason they state as long as they had a reason. It appeared it was Mr. Smith's want to have a variance request as
325 soon as possible and the Board could consider it. The key thing was that they needed to establish a policy on the
326 sureties and to make sure the cost exposure was protected if the project was not constructed and to set a policy
327 that did that, but any applicant was free to come before the Board for a variance, but an economic hardship alone
328 was not a good reason to request a variance.

329
330 Manager Waller stated he had faulty information at the workshop and he thought they were very close to the
331 range of the actual cost plus 25 percent and that was what he was using, but they don't know that and he wanted
332 to relook at this. He stated they picked a number out of the air and that was not right. They needed a number
333 where they were covered, but not being unreasonable to the developers.

334
335 Permit Coordinator/Wetland Specialist Tomczik stated the \$23 was based on an HEI analysis of projects and was
336 not picked out of the air and he believed the number was a solid number. Manager Wagamon apologized and
337 said that was not what he was insinuating. He was thinking they were at cost plus 25 percent.

338
339 Permit Coordinator/Wetland Specialist Tomczik stated he was not entirely familiar with the municipality
340 methods and he was not sure how the dirt work portion they were looking at tied into the infrastructure interests
341 of the City has so the actual cost might be difficult to compare those to.

342
343 Manager Wagamon stated the \$23 might be the final number, but he wanted the opportunity to look at this
344 again.

345
346 District Engineer Deutschman stated some of what they were seeing was a timing matter and he believed some of
347 the developer did not even have the total costs set yet if the Board was going to wait for a bid number to establish
348 a surety they could run into a timing issue. He stated this was a challenging matter, but they needed to decide
349 the route they wanted to go. He stated the numbers they came up with had a lot of costs involved in it.

350
351 Permit Coordinator/Wetland Specialist Tomczik stated the 60th day was April 19, which was after the workshop
352 and the next meeting. He suggested this be brought forward to the workshop on April 7 and hear the results and
353 look at this again on April 9, but that would not address if Mr. Smith had some deadlines he was looking at.

354
355 Mr. Smith responded he could work with those dates and if necessary, they could look at the 60-day rule at that
356 time.

357
358 **Motion by Manager Waller, seconded by President Preiner, to table permit 14-001 to April 9 Board meeting**
359 **and look at that time to see if a 60-day extension was needed. Motion carried 3-0.**

360
361 Permit Coordinator/Wetland Specialist Tomczik asked for guidance on what the Board wanted with respect to
362 the surety schedule. President Preiner stated she wanted it based on real numbers.

363

364 Permit Coordinator/Wetland Specialist Tomczik stated they would further determine what the real cost was and
365 it was up to the Board to determine what risk level they wanted to protect against with the surety. Manager
366 Waller stated he wanted to see one stop shopping with this and he wanted staff to talk to the City of Blaine to see
367 if something could be worked out with them also.

368
369 Manager Wagamon asked staff to show what the City of Blaine was looking at versus what the District was
370 looking at so they could justify the difference. Permit Coordinator/Wetland Specialist Tomczik responded they
371 could explore what the City utilized and what they viewed as well as the District's numbers.

372
373 Manager Waller stated he wanted to know what the actual cost was for the letter also. He noted the actual
374 money should be considered.

375
376 Manager Wagamon stated it was not the cost, but it was what it did for the ability of the applicant to obtain the
377 credit.

378
379 Mr. Smith stated there was two parts to this. The cost was that they would charge 2-3 percent for the letter of
380 credit, but they would not get the letter until an asset could be provided which was 1.5 times more. They looked
381 at this like cash so they had to make sure he had an asset. The issue was when the numbers did not make sense to
382 them such as this case.

383
384 Manager Waller stated he realized equity needed to be established and the banks had the same interest as the
385 District did that the work was completed. He stated the issue was if the work was not done and the District had
386 to sue for it to get done. He stated they were in the same position as bank was and they had to have that kind
387 of a surety.

388
389 District Engineer Deutschman asked if it was their intent to find historic bid tabs from similar type of project and
390 go through the tabs and review those to develop a surety estimate. He stated if this was the case, did they want
391 this by project time as the cost would vary by type as well. He stated they were willing to support this, but it
392 would not be a low level of effort and if they wanted this done that they do it correctly.

393
394 Permit Coordinator/Wetland Specialist Tomczik stated they would compare this to the Cities methods and
395 compare it to what they did as well as look at the cost of obtaining the surety itself from the bank. He asked if
396 they should bring this back to the March 26 meeting as a presentation so staff could get feedback for the
397 workshop meeting.

398
399 President Preiner stated those Managers should watch the recording to get them up to speed.

400
401 **4. Consider Ordering the Clear Lake Water Quality Treatment Project and Authorizing the District**
402 **Administrator to Execute the Intergovernmental Agreement (Phil Belfiori)**

403 District Administrator Belfiori explained in September, 2013 the Managers authorized staff to collaborate with the
404 City of Forest Lake regarding submittal of a Clean Water Fund grant application for the Clear Lake Water Quality
405 Treatment Project. He noted a \$382,000 BWSR Clean Water Fund grant was awarded to the City to construct the
406 project. The District and the City are each required by the grant agreement to split the match requirements for
407 the grant. He indicated the District cannot commit levied funds to a project until a public hearing had been
408 properly noticed and conveyed and the Board has ordered the project be implemented. He stated the public
409 hearing was scheduled for March 12, 2014.

410

411 He recommended approval of the Resolution ordering the Clear Lake Water Quality Treatment Project and
412 authorizing the District Administrator to execute the intergovernmental agreement.

413
414 ***Motion by Manager Waller, seconded by Manager Wagamon, to approve Resolution 2014-10, Ordering the***
415 ***Clear Lake Water Quality Treatment Project Pursuant to Minnesota Statutes §103B.251.***

416
417 **ROLL CALL:**

- 418 ***Manager Waller – Aye***
419 ***Manager Haake – Absent***
420 ***Manager Ogata – Absent***
421 ***Manager Wagamon – Aye***
422 ***President Preiner – Aye***

423
424 ***Motion carried 3-0-2.***

- 425
426 **3. Consider Curlyleaf Pondweed Treatment in Bald Eagle and Reshanau Lakes, Spring 2014 (Phil Belfiori)**
427 District Administrator Belfiori stated costs were similar to previous years for this work for \$15,500 and staff was
428 recommending approval of the treatment projects.

429
430 ***Motion by Manager Wagamon, seconded by Manager Waller, to approve entering into agreement with DNR***
431 ***for Aquatic Invasive Species control grants on Bald Eagle and Reshanau Lakes, and authorizes the***
432 ***Administrator to Execute the necessary contracts and to approve entering into professional services contract/s***
433 ***for chemical treatment of Reshanau and Eagle Lakes (not to exceed \$47,000), and authorizes the RCWD***
434 ***Administrator to sign the necessary contracts. Motion carried 3-0.***

- 435
436 **4. Consider Anoka County Abatement for three common element parcels certified for the Anoka County**
437 **Ditch 53-62. (Phil Belfiori)**
438 District Administrator Belfiori stated staff was recently notified by Anoka County that three of the parcels
439 certified for the ACD 53-62 charges were common element parcels and needed to be abated. He recommended
440 the Board approve the Resolution.

441
442 ***Motion by Manager Wagamon, seconded by Manager Waller, to approve Resolution 2014-11, Abatement of***
443 ***Charges ACD 53-62 Water Management Districts.***

444
445 **ROLL CALL:**

- 446 ***Manager Waller – Aye***
447 ***Manager Haake – Absent***
448 ***Manager Ogata – Absent***
449 ***Manager Wagamon – Aye***
450 ***President Preiner – Aye***

451
452 ***Motion carried 3-0-2.***

453
454

- 455 **5. Consider programmatic agreement for maintenance for City permitted projects (Phil Belfiori)**
456 District Administrator Belfiori stated this related to the Programmatic Stormwater Maintenance Agreement,
457 which would allow a public permittee to execute a single agreement to memorialize the maintenance obligations
458 of all stormwater facilities associated with RCWD permits. He recommended approval of the Resolution.
459
460 ***Motion by Manager Waller, seconded by Manager Wagamon to approve Resolution 2014-12, Programmatic***
461 ***Maintenance Agreement Municipal Stormwater Management Facilities.***
462

463 **ROLL CALL:**

464 ***Manager Waller – Aye***
465 ***Manager Haake – Absent***
466 ***Manager Ogata – Absent***
467 ***Manager Wagamon – Aye***
468 ***President Preiner – Aye***
469

470 ***Motion carried 3-0-2.***
471

- 472 **6. Consider Check Register dated 3/12/2014, in the amount of \$33,871.29, prepared by HLB Tautges Redpath.**
473 ***Motion by Manager Wagamon, seconded by Manager Waller, to approve check register dated March 12, 2014***
474 ***in the amount of \$33,871.29, prepared by HLB Tautges Redpath. Motion carried 3-0.***
475

476 **ITEMS FOR DISCUSSION AND INFORMATION**

477 **1. District Engineer’s Report and Timeline**

478 District Engineer Deutschman stated they had some task orders ready to go to establish the as- constructed, but
479 Manager Waller brought up Washington County Ditch 6. In that task order, they were going to determine the
480 alignment of County 6, but not the grade. He asked if they should not do anything at all, or did they want to do
481 the minimum amount (alignment) so when they decided what to do with it they knew what they were doing.
482

483 ***Motion by President Preiner, seconded by Manager Wagamon, to do the basics on Washington County Ditch***
484 ***number 6 so they know what the alignment was. Motion carried 2-1 (Manager Waller).***
485

486 **2. Manager’s Update**

487 There were no comments made.
488

489 **ADJOURNMENT**

490 ***Motion by Manager Waller, seconded by Manager Wagamon, to adjourn the meeting at 10:35 a.m. Motion carried 3-***
491 ***0.***