

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

April 12, 2023, RPBCWD Board of Managers Regular Monthly Meeting

PRESENT:

Managers:

Jill Crafton, Treasurer
Tom Duevel, Vice President
Larry Koch
Dorothy Pedersen, Secretary
David Ziegler, President

Staff:

Amy Bakkum, Administrative Assistant
Zach Dickhausen, Natural Resources Coordinator
Liz Forbes, Communication Manager
Terry Jeffery, District Administrator
Louis Smith, Attorney, Smith Partners
Scott Sobiech, Engineer, Barr Engineering Company

Other Attendees:

Alaina Bonnie Nelson, CAC
Andrew Aller Maya Santamaria
Greg Hawks Betsy Schmiesing
Jack Hopkins D Suchy
David Knaeble, Civil Site Group

Note: the Board meeting was held remotely via meeting platform Zoom because it was deemed not prudent to meet in person due to the COVID-19 pandemic.

1. Call to Order of Board of Managers Regular just & Monthly Meeting

- 1 President Ziegler called to order the Wednesday, April 12, 2023, Board of Managers Regular
2 Meeting at 7:00 p.m. Mr. Smith called roll for the Board of Managers.

<i>Manager</i>	<i>Action</i>
Crafton	Present
Duevel	Present
Koch	Present
Pedersen	Present
Ziegler	Present

Commented [klf11]: DOES NOT REFLECT THE ACTUAL RESPONSES OF THE MANAGERS

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 4 Manager Koch stated the District is conducting this meeting via Zoom out of an abundance of
 5 caution due to the Covid pandemic.
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2. Approval of Agenda

7 President Ziegler requested adding to the agenda a discussion about the status of the Covid
 8 pandemic and the District returning to in-person meetings. He suggested adding the topic as
 9 action item 8h.

10 Manager Koch requested removing from the Consent Agenda items 7b – Accept March Staff
 11 Report, 7c – Accept March Engineer’s Report, 7d – Accept March Regulatory Program Report,
 12 7e – Approve Permit #2022-068 KIWATCHI Development as Presented in the Proposed Board
 13 Action Section of the Permit Review Report; 7f – Approve Permit #2022-077 Dunibar Court
 14 Development as Presented in the Proposed Board Action Section of the Permit Review Report;
 15 7g – Approve Permit #2022-079 CSAH 4 Culvert Lining Project as Presented in the Proposed
 16 Board Action Section of the Permit Review Report; 7h – Approve Permit #2023-005
 17 Sunnybrook Road Culvert Replacement Project as Presented in the Proposed Board Action
 18 Section of the Permit Review Report; 7i – Adopt Resolution 23-025 Accepting Personnel
 19 Committee’s Recommendation to Approve the Administrator Work Plan as Amended by
 20 Committee, and item 7m – Adopt Resolution 23-034 Authorizing Distribution of 2022 Annual
 21 Report.

22 Manager Pedersen moved to accept the agenda as amended. Manager Crafton seconded the
 23 motion. Upon a roll call vote, the motion carried 5-0 as follows:
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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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3. Matters of General Public Interest

26 President Ziegler announced the procedure for raising matters of general public interest. No
 27 matters of general public interest were raised.

28 Ms. Maya Santamaria reported she is president of the Duck Lake Association and three of the
 29 Association’s board members were at yesterday’s Lake Association summit organized by the

30 District. She said she is looking forward to the next Lake Association Summit. She said the Duck
31 Lake Association (DLA) Board is interested in moving forward with the process of establishing a
32 lake management plan. Ms. Santamaria said she hopes the Board will take the Association's
33 interest into consideration and that the District can get the process started. She said the DLA is a
34 very active board and is very interested in being collaborative partners with the District about
35 Duck Lake and looks forward to getting the process started. Ms. Santamaria said the Association
36 would like to be able to put the Duck Lake inlet [outlet] on the District's agenda and hopefully
37 once and for all work on raising the water level of Duck Lake. She said the DLA has written a
38 letter to the District Board of Managers expressing the almost unanimous desire of Duck Lake
39 property owners to have the inlet [outlet] adjusted so the lake level can go back up. She reiterated
40 the DLA's request to the District to put the topic on an upcoming meeting agenda.

41 President Ziegler asked Administrator Jeffery to make note of adding to a future Board meeting
42 agenda the topic of a cost-estimate for putting together a lake management plan. Administrator
43 Jeffery said he met with Joe Bischoff and Engineer Sobiech two weeks ago, and Mr. Bischoff is
44 putting together a scope and cost estimate for a lake management plan and it will be presented to
45 the Board at a future date.

46 Manager Koch asked if the Board specifically authorized staff to engage in drafting a lake
47 management plan. President Ziegler clarified the discussion is about finding out how much it
48 would cost to draft a lake management plan. Manager Koch said he is a little concerned that
49 people are running off and doing things and they are not authorized by the Board and things are
50 not provided for by the budget. Manager Koch said items like this, in his opinion, should be
51 brought to the Board and the Board should decide if it wants to have staff look into it at all, and if
52 that is the decision by the Board, then direction should be given to staff. He said at least
53 preliminarily there should be a memo outlining what a discussion of a lake management plan
54 should entail and the cost to compile that information and develop that memorandum. He said he
55 thinks a whole step has been skipped based on what he heard and he does not think the District
56 should be operating that way, especially since one of the Board members, President Ziegler, lives
57 in the Duck Lake area, and instead he expects the Board would go through the processes step by
58 step to determine what it would entail and cost and then the Board would determine if it wants to
59 do it and where the money will come from, and then if the Board decides it wants to move
60 forward and have a plan drafted, then that would be a subsequent decision to be made.

61 President Ziegler reminded the Board it has discussed this topic several times and is proceeding
62 as Manager Koch described and figuring out what the costs are going to be for a plan for the lake.
63 Administrator Jeffery concurred that the Board directed staff to investigate a whole lake
64 management plan and staff is going to bring back to the Board the information it requested
65 regarding the costs associated with a whole lake management plan. Manager Koch asked if the
66 Board adopted a resolution to do that. Administrator Jeffery said no, it was a motion made at the
67 meeting. Manager Koch responded the motion, therefore, was not adopted – the Board did not
68 approve it. He said a resolution needs to be adopted so everyone knows, not just some people
69 know, what is going to be entailed in the work.

70 Manager Crafton noted the Board is accepting comments from the public right now on matters of
71 public interest and asked if there is anyone else that wants to speak at this time. President Ziegler
72 asked if there are any other comments from the public. No other matters were raised.

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Commented [klf12]: Please provide the basis for the statement by DZ

Commented [klf13]: The board may take action only by adoption of a resolution duly before it see V.i. pg 13 of proported Governance Manual of 10-14-20

4. Presentation by CorTrust Bank – Prior Permit Application 2020-029

74 Administrator Jeffery introduced David Knaeble, who represents his client CorTrust Bank, which
75 owns the property at 4625 County Road 101, Minnetonka. Administrator Jeffery reminded the
76 Board that CorTrust Bank previously came to the District with a project proposal regarding
77 redoing the bank’s parking lot. He said the Board did not approve the project permit, and Mr.
78 Knaeble has requested to speak in front of the Board about that project on behalf of his client.

79 Mr. Knaeble reviewed the history of the property site, noting the original construction in 1998
80 was above the existing flood plain elevation. He said the site had poor soils, so the building was
81 situated on piles but the surrounding site features including the parking lot were not. He said over
82 the last 25 years the site has settled and now the site is below the flood plain. Mr. Knaeble said
83 the owners want to redo the parking lot, which would require a variance from the District’s
84 floodplain rule. He noted the District did not approve the applicant’s previous variance request
85 from the floodplain rule for the proposed parking lot reconstruction.

86 Mr. Knaeble displayed photographs of the property and the draft project plan. He described the
87 property owner’s proposed project to redo the parking lot, restoring its elevation to its original
88 elevation. Mr. Sobiech summarized the draft plan still lacks the District’s required amount of
89 compensatory storage and that as Mr. Knaeble pointed out, a variance from the District’s
90 floodplain rule would also be required.

91 Manager Koch said he thinks the property owner needs to submit a proposal to the District, as the
92 District can only act on proposals. Manager Koch said once the proposal is received, the District
93 Engineer reviews the application. Manager Koch wondered what is causing the settling on the
94 property and stated he does not think it is a good idea for the District to approve anything that in
95 10 years would be in the same situation. He said he thinks it is incumbent on the owners to review
96 the District’s rules and propose a project that complies with the District’s rule.

97 Manager Crafton said she shares some of Manager Koch’s concerns. She said if the building was
98 built on pilons, it seems the building was built a flood plain. She said she is not sure the building
99 will not keep settling.

100 Manager Koch commented he does not think it is incumbent on the District to do the engineering
101 on the proposed project and instead the permittee needs to submit a proposal for the permit and
102 the appropriate fees for the District’s analysis.

103 Manager Duevel reiterated alignment with Manger Koch and Manager Crafton. He said it seems
104 it is incumbent on the owner of the property to devise a plan and not have the District being the
105 party to propose a fix. He said it seems Manager Koch has outlined the proper procedure for
106 engagement with the District and the District’s review of the proposed plan.

107 Administrator Jeffery asked if the property owner has had discussions with the City of
108 Minnetonka. Mr. Knaeble said right now the City would allow the property owner to reconstruct
109 the project as is without needing additional approvals or entitlements through the City and would
110 just require a construction permit to demo the parking lot, bring in dirt, and reconstruct it at the
111 higher elevation, but to reduce any parking would require an entitlement process through the City
112 and may require additional variances or studies to reduce parking for a building this size, per
113 code.

114 President Ziegler said he is sure Mr. Sobiech looks forward to receiving Mr. Knaeble’s
 115 communication and project proposal.

5. Reading and Approval of Meeting Minutes

116 **a. Approve Minutes of the March 1, 2023, Regular Monthly Meeting of the**
 117 **RPBCWD Board of Managers**

118 Manager Crafton moved to approve the minutes of the March 1, 2023, regular monthly
 119 meeting of the RPBCWD Board of Managers. Manager Pedersen seconded the motion.

120 Manager Crafton noted an edit on page 13, line 311 to remove the word “it.”

121 Manager Koch said in keeping with prior procedure he submitted comments and edits to
 122 Administrator Jeffery. He moved to incorporate his changes into the meeting minutes.
 123 Administrator Jeffery said he posted on the District website the draft minutes with
 124 Manager Koch’s proposed changes. Administrator Jeffery presented Manager Koch’s
 125 proposed changes, and the Board reviewed them.

126 Manager Pedersen accepted Manager Crafton’s edit as a friendly amendment. Manager
 127 Crafton and Manager Pedersen accepted Manager Koch’s edits as friendly amendments.

128 Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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 130 **b. Approve Minutes of the March 16, 2023, Work Session of the RPBCWD**
 131 **Board of Managers**

132 Manager Crafton moved to approve the minutes of the March 16, 2023, work session of
 133 the RPBCWD Board of Managers. Manager Pedersen seconded the motion.

134 Manager Crafton had an edit to line 177 to insert the word “is.” Manager Pedersen
 135 accepted the edit as a friendly amendment. Upon a roll call vote, the motion carried 4-0
 136 with one abstention as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes

Duevel	Yes
Koch	Abstain
Pedersen	Yes
Ziegler	Yes

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6. Committee Report

139 a. **Acceptance of the Citizens Advisory Committee Report and Minutes**
 140 Ms. Bonnie Nelson introduced herself as a new CAC member and a Chanhassen resident.
 141 She noted she recently retired from the MPCA after her 33-year career there as a permit
 142 engineer conducting regulatory technical reviews. She reported the CAC had no formal
 143 motions to bring to the Board and the CAC was not aware of any motions from the Board
 144 to follow up on.

Commented [klf14]: Did we not accept the report?

145 Ms. Nelson said the CAC made a formal decision to not record the CAC meetings unless
 146 the Board decides the CAC should do so for some reason. She said the Board previously
 147 discussed the CAC should collate and track its past motions, and the CAC has begun a
 148 list of its motions. Ms. Nelson said the CAC will discuss at its next meeting the list and a
 149 procedure for bringing past items back to the Board’s attention.

150 Ms. Nelson said regarding the EHAP (Ecosystem/Ecological Health Action Plan), she
 151 and CAC member Mr. Jeffery Weiss are representing the CAC on the panel and are co-
 152 technical advisory members for the CAC and will be attending the meetings. Ms. Nelson
 153 said a few CAC members are trying to develop a Friends of the Watershed Board to have
 154 a sub-group that actively has events going on a regular basis such as field work
 155 opportunities to remove invasive species.

156 b. **Confirm Board Representative for April 17, 2023, CAC Meeting**

157 Manager Crafton volunteered to be the Board representative at the CAC’s April 17th
 158 meeting.

159 c. **Receive Personnel Committee Report and Minutes**

160 Manager Pedersen reported the Committee minutes are attached to the Board packet.
 161 Manager Koch said a best practice is for the Board to receive the minutes. **Manager Koch**
 162 **moved** to accept the Personnel Committee report and the Governance Committee report
 163 without further comment at this time. President Ziegler seconded the motion. Upon a roll
 164 call vote, the motion carried 5-0 as follows:

Commented [klf15]: Per section V.i. Of the bylaws, resolutions are to be drafted and presented in writing by the administrator for consideration by the board. See page 13. Staff is to prepare a resolution for actions taken when there is no written resolution. The format should be an indented paragraph starting with the word “Resolved:...”

<i>Manager</i>	<i>Action</i>
Crafton	Yes

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Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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d. Receive Governance Committee Report and Minutes

[Action taken as part if item 6c – Receive Personnel Committee Report and Minutes].

e. Receive Audit and Finance Committee Report

Manager Duevel reported the Committee is continuing work to evaluate how to set up incorporating electronic signatures to pay checks for the District, work to evaluate payment of monthly per diems and to consider payment of per diems so the recipients receive them on 1099s rather than as employees of the District, and continuing to work on making some changes to Table 2, and continuing to work with Barr Engineering to incorporate their billing coding on projects so they can be tracked directly to the projects.

President Ziegler moved to accept the verbal report by the Audit and Finance Committee as provided by Manager Duevel. Manager Pedersen seconded the motion. Upon a roll call vote, the motion carried 5-0.

Commented [k1f16]: Committees are to prepare minutes of votes and written reports. See IV. On page 10 of the Governance Manual.

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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Manager Crafton said the Audit and Finance Committee would really like to be able to start meeting in person, including meeting in person with the auditors and accountants. She said she brings this to the Board’s attention for future discussion.

6. Consent Agenda

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President Ziegler listed the items remaining on the Consent Agenda, including 7a – Adopt Resolution 23-024 to Approve Consent Agenda; 7j – Adopt Resolution 23-031 Authorizing

187 Staff to Notice the Special Meeting of the Board of Managers on June 1, 2023, at 4:00 p.m.
 188 for Duck Lake Bridge Ribbon Cutting Ceremony; 7k – Adopt Resolution 23-032 in Support
 189 of a Minnesota GreenCorps Member for the 2023-2023 Program Year and 7l – Adopt
 190 Resolution 23-033 Authorizing the Release of Retainage to Minger Construction for St.
 191 Hubert Project.

192 Manager Pedersen moved to accept the Consent Agenda as amended. Manager Duevel
 193 seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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7. Action Items

197 a. Items Pulled from Consent Agenda

198 i. Staff Report

199 Manager Koch asked to see the examples of reports shown by Redpath to the
 200 Audit and Finance Committee so he can provide his comments. Manager Koch
 201 asked for an explanation of watershed-based implementation funding.

202 Administrator Jeffery said it is part of the “One Watershed One Plan” initiative
 203 and funds are allocated based on watershed boundaries and those funds are to
 204 be spent in ways agreed upon by, in the District’s case, the two counties and the
 205 communities involved.

206 Manager Koch asked for an update on the status of applicants for the District’s
 207 assistant position and if the agreement with the Nine Mile Creek Watershed
 208 District has been finalized. Administrator Jeffery said the District has received
 209 at least nine complete applications.

210 Manager Koch reiterated his idea that permittees could submit photos of
 211 construction projects instead of staff conducting regular in-person site
 212 inspections. Administrator Jeffery said the City of Eden Prairie has a self-
 213 reporting inspection program and he wants to meet with the City to learn more
 214 about it. He said another way to realize some efficiencies with site inspections
 215 is for the District to coordinate with other stakeholders, such as the counties,

216 regarding their inspections, for example with the Avienda project in
217 Chanhassen. Manager Koch asked for a copy of Mr. Nicklay's grading system
218 and asked if it could be part of the permitting report. Administrator Jeffery said
219 staff will bring the grading system back to the Board.

220 Manager Koch said regarding the topic of winter fish kills, does the District
221 have aeration on any lakes or does the District need to add aeration?
222 Administrator Jeffery said the District has aeration on Rice Marsh Lake and the
223 City of Eden Prairie has aeration on Round Lake. He said the District could
224 look into benefits of additional aeration but right now the carp populations are
225 under control.

Commented [klf17]: Follow-up needed

226 Manager Koch asked if the District has a cost-share database. Administrator
227 Jeffery said the database exists and it still needs to be fully populated and Staff
228 Forbes will be working on that project. He explained the data can be retrieved
229 but the older grants are not yet populated in the database.

Commented [klf18]: follow-up needed

230 Manager Koch asked Staff Forbes to provide him with the two-page summary
231 of the grant program, when the summary is ready.

Commented [klf19]: follow-up needed

232 Manager Koch asked if, regarding education and outreach, staff track who
233 contacts the District for what and if so, he thinks it would be interesting from
234 time to time to get a report on who is contacting the District and for what.

Commented [klf110]: follow-up needed

235 Manager Koch said he is interested in seeing the Score your Shore graphic.

Commented [klf111]: follow-up needed

236 Manager Koch said he did not see any news or information about the District in
237 the City of Chanhassen's latest quarterly publication. He said he thinks it would
238 be good for the District to get something in each of the quarterly publications
239 and he would like to see the District's education and outreach get that done for
240 publications in all of the cities in the District. He said that way people will
241 know about the District's information and will not have any excuses.

Commented [klf112]: need a plan to place information in all local publications

242 President Ziegler said he would like to call the question because this discussion
243 provides good information but there needs to be a better way to communicate
244 and this report is a lot for anybody to sit through. He said there are a lot of
245 agenda items remaining for the Board to go through and he would like to call
246 the question for accepting the March staff report.

Commented [klf113]: manager Ziegler was out of order; cannot interrupt a speaker when they have the floor. Except for point of order; calling the question is out of order.

247 Manager Koch said he believes he had the floor and calling the question is to
248 cut off debate and the Board is not debating anything. President Ziegler asked
249 what the Board is doing. Manager Koch said the Board is getting the
250 information from the staff report. President Ziegler responded it looks like
251 Manager Koch is getting information from the staff report and it is good
252 information and maybe the Board needs to know all of it, but President Ziegler
253 is calling the question.

254 Manager Koch suggested people go take a break and have a coffee, latte, iced
255 tea, etcetera and there may be no constituents out there but this information
256 goes on the record and he thinks this is information to know to do the job
257 correctly. President Ziegler called the question. Manager Koch said he has the

258 floor. President Ziegler said he called the question so Manager Koch does not
259 have the floor. President Ziegler asked Mr. Smith about the process of calling
260 the question. Mr. Smith responded the action would be for a Board member to
261 move to close the discussion of the staff report and call for a vote. He noted he
262 does not think there is a motion on the floor to accept the staff report.

263 President Ziegler moved to close the discussion on the staff report. Manager
264 Crafton seconded the motion.

265 Manager Koch said he wants all of the constituents out there to know that
266 apparently the other managers do not want to take the time to obtain the
267 information regarding what the staff has done and the details since it is not
268 detailed enough and he really cannot expect it to be way more detailed but
269 maybe that is what it should be because he thinks he deserves to know that
270 information and so do the constituents. He said he knows it does not do any of
271 the constituents any good on that basis. Manager Koch said if that is how other
272 managers want to do their duties and if other managers think that is doing their
273 duties, the managers can vote the way they want. He said that is not what he
274 thinks is expected of Nine Mile Creek Watershed District managers in this case
275 especially given the amount of information provided in the staff report, which is
276 good, but unfortunately does not have the specific detail. Manager Koch said if
277 the Board wants to authorize him and pay him outside of the meeting to contact
278 Mr. Jeffery or whomever and get the answers and he would be happy to post the
279 answers on a blog, if that is the case, but this is his opportunity to get this
280 information and for the constituents to get this information.

281 Upon a roll call vote, the motion to close discussion carried 3-1 with one
282 absence as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Absent
Koch	No
Pedersen	Yes
Ziegler	Yes

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285 Manager Pedersen moved to accept the staff report. Manager Crafton seconded
286 the motion.

287 Manager Koch repeated his comment that he thinks it is within the interest of
288 constituents to go through this information. He said if the other managers
289 decide they are not interested in that information, he guesses that is the other

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managers’ decision, but that is certainly not the way he intends to operate on behalf of the District’s constituents.

Manager Duevel commented the staff report is 13 pages of detail and while he is not critiquing Manager Koch’s additional questions, the Board is getting a tremendous amount of detail on all the activities of the staff.

Upon a roll call vote, the motion to accept the staff report carried 4-1 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

Commented [klf114]: A subjective, not objective comments; not responsive to my comments

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ii. Engineer Report

Manager Pedersen moved to accept the Engineer’s Report. Manager Crafton seconded the motion.

Manager Koch asked if this would be the time for those who do not want to listen to take a break. President Ziegler stated he thinks all the managers are interested but the managers have received the reports and some managers want more detail than is included in the reports and now is the time. Manager Koch said apparently not since President Ziegler arbitrarily moved to cut off discussion. President Ziegler responded he made that motion after 10-plus minutes although he did not time the discussion | Manager Koch said there are rules and he suggested President Ziegler look at the rules for handling these types of situations but it is not Manager Koch’s job to educate President Ziegler.

Manager Koch voiced his questions, comments, and report format requests to Engineer Sobiech, including Manager Koch comments to:

- Reiterate his comment that he is not in favor of any further alum treatments on Lotus Lake until the District has done further research to determine the impact of wake boats on the past alum treatment;
- Ask for more details about the CIP project status matrix;

- 319 • Raise his concern about having both Mr. Smith and Mr. Welch at Board
- 320 of Managers meeting planning instead of just one of them;
- 321 • Share report formatting suggestions that would make it easier for him to
- 322 read the report, by after the heading noting “submitted to the Board;”
- 323 • Ask for more details about the report item G on page 3 regarding
- 324 potential flood mitigation and the replacement of an 18-inch culvert
- 325 with a 42-inch culvert and the report’s statement that the change will
- 326 not materially increase discharges at the site boundary; and,
- 327 • Ask Mr. Sobiech to format his report topics in chronological order.

Commented [klf116]: The form of the report on manager Cook's questions are not of the same format as prior reporting on activities that the meeting

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329 Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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332 **iii. Accept March Regulatory Program Report**

333 Manager Koch asked if staff could generate reports based off the District’s
334 regulatory program database. Administrator Jeffery said yes.

335 Manager Koch said he did information in the report about two of the permitting
336 issues on Lotus Lake, including the one on the west side of the lake that did not
337 get a permit for landscaping. He said regarding the matter of the after-the-fact
338 permit application on the southeast side regarding rip rap and that was
339 administratively approved, he would like to see the documentation on that
340 permit. Administrator Jeffery stated that after-the-fact permit came to the Board
341 for approval almost a year ago. Manager Koch asked to see the file on that
342 permit.

Commented [klf117]: needs follow-up

Commented [klf118]: follow-up needed him

343 Administrator Jeffery said the other property Manager Koch mentioned is 7636
344 Southshore Drive. Mr. Jeffery reported the property owner received the notice
345 of probable violation and to-date the application for the after-the-fact permit is
346 not a complete application.

Commented [klf119]: follow-up needed

347 Manager Pedersen moved to accept the March Regulatory Program Report.
 348 Manager Duevel seconded the motion. Upon a roll call vote, the motion carried
 349 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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352 **iv. Approve Permit #2022-068 KIWATCHI Development as Presented**
 353 **in the Proposed Board Action Section of the Permit Review Report**

354 President Ziegler moved to approve Permit #2022-068 KIWATCHI
 355 Development as Presented in the Proposed Board Action Section of the Permit
 356 Review Report. Manager Pedersen seconded the motion.

357 Manager Koch requested a format change and asked for a one-liner at the
 358 beginning of each report saying “for the reasons stated below the Engineer is
 359 recommending” and then for the report to list the recommendations and
 360 conditions. He said he pulled this item from the Consent Agenda because of the
 361 language. He asked Engineer Sobiech for clarification about the language in
 362 paragraph 3 on page 10 stating “receipt and recordation a maintenance
 363 declaration for the operation.” Engineer Sobiech explained the language intends
 364 to say the permittee needs to provide proof of recordation. Manager Koch said
 365 his preferred language is “must submit a maintenance agreement acceptable to
 366 the District.” He said 45 days seems a long time to provide for the applicant to
 367 submit the fees and asked if the District’s rules provide 45 days because he
 368 thinks 30 days is sufficient and the District may want to look at its rules about
 369 the fee submittal. Mr. Sobiech said on page 8, item L of this permit there is a
 370 statement regarding submission of the permit fee within 30 days of receiving
 371 notice. Manager Koch asked if the permit’s reference to 45 days should be
 372 revised to 30 days and said Mr. Sobiech can look into it to make sure the
 373 District is consistent.

Commented [klf120]: follow-up needed

Commented [klf121]: follow-up needed

374 Upon a roll call vote, the motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
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Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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v. **Approve Permit #2022-077 Dunibar Court Development as Presented in the Proposed Board Action Section of the Permit Review Report.**

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Manager Pedersen moved to Approve Permit #2022-077 Dunibar Court Development as Presented in the Proposed Board Action Section of the Permit Review Report. Manager Duevel seconded the motion.

Commented [klf122]: need to stick to the format of adopting the proposed resolutions in the report as they may be amended

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Manager Koch asked for some semblance of standardization in the language that goes into the general requirements and recommendations. He asked if the District works off of templates and if not, he would like to see the District consider doing so because it will make the documents easier and faster for him to review. Manager Koch said he has the same question regarding language on page 11 item 3 for this permit as he had about Permit #2022-068.

Commented [klf123]: needs follow-up

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Manager Koch moved to amend the motion to adopt the resolutions pertaining to Permit #2022-077 as set forth in the Engineer's Report for Permit #2022-077. Manager Pedersen and Manager Duevel accepted Manager Koch's friendly amendment.

Commented [klf124]: need to set forth the amendment-there is no such thing as a friendly amendment-resolutions and their amendment need to be set forth in the text or attached as an exhibit. Pursuant to item V. I. "Each resolution passed by the Board will be signed by the secretary and filed in the official minutes and records of the District maintained at the district office."

393

Upon a roll call vote, the motion carried 5-0 as follows:

394

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

Recommend that a word version of the document be put up on the screen and that changes to the document be made in word using redlining feature. Board votes on the revised resolution

395

396

vi. **Approve Permit #2022-079 CSAH 4 Culvert**

397 Manager Pedersen moved to approve Permit #2022-079. Manager Duevel
 398 seconded the motion.

399 Manager Koch commented about page 5, item 2, recommending changing the
 400 language to “the applicant must enter into a maintenance agreement and
 401 inspection plan with the RPBCWD” and he recommended striking the second
 402 sentence because it is unnecessary.

403 Engineer Sobiech clarified the meaning of the language as originally presented.
 404 Manager Koch said the language can remain as presented but he thinks his
 405 suggested language is simpler.

Commented [klf125]: needs follow-up

406 Manager Koch moved to amend the motion to adopt the proposed resolutions
 407 set forth in the report provided to the Board and to update the Permit number to
 408 #2202-079. Manager Duevel noted the resolution already reflects the correct
 409 permit number #2022-079.

410 Manager Pedersen and Manager Duevel accepted the friendly amendment to
 411 adopt the proposed resolution approving Permit #2022-079. Upon a roll call
 412 vote, the motion carried 5-0 as follows:

413

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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416 **vii. Approve Permit #2023-005 Sunnybrook Road Culvert Replacement**
 417 **Project as Presented in the Proposed Board Action Section of the**
 418 **Permit Review Report.**

419 Manager Pedersen moved to adopt Permit #2023-005. Manager Duevel
 420 seconded the motion. President Ziegler clarified that the motion is to adopt the
 421 Resolution in the Board Action Section of the Permit Review Report in the
 422 Board packet to Approve Permit #2023-005 Sunnybrook Road Culvert
 423 Replacement Project. Manager Pedersen and Manager Duevel agreed that is the
 424 motion.

425 Manager Koch asked about the language on page 8, item 4 referencing
 426 programmatic maintenance agreement covering city projects and said he was
 427 not aware the District had some type of generic maintenance agreement dealing

428 with these projects. Administrator Jeffery said the District entered into a
 429 programmatic agreement with the City of Eden Prairie in 2016.

430 Upon a roll call vote, the motion carried 5-0 as follows:

431

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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433 **viii. Adopt Resolution 23-025 Accepting Personnel Committee’s**
 434 **Recommendation to Approve the Administrator Work Plan as**
 435 **Amended by the Personnel Committee**

436 Manager Koch moved to lay over consideration of Resolution 23-025 until the
 437 next Board meeting as the managers received the information late and he has
 438 not had sufficient time to review and comment on the plan. The motion died
 439 due to lack of a second.

440 Manager Pedersen moved to adopt Resolution 23-025 Accepting the Personnel
 441 Committee’s Recommendation to Approve the Administrator Work Plan as
 442 Amended by the Personnel Committee. Manager Crafton seconded the motion.

443 Manager Koch repeated his comment that he has not had sufficient time to
 444 review the workplan and there is no immediacy to adopt this plan and in his
 445 view it is inappropriate to consider and approve this work plan given the short
 446 notice and lack of time to properly review the work plan.

447 Upon a roll call vote, the motion carried 4-1 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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ix. Adopt Resolution 23-034 Authorizing Distribution of 2022 Annual Report

Manager Koch moved to lay over this item until the next meeting because he has requested to see comments made by the other managers and he has not received those and until he has seen those comments it is not appropriate to pass this annual report other than to reiterate the comments he made. The motion died due to lack of a second.

Manager Pedersen moved to adopt Resolution 23-034 Authorizing Distribution of the 2022 Annual Report. Manager Crafton seconded the motion. Manager Pedersen commented there is a time deadline on submitting and distributing the annual report.

Manager Koch asked if the other managers have read Manager Koch's comments, which Administrator Jeffery forwarded. No managers responded. Manager Koch said he assumes the other managers have not read his comments. Manager Koch said the annual report does not comply with the Minnesota Board of Water and Soil Resources rules and regulations and does not include an adequate discussion of permit violations. Manager Koch said he believes it is inappropriate to include an allegation that lands were stolen from Native Americans. He said he thinks it is inappropriate to interject into the report political issues that do not involve the watershed district. He said he does not believe it is appropriate for the Administrator to comment on the annual report and instead it is more appropriate for the Board President to comment or for the President and Administrator to provide a joint statement.

Manager Koch said he was not aware staff has the authority or rights to determine what goes into or does not go into the annual report and he thinks that authority is outside the scope of the staff's authority and instead it is up to the Board of Managers to decide what goes in and what does not go into the annual report.

Manager Koch stated again that he has not received the comments on the annual report that the other managers provided. He stated this is a breach of the Data Practices Act.

Manager Koch said that for anybody to make decisions without having the appropriate information is, he believes, a malfeasance and misfeasance under the statutes pertaining to the ability to hold the position of manager.

Manager Koch moved to amend the motion to lay over the approval of the annual report until he has received all the other managers' comments. The motion died due to lack of a second.

Upon a roll call vote, the motion to adopt Resolution 23-034 Authorizing Distribution of the 2022 Annual Report carried 4-1 as follows:

Commented [klf126]: needs follow-up-breach of Minnesota data practices act

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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Manager Koch said as a point of order he asks that before speaking people ask for the floor.

b. Accept February Treasurer’s Report

Manager Crafton moved to accept the February Treasurer’s Report. Manager Pedersen seconded the motion.

Manager Koch asked what the payment to Carver County was for. Administrator Jeffery said the payment was for AIS inspections.

Manager Koch said he reiterates his request to receive a copy of a Barr Engineering invoice and a Smith Partners invoice.

Commented [klf127]: needs follow-up

Manager Koch asked why the report reflects a negative balance at U.S. Bank and asked the Audit and Finance Committee to look into this with the accountant because it should not be a negative balance.

Commented [klf128]: needs follow-up

Manager Koch asked what inputs comprise unearned revenue. Administrator Jeffery said unearned revenue is monies the District has received or will receive that have not been spent yet.

Commented [klf129]: need a breakdown

Manager Koch suggested the District get software that allows for commenting on and marking up documents, such as the annual report, to make commenting a more efficient process.

Commented [klf130]: needs follow-up software to allow for commenting on the and no report

Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes

Ziegler	Yes
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c. Adopt Resolution 23-026 to Approve Paying of the Bills

Manager Crafton moved to Adopt Resolution 23-026 to Approve Paying of the Bills. Manager Pedersen seconded the motion. Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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d. Adopt Resolution 23-027 Authorizing the President to Enter into an Agreement with Smith Partners, PLLP to Provide Legal Services to the District until 12/31/2023

Manager Koch moved to lay over this item because he has changes he would like to pass by Legal Counsel regarding the agreement and it seems the agreement does not go into effect until next year. President Ziegler asked if there is a timeline for this agreement. Mr. Smith said it is for 2023 services.

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Manager Koch revised his motion to lay this item over because of issues with the agreement that he wants to go through with Legal Counsel and because based on the information provided to him, the solicitation of proposals for legal services was totally inadequate and inadequately distributed to law firms to the point that it would appear that it was done in a manner where there would be no competition to provide legal services and so he would like to lay this over until there is an adequate solicitation of proposals. **The motion died due to lack of a second.**

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Manager Pedersen moved to Adopt Resolution 23-027 Authorizing the President to Enter into an Agreement with Smith Partners, PLLP to Provide Legal Services to the District until 12/31/23. Manager Crafton seconded the motion.

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Manager Koch repeated his request to follow Roberts Rules of Order to be recognized by the President before speaking, noting that applies to motions and seconds. Manager Koch repeated his previous opinion about why the resolution should not be passed, including there are issues with the agreement and there was inadequate solicitation of

540 proposals regarding filling this position based on the information or lack thereof
 541 provided by the Administrator. Upon a roll call vote, the motion carried 4-1 as follows:

542

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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544 **e. Adopt Resolution 23-028 Authorizing the Administrator to Enter into**
 545 **Agreement with Barr Engineering to Act as the District Engineer and**
 546 **Provide Engineering Services to the District Until 12/31/2025**

547 Manager Pedersen moved to Adopt Resolution 23-028 Authorizing the Administrator to
 548 Enter into Agreement with Barr Engineering to Act as the District Engineer and Provide
 549 Engineering Services to the District Until 12/31/2025. Manger Crafton seconded the
 550 motion.

551 Manager Koch said there was no agreement attached to the motion. Manager Crafton
 552 and Manager Pedersen said it was attached to the materials they received. Manager
 553 Crafton said she reviewed all the pages of the agreement. Manager Koch moved to
 554 amend the motion to lay this item over until the next meeting so he has time to review
 555 the agreement. Administrator Jeffery noted the agreement would not go into effect until
 556 August 1. **The motion to amend died due to lack of a second.**

557 Upon a roll call vote, the motion carried 4-1 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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Commented [klf131]: need to know when the agreement was added to the materials online and when, if ever, notice of the addition of the documents was provided to the managers?

560 **f. Adopt Resolution 23-029 Authorizing Administrator to Enter into**
 561 **Agreements with PLM and Midwest AquaCare to Provide Aquatic**
 562 **Vegetation Management**

563 Manager Crafton moved to adopt Resolution 23-029 Authorizing the Administrator to
 564 Enter into Agreements with PLM and Midwest AquaCare to Provide 2023 Aquatic
 565 Vegetation Management. Manager Pedersen seconded the motion. Upon a roll call vote,
 566 the motion carried 4-1 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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 569 **g. Adopt Resolution 23-030 Authorizing the Administrator to Enter into a**
 570 **Cost-Share Agreement with The Preserve Association for a Habitat**
 571 **Restoration Project**

572 Manager Pedersen moved to adopt Resolution 23-030 Authorizing the Administrator to
 573 Enter into a Cost-Share Agreement with The Preserve Association for a Habitat
 574 Restoration Project. Manager Crafton seconded the motion.

575 Manager Koch said he thinks the same result could be accomplished in a less expensive
 576 way. He said he is concerned about a lack of ability to adequately maintain the plants,
 577 and he said the project should include a sign denoting the District's significant
 578 contribution to the project. Manager Koch said he thinks the Board should not approve
 579 this project as proposed. He said he is not sure why the members of the association are
 580 not contributing more to the project.

581 Manager Koch asked about the agreement with the Association. He said he thinks the
 582 District needs to require a maintenance agreement with the Association and that
 583 agreement would include the District's right to recoup its money should the Association
 584 fail to maintain the project as required. Ms. Forbes said the District has a draft standard
 585 grant agreement for this grant and it includes the maintenance agreement and she
 586 apologized for not including the agreement in the Board meeting packet.

587 Manager Pedersen said she thinks this is a good project and she stands behind it.
 588 Manager Crafton concurred.

589 Manager Koch said he questions the District investing in something that is such a short-
 590 lived proposition. He said he thinks this whole thing needs to be looked at to make sure

Commented [k1f132]: Agreements for grants needs to be included in the board packet; how can you go for something when you do not know what the agreement says?

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the District is being explicit enough in the requirements. He said he has his doubts about these types of grants because the District ends up doing landscaping for people and the projects do not last. Upon a roll call vote, the motion carried 4-1 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	No
Pedersen	Yes
Ziegler	Yes

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8. Discussion Items

597 **a. Covid Pandemic and District Meetings**
598 President Ziegler noted U.S. President Biden has signed paperwork declaring the Covid
599 pandemic officially over. President Ziegler asked Mr. Smith for comments and direction
600 for the District regarding its meetings.

601 Mr. Smith said while the declaration by the Federal Government about the pandemic is
602 informative, the District is not bound by a national assessment of pandemic conditions.
603 He said if the District as a local unit of government has a basis for being concerned
604 about the pandemic, the District can continue to conduct remote meetings. He said most
605 of the local governmental units that he is aware of are conducting in person meetings,
606 but it is the Board's assessment of local conditions to determine whether to continue to
607 meet remotely or not.

608 President Ziegler said he thinks any District meetings after May 1 should be in person.
609 Manager Duevel asked if Administrator Jeffery has gathered information or investigated
610 technology to facilitate hybrid meetings.

611 Administrator Jeffery responded he has not received quotes for a full audio-visual
612 system but has looked into products and those costs range from \$3,500 to \$50,000-plus.
613 He said live streaming meetings is no problem but it gets more complicated to
614 accommodate having some managers participating in the meeting remotely. Mr. Smith
615 said some local government units are looking at situations in which a manager is out of
616 town or has another reason to participate remotely. He reported the Open Meeting Law
617 does provide for that situation subject to the requirements that at least one Board
618 member must be participating from the organization's meeting location, all managers
619 need to be able to see and hear each other, and any Board members not meeting in the
620 organization's public meeting location need to be at a place that is noticed, including
621 address, and publicly accessible.

622 Manager Koch said he thinks District meetings should remain remote. He asked if the
623 ventilation system at the District's meeting location is HIPAA compliant and if not,
624 when will it be.

Commented [klf133]: Needs follow-up

625 Mr. Smith said the pandemic provision of the Open Meeting Law says the presiding
626 officer, chief legal officer, or chief administrative officer of the governing body can
627 determine an in-person meeting is not practical or prudent because of a health pandemic
628 or an emergency has been declared under state of emergency law. He said if the
629 District's Board President, Administrator, or chief legal officer believes pandemic
630 conditions still exist that make meeting in person not practical or prudent, then the
631 governing body would make those findings in a declaration and that is the basis for
632 holding remote meetings.

Commented [klf134]: no reference to the declaration is to if the pandemic conditions continued

633 Mr. Smith said the Board can continue to assess what the pandemic conditions look like
634 and determine whether it is practical or prudent to hold in-person meetings. He said as
635 far as when there is not a pandemic situation, the Open Meeting Law allows for remote
636 participation in a non-public setting for three times if the member of the governing body
637 is either in active military duty service or there is a pandemic health emergency declared

638 and the member has a letter from a healthcare professional stating the member has been
 639 advised by a healthcare professional against being in a public place for personal or
 640 family medical reasons and this clause only applies when a state of emergency has been
 641 declared under Minnesota Statutes Section 12.31 and expires 60 days after the removal
 642 of the state of emergency. Mr. Smith said he believes Governor Walz lifted the state of
 643 emergency some time ago, so he does not believe the provision would still be available
 644 as a basis.

645 Manager Duevel made a general comment about the state of the technology and how the
 646 pandemic outlined some technology benefits. He also noted the difficulties the Audit
 647 and Finance Committee have by not being able to meet in person to work on operational
 648 issues, so he thinks it would be a great thing for the watershed to be able to meet in
 649 person, and he thinks it would be good to figure out how to accommodate hybrid
 650 meetings.

651 Mr. Smith stated Smith Partners drafted for one client a resolution that was a declaration
 652 about the pandemic and made it clear that for some members of the body there was a
 653 heightened level of concern about exposure to the pandemic and while others were
 654 comfortable meeting in person it was not practical and prudent for all members to meet
 655 in person. Mr. Smith said given the existence of the pandemic generally, there was a
 656 basis under the pandemic provision to allow some members to participate remotely. He
 657 said he thinks that provision might be on the edges of what he thinks the State
 658 Department of Administration might be comfortable with but Smith Partners has seen a
 659 legal basis for it.

660 President Ziegler moved to direct Mr. Smith to look into more details regarding the law
 661 and if there is a way for the District to meet in hybrid format, meaning allowing for
 662 some of the managers to participate remotely. Manager Koch seconded the motion with
 663 the friendly amendment to direct Administrator Jeffery to look into the condition of the
 664 District's HVAC system and the cost to bring the system to meet HIPPA and OSHA
 665 requirements.

666 Administrator Jeffery asked for clarification on what the Board wants in terms of the
 667 meeting technology capabilities. Manager Koch made the friendly amendment to direct
 668 Administrator Jeffery bring a memorandum back to the Board regarding the meeting
 669 technology options, including how people can participate and costs. President Ziegler
 670 accepted Manager Koch's friendly amendment. Upon a roll call vote, the motion carried
 671 5-0 as follows:

Manager	Action
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes

Commented [klf135]: motion was to look into, not draft declaration is not provided until later in no notice to the managers of the change in the documents posted to the website. Notice must be given to the managers of any changes to the documentation posted on the website. After they have been notified that the board package has been posted to the website.

Commented [klf136]: Not received or provided until the workshop.

Ziegler	Yes
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President Ziegler said it is important for Administrator Jeffery to get that information as soon as possible. The Board agreed by consensus to hold the Board's May regular meeting as a remote meeting and to discuss the topic at the May workshop. Mr. Smith noted the District will want to determine an approach that will cover Board meetings and committee meetings in a consistent way.

Commented [klf137]: Needs follow-up.

b. Manager Koch's Grievance with Administrator Jeffery

Manager Koch asked if Administrator Jeffery wants to go into closed session. Administrator Jeffery said he does not. Manager Koch said in his opinion Administrator Jeffery has three times engaged in unprofessional emails, with the latest being sending an email in response to Manager Koch's request about a questionnaire on the annual report, stating the questionnaire was created internally in response to indefatigable critique, obviously, in Manager Koch's opinion, aimed at him. Manager Koch said he believes on that basis that three times is enough and Mr. Jeffery has continued, apparently, not to understand what it is to be professional.

Manager Koch stated he offered Mr. Jeffery an opportunity to rethink his email and got no response. Manager Koch said he takes it that Mr. Jeffery did not rethink his email. Manager Koch said on that basis he believes Mr. Jeffery should be removed as District Administrator as well as for reasons he has said previously regarding Manager Koch's multiple requests for information under the Minnesota Data Practices Act, which Mr. Jeffery has not responded to in a timely manner as required under the Minnesota Data Practices Act, and because Mr. Jeffery has been in violation of the Open Meeting Law on a continuous basis by not having materials available to participants in the meeting for their review during the meeting. Manager Koch moved to remove Terry Jeffery as the District's Administrator. **The motion died due to lack of a second.**

c. Closed Session to Discuss the Potential for Acquisition of Property Located at 9955 and 9875 Spring Road, Eden Prairie, MN [PID 281162232005]

Mr. Smith said he defers to Mr. Jeffery on the status of his report and if Mr. Jeffery has a report, then it would be appropriate for the Board to go into closed session for the purpose of developing a potential offer for the potential acquisition of property located at 9955 and 9875 Spring Road, Eden Prairie, MN, property ID 281162232005. Manager Pedersen moved for the Board of Managers to go into closed session to discuss the potential acquisition of property located at 9955 and 9875 Spring Road, Eden Prairie. Manager Crafton seconded the motion. Manager Koch moved to amend the motion to include the specific recitation by Mr. Smith regarding the purpose of the motion. Manager Pedersen and Manager Crafton accepted Manager Koch's friendly amendment. Upon a roll call vote, the motion carried 5-0 as follows:

Commented [klf138]: The purpose recited by Mr. Smith must be set forth; the motion is finally adopted needs to be set forth in its entirety

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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The Board moved into closed session at 10:39 p.m.

The Board came out of closed session regarding the potential acquisition of 9955 and 9875 Spring Road, Eden Prairie, MN, property ID 281162232005 and reconvened the public regular monthly Board meeting at 11:15 p.m.

Manager Koch moved to continue this meeting to 6:00 p.m. on April 20. Upon a roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Koch	Yes
Pedersen	Yes
Ziegler	Yes

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At 11:16 p.m. the meeting was continued to April 20th.

9. Manager Reports

724 [Item continued to the April 20th Board meeting continuation.]

10. Administrator Reports

725 [Item continued to the April 20th Board meeting continuation.]
726

11. Legal Counsel Reports

Commented [k1f139]: should set forth that the board came out of closed session and

727 [Item continued to the April 20th Board meeting continuation.]

728

12. Upcoming Board Topics

729 [Item continued to the April 20th Board meeting continuation.]

730

13. Upcoming Events

731 [Item continued to the April 20th Board meeting continuation.]

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- Turf Maintenance Workshop – April 13, 2023

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- RPBCWD Board Workshop – April 20, 2023

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- Cedar Ridge Elementary Science Night – April 20, 2023

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- Eden Prairie Eco Expo – April 22, 2023

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- Resilient Shoreline Workshop with NMCWD, Eden Prairie and Blue Thumb – April 26, 2023

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- Arbor Day Walk and Green Fair with Eden Prairie, NMCWD, and LMRWD

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14. Adjournment

741 [Item continued to the April 20th Board meeting continuation.]

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Respectfully submitted,

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Dorothy Pedersen, Secretary