

Riley-Purgatory-Bluff Creek Watershed District

Board of Managers Regular Meeting
Wednesday, January 8, 2020, 7:00pm

Workshop Beginning at 5:30pm

RPBCWD DISTRICT OFFICE

18681 Lake Drive East

Chanhasen

Agenda

- | | |
|---|--------------------|
| 1. Call to Order | Action |
| 2. Approval of the Agenda | Action |
| 3. 5:30pm Governance Workshop and Water Quality Report | Information |
| 4. Matters of general public interest | Information |

Welcome to the Board Meeting. Anyone may address the Board on any matter of interest in the watershed. Speakers will be acknowledged by the President; please come to the podium, state your name and address for the record. Please limit your comments to no more than three minutes. Additional comments may be submitted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on a future agenda.

- | | |
|---|---------------|
| 5. Reading and approval of minutes | Action |
| a. Board of Manager Meeting, November 6, 2019 | |
| 6. Organizational Actions | |
| a. Election of Officers | |
| i. President | |
| ii. Vice President | |
| iii. Treasurer | |
| iv. Secretary | |
| b. Designation of Official Publication | |
| c. Appointment of the Technical Advisory Committee | |
| d. Designation of Bank | |
| e. Designation of Investment Bank | |
| f. Designation of Depository for Permit and Financial Assurance | |
| g. 2020 Calendar of Meetings | |
| 7. Citizen Advisory Committee | Action |
| a. Report | |
| b. Motion | |
| c. Application updates | |

8. Consent Agenda

(The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Any manager may remove an item from the consent agenda for action.)

- a. Accept December Staff Report
- b. Accept December Engineer's Report (with attached Inspection Report)
- c. Approve Task Order 29A – Feasibility study for Middle Riley Creek Stabilization through Bearpath
- d. Approve Task Order 30A – Feasibility study for Pioneer Wetland Restoration
- e. Approve Lake Susan Park Pond Reuse and Water Quality Project- Final payment application
- f. Approve Bluff Creek Tributary Restoration- Payment application #2
- g. Approve Purgatory Creek Conservation Area Improvement for \$13,500 without Add-on Service

9. Action Items

Action

- a. Pulled consent items
- b. Accept November Treasurer's Report
- c. Approve Paying of the Bills
- d. Appointment of the Citizen Advisory Committee
- e. Solicit applications for Administrative Assistant and Communication Manager
- f. Release Public Notice for Public Hearing for Ordering of Saint Hubert.
- g. Groundwater Program - fund allocation
- h. Approve Fund Transfers
- i. Review of permitting fees
- j. Adopt updated Governance Manual
- k. IT/IT consultant (LK)
- l. Personnel/Personnel Consultant (LK)
- m. Accounting/accounting clerk (LK)
- n. Credit Cards (LK)
- o. Investment of funds (LK)
- p. Journal of votes (LK)
- q. Shoreline and erosion (LK)
- r. Meet and Greet City Officials 2020 (LK)
- s. Permit variance resolution (LK)
- t. Form of resolutions approving permit application (LK)
- u. Internal calendar (LK)
- v. Multi-year project report (LK)

10. Discussion Items

Information

- a. Manager Report
 - i. Personnel Committee
 - ii. Other matters
- b. Administrator Report
- c. Communication and Community Engagement Manager
- d. Other

11. Upcoming Board Topics

- a. Water Quality Report
- b. PID #25 0360010 (No Physical Address), City of Chanhassen, Highway 101 Right of Way, City Request for Parcel Exchange
- c. Order Silver Lake Water Quality at Pleasant View Drive (On hold)

12. Upcoming Events

Information

- Citizen Advisory Committee Meeting, January 27, 2019, 6:00pm, 18681 Lake Drive East, Chanhassen
- Board of Managers Meeting, February 8, 2020. 7pm, 18681 Lake Drive E, Chanhassen
- Personnel Committee Meeting, January 17, 2020. 3pm. 18681 Lake Drive East, Chanhassen

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

December 11, 2019, RPBCWD Board of Managers Monthly Meeting

PRESENT:

Managers: Jill Crafton, Treasurer

Larry Koch

Dorothy Pedersen, Vice President

Dick Ward, President

David Ziegler, Secretary

Staff: Claire Bleser, RPBCWD Administrator

Chuck Holtman, Attorney, Smith Partners

Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: John Bender, Westwood Professional Services Patrick Sejkora, Eden Prairie Water Resources

Dan Blake, West Bay Homes

Leslie Stovring, Water Resources Coordinator

Rod Rue, Eden Prairie City Engineer

Lori Tritz, CAC Chair

1. Call to Order

1 President Ward called to order the Wednesday, December 11, 2019, Board of Managers Monthly Meeting at 7:00
2 p.m. at the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Approval of Agenda

3 President Ward announced that item 7c – Approve land exchange for Carver County Highway 101 right of way –
4 is pulled from the Consent Agenda and will be added to the agenda as item 12 and will be handled in closed
5 session because it pertains to land. Manager Crafton said she has a point of discussion to add to the agenda.
6 President Ward noted she can raise the topic as part of agenda item 9d – Other. Manager Koch requested pulling
7 all items off the Consent Agenda except for item 7d – Approve Bluff Creek Tributary Stabilization Project – Pay
8 Application #1. Manager Koch moved to approve the agenda as amended. Manager Crafton seconded the motion.
9 Upon a vote, the motion carried 5-0.

3. Budget Informational Meeting

10 Administrator Bleser stated she is not proposing any changes to the District’s approved 2020 budget and levy that
11 has been submitted to the counties. President Ward called for comments. No comments were presented.
12 Administrator Bleser said she will notify the counties that they can certify the budget and levy provided by the
13 District in September.

4. Matters of General Public Interest

14 Patrick Sejkora, Eden Prairie Water Resources Engineer, stated the City of Eden Prairie had submitted written
15 comments to the District regarding the proposed rules changes and received a response to comments from the

16 District. He noted the City will provide a letter to the District regarding points of clarification. Mr. Sejkora
17 thanked the District for its work reviewing its rules and moving forward with updates to streamline the process
18 while maintaining protections for the watershed.

5. Approval of Minutes

a. November 6, 2019, RPBCWD Board of Managers Regular Monthly Meeting and Public Hearing

19 Manager Pedersen noted that on page 3, line 75, the repetition of “Upon a vote…” should be deleted.

20 Manager Crafton commented that on page 2, line 33, the word “at” should be changed to “as.” Manager
21 Ziegler requested the addition of clarifying language on page 2, line 37 so the sentence reads, “...had been
22 in Lake Minnetonka but had been out of the water for the winter season, from fall of 2018 to April 2019.”

23
24 Manager Pedersen moved to accept the minutes as amended. Manager Ziegler seconded the motion. Upon
25 a vote, the motion carried 5-0.

6. CAC

26 Ms. Lori Tritz, CAC Chair, reported that the Committee will vote on the CAC slate of officers at its December
27 meeting. She stated that at its most recent meeting, the CAC conducted a workshop on the District’s wetland
28 restoration project and discussed how the Committee can help shape that project. Ms. Tritz explained that the
29 Committee took care of Committee logistics at its most recent meeting as well.

7. Consent Agenda

30 Manager Ziegler moved to approve the Consent Agenda as amended. Manager Pedersen seconded the motion.
31 Upon a vote, the motion carried 5-0. The Consent Agenda included: 7d – Approve Bluff Creek Tributary
32 Stabilization Project – Pay Application #1.

8. Action Items

a. Pulled Consent Agenda items

i. Accept November Staff Report

34 Manager Koch asked for more details about the staff report’s information on page 7 about the
35 iron-enhanced sand filings, University of Minnesota. Manager Bleser provided details about the
36 November 15 presentation to staff by the UMN staff and noted the project budget falls under the
37 District’s Stormwater Ponds, UMN line item. Administrator Bleser and Engineer Sobiech
38 responded to further questions from Manager Koch. Manager Pedersen asked if it would be
39 worthwhile for the District to send a letter to BWSR regarding MnRAM. Administrator Bleser
40 responded yes. The Board directed staff to draft a letter for Board review at its January monthly
41 meeting. Manager Koch moved to accept the staff report. Manager Ziegler seconded the motion.
42 Upon a vote, the motion carried 5-0.

ii. Accept November Engineer’s Report (with attached Inspection Report)

44 Manager Koch asked Engineer Sobiech if staff is tracking time staff spends on variances.
45 Engineer Sobiech responded yes, the District Engineer and Legal Counsel track the time and said
46 Mr. Jeffery has started tracking his time as well. Manager Koch asked staff for more detail about
47 Task Order 26. Administrator Bleser informed him that the variables under Task Order 26 are
48

49 variables to identify priority areas in terms of areas at risk of flooding. Manager Ziegler moved to
 50 accept the Engineer's Report. Manager Koch seconded the motion. Upon a vote, the motion
 51 carried 5-0.

52 iii. **Approve Scenic Heights Elementary School Forest Restoration Project – Pay**
 53 **Application #7**

54 Manager Koch asked for an update on the progress of the project. Administrator Bleser and
 55 Engineer Sobiech responded. Manager Ziegler moved to approve the Scenic Heights Elementary
 56 School Forest Restoration Project Pay Application #7. Manager Koch seconded the motion. Upon
 57 a vote, the motion carried 5-0.

58 iv. **Authorize Administrator Bleser to enter into an agreement with Houston**
 59 **Engineering after Legal has Drafted an Agreement for the Permit and Grant**
 60 **Database System with Funds Coming from Reserve Funds**

61 President Ward noted that the information in the Board packet for this proposal is incorrect and
 62 the correct total cost is not to exceed \$45,000. Manager Koch asked for more details about the
 63 costs and annual subscription fee. Administrator Bleser commented that the subsequent annual
 64 subscription fee is \$6,000 per year. Manager Koch noted a correction to the Cost Estimate page to
 65 revise “2019” to “2020.”

66 Manager Koch moved to authorize the District Administrator and Legal Counsel to review the
 67 terms of the contract and return to the Board for approval. The motion died to lack of a second.
 68 Manager Pedersen moved to approve the proposal with Houston Engineering for the permit and
 69 grant databased system as proposed and not to exceed \$45,000 and with the date correction noted.
 70 Manager Crafton seconded the motion. Manager Koch remarked that he finds the contract
 71 documents to be inadequate to protect the District's interests, and for that reason he will vote
 72 against the motion. Administrator Bleser commented that Legal Counsel is currently working on
 73 the final agreement. Upon a vote, the motion carried 4-1. [Manager Koch voted against the
 74 motion.]

75 v. **Authorize Purchase of Trimble R7 Receiver and T7 Tablet Controller Survey Grade**
 76 **GPS Equipment**

77 Administrator Bleser described the equipment and its use for measuring elevations. Manager Koch
 78 voiced his concerns that the District would use the equipment in place of using surveys. He asked
 79 staff where the data from the equipment would go and how the data would be integrated with the
 80 District's other data. Staff responded.

81 Manager Ziegler moved to approve authorizing staff to purchase the Trimble R7 Receiver and T7
 82 Tablet Controller Survey Grade GPS equipment. Manager Pedersen seconded the motion. Upon a
 83 vote, the motion carried 5-0.

84 vi. **Approve Stewardship Grant for \$10,334.00 to Ridgewoods Condominium #1**
 85 **Association for 21st Century Upgrades**

86 Manager Ziegler moved to approve the stewardship grant in the amount of \$10,334. Manager
 87 Pedersen seconded the motion. Manager Koch commented he's not convinced the watershed is
 88 receiving bang for the buck in terms of Best Management Practices with this project, which seems
 89 like landscaping. Manager Pedersen responded that this project is an educational opportunity to
 90 teach the public how to do the right things. Upon a vote, the motion carried 4-1. [Manager Koch

91 voted against the motion.]

92 **vii. Authorize the Administrator to Enter into an Agreement with Carver County Soil**
 93 **and Water Conservation District for Technical Services**

94 Manager Ziegler moved to authorize the Administrator to enter into an agreement with the Carver
 95 County Soil and Water Conservation District for technical services. Manager Pedersen seconded
 96 the motion. Manager Koch asked where this item falls in the District's budget. Administrator
 97 Bleser responded that it is under the Cost-Share Program budget line item. She noted an
 98 adjustment to the agreement on page 3. Upon a vote, the motion carried 5-0.

99 **b. Accept October Treasurer's Report**

100 Manager Crafton moved to accept the Treasurer's Report as submitted. Manager Ziegler seconded the
 101 motion. Manager Koch asked if the District could utilize a check supplier less costly than Deluxe. He
 102 asked that the District's Visa charges be tracked per vendor and asked that District staff be allocated Visa
 103 purchase cards instead of operating on a reimbursement of costs basis. Manager Koch noted that
 104 regarding professional services on the performance analysis table 2 there is a zero, and he proposed the
 105 District to take part of the District's reserves and allocate it to that line item. The motion died due to lack
 106 of a second. Manager Koch stated that on the multi-year project performance table 2, page 4 of 6, a
 107 column could be added to that table showing the District's remaining share of the projects' life time costs.
 108 Manager Koch asked for an update on the District's status of moving forward with 4M investments.
 109 Administrator Bleser explained that the District hasn't moved forward with the 4M investments because it
 110 is taking time to review the 4M investment options under the perspective of the District's existing
 111 investments and limits of insuring funds. President Ward called a vote on the motion on the floor. Upon a
 112 vote, the motion to accept the October Treasurer's Report carried 5-0.

113 **c. Approve Paying of Bills**

114 Manager Crafton moved to pay the bills. Manager Pedersen seconded the motion. Upon a vote, the
 115 motion carried 4-1. [Manager Koch voted against the motion.]

116 **d. Permit 2019-042 CSAH 101 Chanhassen – Consider Variance Requests from Rule B,**
 117 **subsection 3.2 Compensatory Storage; Rule D, subsection 3.1 – Average and Minimum**
 118 **Wetland Buffers; and Rule J, Subsection 3.1 Rate Control**

119 Engineer Sobiech displayed PowerPoint slides regarding the proposed highway reconstruction project. He
 120 described the proposed work and pointed out on a map that only a small portion of the proposed total
 121 project is within the Riley Purgatory Bluff Creek Watershed. Engineer Sobiech went through the
 122 Engineer's review of the project and requested variances, displaying a PowerPoint table "Rule
 123 Compliance Summary".

124 Engineer Sobiech provided information on each of the three variance requests in turn and in detail.
 125 Regarding the first variance request, compensatory storage requirement, Engineer Sobiech reported that
 126 there is adequate technical basis to rely on for managers to grant the requested variance. Engineer Sobiech
 127 responded to questions and comments. Regarding the second variance request, average and minimum
 128 buffer requirement, Engineer Sobiech stated the engineer finds there is adequate technical basis for the
 129 managers to rely on to grant the requested variance. Regarding the third variance request, snowmelt rate
 130 control, Engineer Sobiech said the engineer finds that because the increased rates would have an
 131 immaterial impact on Bluff Creek, there is adequate technical basis for the managers to establish practical
 132 difficulty and grant the requested variance.

133 Manager Ziegler moved to approve the three variances. Manager Crafton seconded the motion. Manager

134 Koch moved to amend the motion to state that the managers considered the factors set forth in Rule K 1
 135 through 6 and the managers determined, based on demonstration by the applicant that because of unique
 136 conditions inherent to the subject property, which do not apply generally to other land or structures in the
 137 Riley Purgatory Bluff Creek Watershed, strict application of the rule provisions will impose a practical
 138 difficulty on the applicant, not a mere inconvenience. Manager Ziegler seconded the motion to amend.
 139 The motion to accept the amendment carried 5-0. The motion to accept the amended motion carried 5-0.

140 **e. Permit 2019-042 CSAH 101 Chanhassen – Approve Permit as Presented in the Proposed**
 141 **Board Action of the Permit Review Report**

142 Manager Ziegler moved to approve Permit 2019-042 CSAH 101 Chanhassen, incorporating the general
 143 requirements, findings, and recommendations of the District Engineer. Manager Pedersen seconded the
 144 motion. Upon a vote, the motion carried 5-0.

145 **f. Permit 2019-043 Cedarcrest Stables – Consider Variance Requests from Rule J, Subsection**
 146 **3.1a Rate Control and 3.1b Abstraction**

147 Engineer Sobiech summarized the proposed project, which is a 17-lot single-family development in Eden
 148 Prairie. He went through the details of the variance requests and the engineer’s review, and he
 149 summarized the engineer’s analysis of the two variance requests. Manager Ziegler moved to approve
 150 variances 1 and 2 for permit 2019-043 subject to the conditions listed. Manager Crafton seconded the
 151 motion. Manager Koch moved to amend the motion to state that the managers considered the factors set
 152 forth in Rule K 1 through 6 and the managers determined, based on demonstration by the applicant that
 153 because of unique conditions inherent to the subject property, which do not apply generally to other land
 154 or structures in the Riley Purgatory Bluff Creek Watershed, strict application of the rule provisions will
 155 impose a practical difficulty on the applicant, not a mere inconvenience. The motion to accept the
 156 amendment carried 5-0. The motion to accept the amended motion carried 5-0.

157 **g. Permit 2019-043 Cedarcrest Stables – Approve Permit as Presented in the Proposed Board**
 158 **Action of the Permit Review Report**

159 Manager Ziegler moved to approve Permit 2019-043. Manager Crafton seconded the motion. Upon a
 160 vote, the motion carried 5-0.

161 **h. Lower Riley Creek Stabilization Project – Request for Additional Engineering Services**
 162 **Budget**

163 President Ward summarized this item, stating it is regarding a request from Barr Engineering Company
 164 for \$38,000 for additional services for the Lower Riley Creek Stabilization Project. Manager Koch asked
 165 staff to clarify if this cost is due to additional planning requirements and when the change was requested.
 166 Administrator Bleser responded that when the Board approved this task order in January 2017, there were
 167 certain assumptions regarding project timing and coordinating with the City of Eden Prairie.
 168 Subsequently, a there was change-over in the City’s water resources coordinator position, requiring
 169 District staff to plan for additional meetings and time with the new coordinator and to take on a greater
 170 leadership role than originally anticipated. Administrator Bleser went through details of changes
 171 compared to the assumptions made in January 2017. She responded to questions from Manager Koch.
 172

173
 174 Manager Koch remarked he has a hard time approving after-the-fact work and said the sooner he knows
 175 about a change the better. He said he doesn’t want to get in the habit of approving after the fact because
 176 then everyone loses focus on being efficient. Manager Koch stated that going forward, he wants to see
 177 this type of request in advance. Manager Koch moved to approve the additional budget as set forth in the

178 memo in the meeting packet. President Ward suggested the Board should receive draw requests from Barr
 179 Engineering as Barr spends this requested money because the District isn't just going to write a check for
 180 \$38,000. Engineer Sobiech explained that the contract between the District and Barr Engineering is
 181 structured based on time and materials, not to exceed. He added that Barr Engineering bills on a monthly
 182 basis for the work completed the prior month. President Ward clarified that this request is anticipatory
 183 and is for work that has not been completed. Engineer Sobiech responded correct. President Ward
 184 seconded Manager Koch's motion. Upon a vote, the motion carried 5-0.

185
 186 **i. Adopt Resolution 2019-021 – Rules**

187 Manager Ziegler commented on the definition listed for "land-locked basin." He requested the definition
 188 be revised by deleting the word, "natural" and changing "a" to "an." Manager Koch remarked that the
 189 sooner the District can add the guidances to the rules, the better. Engineer Sobiech clarified that staff
 190 plans to develop a separate guidance document to accompany the rules. Manager Koch had a comment
 191 about page 65 and the topic of permit fees. He noted that he would like more narrative and guidance
 192 regarding what happens when there is a permit violation, and he will raise this comment at the January
 193 regular meeting when the Board discusses permit fees. Manager Ziegler moved to adopt rules with his
 194 modification regarding the land-locked basin definition and the guidance document to follow. Manager
 195 Koch seconded the motion. Attorney Holtman stated that the Board has a resolution in front of it
 196 regarding adopting the rules. Manager Ziegler moved to adopt Resolution 2019-021. Manager Crafton
 197 seconded the motion. By call of roll, the motion carried 5-0.
 198

<i>Manager</i>	<i>Aye</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Crafton	X			
Koch	X			
Pedersen	X			
Ward	X			
Ziegler	X			

199
 200 **j. Approve Purchase of iPads for Board of Managers for Official District Business**

201 Manager Koch moved to approve the District hiring an IT consultant to advise the District on going
 202 digital and eliminating paper. The motion died due to lack of a second. There was a discussion about
 203 moving from paper Board packets to digital packets and using tablets or various other devices. The Board
 204 reached consensus to direct Administrator Bleser to investigate digital device options and report back at
 205 the Board's January monthly meeting.
 206

9. Discussion Items

207 **a. Manager Report**

208 i. **MAWD**

209 Manager Crafton reported on the resolutions that passed at the MAWD annual meeting, noting the
210 two resolutions the District brought forward failed. President Ward said the managers were
211 encouraged by the close vote on the resolution this District put forth regarding wake boarding, and
212 the District should consider bringing it forward again next year. Administrator Bleser commented
213 that several watershed representatives talked to her at the meeting about co-authoring the
214 resolution for next year.

215 Manager Ziegler talked about attending a MAWD break out session about building ownership. He
216 noted that the six representatives presenting on the topic communicated their watersheds were
217 saving money by owning the building housing the watershed office, and the payback to the initial
218 investment was in the seven- to ten-year range. Manager Ziegler noted that the District should
219 keep its eyes open for opportunities.

220 **b. Governance Manual**

221 President Ward reported that the draft Governance Manual has been distributed to the managers and will
222 be discussed at the next Governance Committee meeting, being held December 19.

223 **c. Other**

224 Manager Crafton said she attended the Soil and Water Conservation annual meeting and heard from three
225 separate people who said soil structure may be the issue in this watershed in places where a high-water
226 table is being pinpointed as an issue for storing water. She raised the idea of the District doing a pilot
227 project to do research on soils and soil structure in the watershed.

10. Upcoming Board Topics

228 President Ward noted that upcoming Board topics are listed on the agenda and include Water Quality
229 Report, Approve Task Order Wetland Restoration at Pioneer Trail, and Order Silver Lake Water Quality
230 at Pleasant View Drive (on hold). He pointed out that upcoming events are listed on tonight’s meeting
231 agenda.

11. Upcoming Events

- 232 • Citizen Advisory Committee Meeting, December 16, 2019, 6:00 p.m., District Office, 18681 Lake Drive East,
233 Chanhassen
- 234 • Board of Managers Meeting, January 8, 2020, 7:00 p.m., District Office, 18681 Lake Drive East, Chanhassen
- 235 • Personnel Committee, January 17, 2020, 3:00 p.m., 18681 Lake Drive East, Chanhassen

12. Closed Session

237 Manager Ziegler made a motion to move into closed session to discuss a potential offer relating to real property
238 PID 352360010. Manager Pedersen seconded the motion. Upon a vote, the motion carried 5-0. The meeting
239 moved into closed session at 9:35 p.m.

13. Adjournment

The closed session adjourned at 9:50 p.m. and the RPBCWD Board of Managers December meeting adjourned at 9:50 p.m.

Respectfully submitted,

David Ziegler, Secretary

2020 Organizational Actions

ELECTION OF OFFICERS

President. The president's responsibilities are to:

- i. preside at all meetings as chair of the Board.
- ii. sign and deliver in the name of the District contracts, deeds, correspondence or other instruments pertaining to the business of the District;
- iii. be a signatory to the District accounts;
- iv. be a signatory to District documents if the treasurer or secretary is absent or disabled, to the same extent as the treasurer or secretary.

Vice President. The vice president's responsibilities are to:

- v. preside at meetings as chair in the absence of the president;
- vi. be a signatory to the District accounts.
- vii. be a signatory to District instruments and accounts if the president is absent or disabled, to the same extent as the president.

Secretary. The secretary's responsibilities are to:

- viii. be a signatory to resolutions and other documents certifying and memorializing the proceedings of the District;
- ix. be a signatory to the District accounts;
- x. maintain the records of the District;
- xi. make the required public and Board notice of all meetings in accordance with Minnesota Statutes chapter 13D and other applicable laws;
- xii. keep a record book in which is noted the proceedings at all meetings.

Treasurer. The treasurer's responsibilities are to:

- xiii. be a signatory to the District accounts and financial records;
- xiv. present a report at the monthly meeting of the Board that includes a current check register and tracks each of the watershed district's funds and account balances;
- xv. provide such other records as are necessary to inform the Board of the financial condition of the District.

Committees:

Governance Committee (2 members)

Personnel Committee (Roles identified in employee handbook)

OFFICIAL PUBLICATIONS

Sun Sailor Minnesota Sun Publications 10917 Valley View Rd. Eden Prairie, MN 55344 (952) 829-0797	Deephaven, Minnetonka, Shorewood
Sun Current Minnesota Sun Publications 10917 Valley View Rd. Eden Prairie, MN 55344 (952) 829-0797	Bloomington
Chaska Herald Southwest Suburban Publishing Company P.O. Box 8 Shakopee, MN 55379 (952) 445-3333	Chaska
Chanhassen Villager Southwest Suburban Publishing Company P.O. Box 8 Shakopee, MN 55379 (952) 445-3333	Chanhassen
Eden Prairie News Southwest Suburban Publishing Company P.O. Box 8 Shakopee, MN 55379 (952) 445-3333	Eden Prairie

TECHNICAL ADVISORY COMMITTEE

Name and Office	Organization
Matt Clark	City of Chaska
Robert Bean Jr	City of Deephaven
Leslie Stovring/Water Resources Engineer	City of Eden Prairie
Water Resources Coordinator/Will Manchester	City of Minnetonka
Bryan Griudl	City of Bloomington
Charlie Howley	City of Chanhassen
Andrew Budde	City of Shorewood
Karen Galles	Hennepin County
Paul Moline	Carver County
Mellissa Jenny	US Army Corps of Engineers
Kate Drewry	DNR – Hennepin County
Jenny Skancke	DNR – Carver County
Mike Wanous	Carver County Soil and Water Conservation District
Steve Christopher	BSWR
Joe Mulcahy	Metropolitan Council
Linda Loomis	Lower Minnesota River Watershed District
(TBD)	Minnesota Pollution Control Agency

OFFICIAL BANK

Old National
600 West 78th Street
Chanhassen, Minnesota 55317
(952) 937-2265

Wells Fargo
7900 Xerxes Ave S
Bloomington, MN 55431
(888) 362-5366

OFFICIAL Depository for Permit Financial Assurances

Smith Partners LLC

2020 Meeting Calendar

February 5 (start at 5:30pm Meet and Greet CAC with regular meeting following at 7:00pm, Public Hearing St Hubert)

March 4 (start at 5:30pm [Governance Board Workshop] with regular meeting following at 7:00pm)

April 8 Board Meeting 7:00pm [Audit Review – Public Hearing Tentative Wetland Restoration at Pioneer]

May 6 Board Meeting 7:00pm

June 3 Board Meeting 7:00pm

July 8 Board Meeting 5:30pm [Budget Workshop] with regular meeting following at 7:00pm

August 5 Board Meeting 7:00pm

September 2 Budget Public Hearing and Board Meeting 7:00pm

October 7 Board Meeting 7:00pm

November 4 Board Meeting 7:00pm

December 9 Board Meeting 7:00pm [Budget Information Meeting, MAWD annual meeting December 3-4 tentative]

Minutes: Monday, December 16, 2019
RPBCWD Citizen's Advisory Committee Monthly Meeting
Location: RPBCWD offices: 18681 Lake Street, Chanhassen

CAC Members

Jim Boettcher	P	Peter Iverson	A	Jan Neville	P	Lori Tritz	P
Scott Bryan	R	Daryl Kirt	A	Joan Palmquist	E		P
Anne Deuring	P	Matt Lindon	P	Samir Penkar	E		
Barry Hofer	P	Sharon McCotter	P	Marilynn Torkelson	P		

Others

Terry Jeffery	RPBCWD staff
B Lauer	RPBCWD staff
Claire Bleser	RPBCWD staff

Summary of key actions/motions for the Board of Managers:

1. **Motion:** 2020 Officers Lori Tritz was elected Chair. Sharon McCotter was elected Vice Chair. No one was elected recorder. That duty will be shared.
2. **Motion:** The CAC bylaws were amended to more accurately reflect what is actually happening as far as number of meetings per year, meeting start time and excused absence notices.

I. Opening

- A. **Call CAC meeting to Order:** Chair Lori Tritz called the meeting to order at 6:03 pm.
- B. **Attendance:** As noted above.
- C. **Matters of general public interest:** None
- D. **Approval of Agenda:** The next Board of Managers meeting is January 8 not 9 and the January CAC meeting is the 27th not 25th. Jan moved and Marilyn seconded to approve the agenda as amended. Motion carried.
- E. **Approval of November 18, 2019 CAC Meeting Minutes:** Sharon moved and Matt seconded to approve minutes. Motion carried.

II. Learning Presentation - Groundwater and CAC Engagement: B Lauer explained that she was developing a Groundwater Conservation Program to fulfill a goal of our 10-year plan. The program will have an education component to increase awareness and stewardship. She is beginning with a lot of research which includes collecting priorities, needs and questions of the seven Cities in the District and other stakeholders, including the CAC. B led us through a mind mapping exercise with a series of questions. Our answers were collected.

1. What is the definition of water conservation? What is it? What is it not?
2. What can you do to conserve water?
3. Which of these practices and behaviors do you want to learn more about? (placed red dot)
4. Which of these practices and behaviors are you most likely to adopt yourself? (placed blue dot)

The timeline is to present the proposed program to the Board of Managers in January, and again as an action item in February, then to launch it in the spring. Six of our seven cities have applied for grants from the Metropolitan Council for water conservation programs. None of them received 100% funding and we hope to be able to collaborate with them to close the gap. The Metropolitan Council grants have no education requirement, which is something we could help with. Lori suggested to B that she review the Speakers Bureau Presentation "Beginners Guide to Sustainability: Water", "Landscaping for Water Sustainability" and "Top 5 Water Actions" as most of the ideas brought up and discussed as a group are presented in these presentations, and may offer a springboard for further education materials.

- III. **Staff Report** - Claire reported on a long Board of Managers meeting. Topics included approval of the Highway 101 road realignment project, approval of the permitting database, and approval of the rules changes.

Pioneer Trail Wetland Restoration project: Barr Engineering is currently working on the feasibility report which needs to be done in January in order to keep the project on schedule to break ground in the fall of 2020.

The annual water quality report will occur at January Board meeting. The Annual Report will be presented in February. February is the end of the fiscal year.

The orientation for new CAC members will occur in January. We currently have 3 applications. Applications close on Dec. 31 and will be presented to the Board in January.

IV. **Commission Discussion**

A. **Summary: MAWD presentations:** Lori, Sharon and Jan attended the MAWD conference and compiled excellent summaries of the sessions they attended, which were emailed to the CAC prior to the meeting. Lori highlighted Minnehaha Watershed's method for mitigating flooding. Sharon highlighted a new education initiative by the International Water Institute, targeted toward 5th graders. Jan highlighted Minnehaha WD's creek restoration project partnering with cities and businesses to create a Balanced Urban Ecology.

Partnerships seemed to be a key element in many of the presentations. The attendees felt very positive about the people involved in water decisions.

One Watershed/One Plan is happening primarily outside of the metro area.

There were lots of conversations around climate. How can we turn the recent heavy rains into a positive? How can we make sure our soils are healthy and permeable to take on the heavy rains and replenish aquifers?

- B. **Vote on CAC officers:** Sharon nominated and Jan seconded Lori for chair. Jan nominated and Barry seconded Sharon for vice chair. There were no other nominations. Both candidates were elected unanimously.
- C. **Review of changes to the bylaws:** Sharon moved and Jan seconded that we update our bylaws to include the number of meetings of the CAC to be "at least 10 times a year," that the meeting start time be changed from 6:30 to 6:00, and that, instead of the administrator, the chair and vice chair are to be notified of excused absences from meetings. Motion carried.
- D. **Google drive access and documents:** We reviewed the CAC folder shared with all CAC members on Google Drive. It contains subfolders for agendas, forms, governance, speakers bureau, and subcommittees. It also holds the schedule of note-takers and Board meeting attenders. Claire will add board member attendance at CAC meetings to this schedule. Please check to see if you can access it and, if not, ask B for help. We don't want our email addresses published on the website so Claire will set up a mailing list for the CAC. Maya is developing a WD google calendar.
- E. **Preparation of New Members at next meeting:** The orientation of new CAC members will happen at the January meeting, assuming the Board of Managers approves them at their January meeting. The orientation will start at 5:30 followed by the CAC meeting at 6:30.

We discussed what was helpful or would have been helpful for us to know when we came onto the CAC: Processes, how do all the parts of the WD fit together, Board meeting attendance and expectations, the steep learning curve and assurance that it is okay to just absorb, how meetings function, how long meetings are, time commitment, and why everyone wants to be here. Three-ring notebooks containing the basics are a good idea. Let Claire know if there are other things new members should get.

A buddy system would be helpful: an existing member specifically assigned to show the ropes to new member. They can ask one person rather than asking the whole group. We will assign buddies in February. Let Lori know if you want to be a buddy.

At the first meeting each subcommittee can take 5 minutes to explain the work of the subcommittee.

The meet-and-greet with Board and staff will likely occur in February.

F. Youth members in CAC: We postponed this discussion.

V. Subcommittee Reports:

- A. Education and Outreach:** The work of stumping for presentations for the speakers bureau continues.
- B. Lakes and Streams:** none
- C. Stormwater:** none
- D. Landscaping for Water:** Are interested in continuing the work of creating an owner's manual for maintaining rain gardens.

VI. Miscellaneous

- A.** Jim reported that the DNR nixed a boardwalk into the Arboretum.
- B.** Sharon reported on progress with scheduling a tour with Dem-Con recycling center.
- C.** Lori thanked Anne for her contributions as recorder.

VII. Upcoming Events.

- A.** Board of Managers meeting January 8, 7:00 pm, 18681 Lake Drive East
- B.** RPBCWD CAC orientation January 27 at 5:30 pm and meeting at 6:30 pm, 18681 Lake Drive East (unless postponement of CAC appointments, then 6:00 pm)

VIII. Adjourn CAC meeting: Jim moved and Jan seconded to adjourn. Meeting adjourned at 9:03

RPBCWD September Staff Report

Administration		Staff update	Partners
Accounting and Audit	Coordinate with Accountant for the development of financial reports. Coordinate with the Auditor. Continue to work with the Treasurer to maximize on fund investments.	Financials were submitted to Treasurer and Accountant, and has been processed for this month.	
Annual Report	Compile, finalize and submit an annual report to agencies	Staff have begun discussing annual report timelines.	
Internal Policies	Work with Governance Manual and Personnel Committees to review bylaws and manuals as necessary	Governance manual is included in your packet. Their will be a workshop prior to the board meeting to go over the governance manual	
Advisory Committees	Engage with the Technical Advisory Committee on water conservation, chloride management and emerging topics Engage with the Citizen Advisory Committee on water conservation, annual budget and emerging topics. Facilitate recruitment of CAC members for 2019.	The CAC met for their regular meeting on December 16th. Draft minutes are included in the Board Packet. Staff Lauer and Administrator Bleser led the CAC through a facilitated conversation about groundwater conservation. CAC provided insight into the community perspective of groundwater conservation. Staff used the information gained in the development of the proposed Groundwater Conservation Program.	
MAWD		Save the Date: Legislative Days are March 18-19, 2020 Annual Meeting is December 4-6.	
Membership		No new updates.	
District-Wide			
Regulatory Program	Review regulatory program to maximize efficiency.	Four permit applications have been received since the December meeting. Of these, two were determined to not meet applicable	

	<p>Engage Technical Advisory Committee and Citizen Advisory Committee on possible rule changes. Implement regulatory program.</p>	<p>thresholds and, therefore, did not require a district permit. No permits were administratively approved since the December meeting. In addition to the four (4) new applications, one (1) other permits is currently under review. Chanhassen has provided request for preliminary comment for two permit applications they have received but which have not been applied for with the District. Staff Jeffery and Engineer Sobiech will be meeting with the City of Eden Prairie to discuss the Duck Lake Rd project later in January.</p>	
<p>Aquatic Invasive Species</p>	<p>Review AIS monitoring program Develop and implement Rapid Response Plan as appropriate Coordinate with LGUs and keep stakeholders aware of AIS management activities. Manage and maintain the aeration system on Rice Marsh Lake as per the Riley Chain of Lakes Carp Management Plan. Review AIS inspection program. Keep abreast in technology and research in AIS. 2019 zebra mussel veliger testing.</p>	<p>Eden Prairie has submitted a reimbursement request and inspections report.</p>	<p>City of Chanhassen City of Eden Prairie University of Minnesota MN DNR Carver County</p>
<p>Cost-Share</p>	<p>Review program to determine efficiencies and needs. Recommend modification as necessary. Review applications and recommend implementation.</p>	<p>Ridgewoods Condominiums #1 Association's Watershed Stewardship Grant Application was approved by the Board of Managers. Staff Lauer has scheduled a Watershed Stewardship Grant informational session for February 9, 2020.</p>	<p>Carver County Soil and Water Conservation District</p>

		<p>Staff Lauer has been working with the CCSWCD tech to summarize quantifiable water quality metrics for the 2019 program year.</p> <p>Staff Lauer is working to update program guidelines and the Watershed Stewardship Grant webpage for 2020.</p>	
Data Collection	<p>Continue Data Collection at permanent sites.</p> <p>Identify monitoring sites to assess future project sites.</p>	<p>WOMP stations: Continued bi-weekly sampling of the station.</p> <p>Phytoplankton results were received by Barr Engineering.</p> <p>Staff continue to QC and compile data, as well as to work on the Water Resources Report</p> <p>Analysis of zooplankton samples collected in 2019 is initiated by district staff.</p>	<p>Metropolitan Council</p> <p>City of Eden Prairie</p> <p>University of MN</p> <p>City of Chanhassen</p>
District Hydrology and Hydraulics Model	<p>Coordinate maintenance of Hydrology and Hydraulics Model.</p> <p>Coordinate model update with LGUs if additional information is collected.</p> <p>Partner and implement with the City of Bloomington on Flood Evaluation and Water Quality Feasibility.</p>	<p>The City of Eden Prairie is interested in adding details to the H and H model. Staff and Engineering are discussing details.</p>	<p>City of Bloomington</p>
Education and Outreach	<p>Implement Education & Outreach Plan, review at year end.</p> <p>Manage partnership activities with other organizations.</p> <p>Coordinate Public Engagement with District projects.</p>	<p>The 2019 annual communication and 2020 calendar was distributed to the District's contacts and partners. Copies of the communication/ calendar were distributed to city halls, libraries, and other public places.</p> <p>Staff began the process of creating the district's 2019 water quality fact sheets and writing articles to accompany these fact sheets.</p> <p>Master Water Stewards: The District will host a "Cocoa and Conversation" event on January 23rd for certified master water stewards.</p>	<p>Adopt a drain: City of Eden Prairie, City of Minnetonka, City of Bloomington, Hamline University, Nine Mile Creek Watershed District</p>

		<p>Staff continue to plan for upcoming school visits and public tabling events this winter.</p> <p>Applications for Educator and Action grants continue to be received, reviewed, recommended, and processed.</p> <p>Community members continue to sign up to adopt storm drains and keep them clear of leaves, dirt, and other debris through the Adopt-a-drain.org partnership.</p>	
MN GreenCorps Update		<p>GreenCorps Member Bakkum has created a 2020 workplan and is continuing to make progress. Along with preparing for a MNLA trade show this month, Member Bakkum has secured a date and location for her planned community green fair this spring. The fair will feature a variety of booths where residents can speak with staff and gather resources to improve their stormwater practices.</p>	MPCA
Groundwater Conservation	<p>Work with other LGUs to monitor assess and identify gaps.</p> <p>Engage with the Technical Advisory Committee to identify potential projects.</p> <p>Develop a water conservation program (look at Woodbury model)</p>	<p>Staff Lauer and Administrator Bleser sent an online survey to District cities to gauge interest in a collaborative water conservation program. Five out of seven cities responded and all responded positively.</p> <p>Staff Lauer conducted a facilitated conversation with the CAC to help identify perceptions of groundwater conservation and the water conservation needs of residents. Takeaways from this conversation will be taken into consideration when developing a program.</p> <p>Staff Lauer began development of a groundwater conservation program framework to be presented to the Board of Managers in January.</p>	TBD

<p>Lake Vegetation Management</p>	<p>Work with the University of Minnesota or Aquatic Plant Biologist, Cities of Chanhassen and Eden Prairie, lake association, and residents as well as the Minnesota Department of Natural Resources on potential treatment. Implement herbicide treatment as needed. Secure DNR permits and contract with herbicide applicator. Lakes the District is monitoring for treatment include: Lake Susan, Lake Riley, Lotus Lake, Mitchell Lake, Red Rock Lake and Staring Lake. Work with Three Rivers Park District for Hyland Lake</p>	<p>No new updates.</p>	<p>City of Eden Prairie City of Chanhassen University of Minnesota MNDNR</p>
<p>Opportunity Projects</p>	<p>Assess potential projects as they are presented to the District</p>	<p>Administrator Bleser is working with SRF on next steps and we are scheduling a meeting with St Hubert. The District was not recipient of another grant on this project.</p>	<p>St Hubert Catholic Community Carver County Soil & Water Conservation District</p>
<p>Total Maximum Daily Load</p>	<p>Continue working with Minnesota Pollution Control Agency on the Watershed Restoration And Protection Strategies (WRAPS). Engage the Technical Advisory Committee.</p>	<p>No new updates</p>	<p>MPCA</p>
<p>Repair and Maintenance Grant</p>	<p>Develop and formalize grant program.</p>	<p>No new update.</p>	
<p>University of Minnesota</p>	<p>Review and monitor progress on University of Minnesota grant.</p>	<p>Staff is working with the cities to identify logistics for the iron fillings application.</p>	<p>Stormwater ponds partners: Bloomington,</p>

	<p>Support Dr John Gulliver and Dr Ray Newman research and coordinate with local partners.</p> <p>Keep the manager abreast to progress in the research.</p> <p>Identify next management steps.</p>		<p>Chanhassen, Eden Prairie, Minnetonka, Shorewood, and Limnotech.</p> <p>Plant Management: Chanhassen Eden Prairie</p>
<p>Watershed 50 year Anniversary</p>	<p>Come explore with us!</p> <p>Finalize anniversary program for 2019.</p> <p>Implement anniversary events.</p>	<p>Community art project panels are getting varnished and will be framed in the next upcoming months.</p>	
<p>Watershed Plan</p>	<p>Review and identify needs for amendments.</p>	<p>Administrator Bleser met with new Hennepin County Senior Water Resources Specialist, Kris Guentzel. The discussion centered on how both entities could help each other. We also discussed who has Ditch Authority in the District. The District seeking clarification on who that authority might fall under. Currently, the District believes that this authority falls under Hennepin County. However, a few permit have daylighted that this might not be the case and thus, the District is working with Hennepin County to identify where the authority falls.</p>	
<p>Wetland Conservation Act (WCA)</p>	<p>Administer WCA within the Cities of Shorewood and Deephaven.</p> <p>Represent the District on Technical Evaluation Panel throughout the District</p>	<p>No WCA application were received forDeephaven.</p> <p>No WCA applications have been received in Shorewood.</p> <p>Staff Jeffery has been providing technical advice to Staff from Chanhassen in the interim until a new WRC is found.</p>	<p>City of Shorewood City of Deephaven City of Chanhassen City of Eden Prairie MCWD BWSR DNR ACOE</p>

		<p>Staff Jeffery has been providing technical advice to Eden Prairie on two (2) wetland delineations and/or determinations.</p> <p>Staff Jeffery is preparing the BWSR annual report for Deephaven and Shorewood. The reports are due by February 3, 2020.</p>	
Wetland Management	Identify potential restoration/rehabilitate wetlands and wetland requiring protection.	<p>Field work has finished for the year and Chanhassen has been completed.</p> <p>Staff Jeffery, after discussions with the MN Board of Soil and Water Resources confirmed that they have no intent to revisit and support the MNRAM application in the future. Instead the district will rely on the Excel version of the MNRAM until the BWSR provides new guidance on wetland assessment. Staff Jeffery has authored a letter to the BWSR requesting they expedite the work to develop a new assessment tool</p> <p>Staff is finalizing the annual Wetland Report and writing a formal document for wetland assessment SOP's based upon lessons learned in 2019 and the above information pertaining to the MNRAM.</p>	City of Chanhassen MNDNR
Hennepin County Chloride Initiative	Phase 1: Develop a plan to target commercial and association-based sources or chloride pollution - businesses, malls, HOAs, property management companies and the private applicators that they hire. We will hire a consultant to facilitate focus groups with private applicators, as well as those that execute contracts with private applicators. These focus groups will help identify	Administrator Bleser presented to the collaborative. Synthesis of the research is being finalized as a white paper. The collaborative will be meeting again to identify next steps.	

	needs and barriers for our target audience. The consultant will compile information into a plan for implementation.		
Lower Minnesota Chloride Cost-Share Program	The Lower Minnesota River Watersheds are coming together to offer cost-share grants.	A meeting was scheduled for the month of January. Possible idea is to provide a hands on training and grant program.	
Bluff Creek One Water			
Chanhassen High School Re-use	Continue to work with all partners. Complete site restoration and start system. Finalize and implement E and O for project. Monitor Project.	The project is complete.	ISD 212 City of Chanhassen Metropolitan Council
Bluff Creek Tributary Restoration	Implement and finalize restoration. Monitor Project.	Most of the heavy lifting was performed and will be completed by the first week of January. Work will continue this spring for plantings.	City of Chanhassen
Wetland Restoration at 101	Remove 3 properties from flood zone, restore a minimum 7 acres and as many as 16 acres of wetlands, connect public with resource, reduction of volume, rate, pollution loads to Bluff Creek	One of the two houses has been removed. The contractor commenced work on removing the second house and cleaning up the other property on Monday, 1/6/2020.	City of Chanhassen MN DNR
Riley Creek One Water			
Lake Riley Alum	Continuing to monitor the Lake.	No updates	
Lake Susan Improvement Phase 2	Complete final site stabilization and spring start up. Finalize and implement E and O for project. Monitor Project.	System is winterized.	City of Chanhassen Clean Water Legacy Amendment

Lake Susan Spent Lime	Replace media to improve functionality	Staff Jeffery has worked with Chanhassen Parks and Recreation Director to secure right of entry to replace media in the spent lime facility this winter.	City of Chanhassen
Lower Riley Creek Stabilization	Coordinate agreement and acquire easements if needed for the restoration of Lower Riley Creek reach D3 and E. Implement Project. Continue Public Engagement for project and develop signage of restoration.	Administrator Bleser met with the City to discuss dewatering plans. Due to high water table and precipitation patterns, the site has been problematic in access and has slowed down progress on site.	City of Eden Prairie Lower MN River Watershed District
Rice Marsh Lake Alum Treatment	Continuing to monitor the Lake.	No updates.	City of Eden Prairie City of Chanhassen
Rice Marsh Lake Watershed Load Project 1	Conduct feasibility. Develop cooperative agreement with City of Chanhassen	District Engineer Sobiech is working with staff at Barr to complete a feasibility study for the area. This study should indicate potential BMPs, associated pollutant removals, associated cost, and potential data collection to be used for future projects as it pertains to new and emerging technologies.	City of Chanhassen
Upper Riley Creek	Work with City to develop scope of work (in addition to stabilizing the creek can we mitigate for climate change) Conduct feasibility Develop cooperative agreement with the City of Chanhassen Order Project Start design	Discussion of this project will be on hold till the new water resources coordinator is hired. No changes.	City of Chanhassen
Purgatory Creek One Water PCRA Berm		The District and the City met to discuss the berm with USACOE and DNR to identify limitations	City of Eden Prairie

		and options as scope of project might differ from the original permit. The productive meeting has lead to Wenck Engineering vetting out options that would allow the berm to be restored and utilize the overflow location to manage common carp.	
Duck Lake Water Quality Project	Work with the City to implement neighborhood BMP. Identify neighborhood BMP to help improve water resources to Duck Lake. Implement neighborhood BMPs.	Staff is securing final agreements.	City of Eden Prairie
Hyland Lake Internal Load control	Implement Hyland Lake Alum application.	Project is complete.	Three Rivers Park District City of Bloomington
Lotus Lake – Internal Load Control	Monitor treatment and plant populations.	No updates.	
Scenic Heights	Continue implementing restoration effort. Work with the City of Minnetonka and Minnetonka School District on Public Engagement for project as well as signage.	Staff will be closing out the grant with Hennepin County and providing progress report to partners.	Minnetonka Public School District City of Minnetonka Hennepin County
Silver Lake Restoration	Order project Design Project Work with the City of Chanhassen for Design, cooperative agreement and implementation	Delayed until new city staff are on board.	City of Chanhassen
Professional Development			
No new updates			

Memorandum

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing December 2019 Activities for January 8, 2020, Board Meeting
Date: December 30, 2019

The purpose of this memorandum is to provide the Riley-Purgatory-Bluff Creek Watershed District (RPBCWD) Board of Managers and the District Administrator with a summary of the activities performed by Barr Engineering Co., serving in the role of District Engineer, during December 2019.

General Services

- a. Met with Administrator Bleser and representatives from Bearpath Golf Course on December 2nd to discuss stabilization opportunities along Riley Creek. Bearpath is interested in partnering with the District to stabilize portions of the creek and would like to see the project implemented in late 2020. Discussions at the meeting involved RPBCWD 10 year CIP, observed erosion problems, site access, potential project scope/extents, maintenance expectations and timeline.
- b. Met with Administrator Bleser and city of Eden Prairie on December 19th to discuss the district's and city's goals and uses for the district's H&H model with an increased level of detail. Reviewed existing Eden Prairie storm sewer data and prepared materials in advance of the meeting to better inform discussions. This meeting will help inform the development of a draft scope of work modeling enhancements.
- c. Participated in a December 18th meeting with Administrator Bleser, city of Eden Prairie, and Wenck Associates the preliminary assessments of stormwater ponds. Wenck has just began analyzing data but present some initial thoughts (e.g., some ponds were anoxic the entire season).
- d. Met with Administrator Bleser and Watershed Planning Manager Jeffery on December 11th to strategize a scope of work for technical assistance, potential project requirements, and wetland banking opportunities for with wetland restoration project at Highway 101 and Pioneer Trail in Chanhassen.
- e. Participated in the December 11th regular Board of Managers meeting.
- f. Prepared Engineer's Report for engineering services performed during December 2019.
- g. Miscellaneous discussions and coordination with Administrator Bleser about CIP projects, assistance with audit questions, project staffing, as-built inspection services, pond summit coordination and upcoming Board meeting agenda.

Permitting Program

- a. *Permit 2019-035: Shadow Lane - Chanhassen* – The project proposes to construct a 7,930 square foot professional office building at 630 Shadow Lane, Chaska, MN. This permit triggers RPBCWD's erosion control and stormwater management rules. Corresponded with applicant because the request permit review timeline extension was set to expire on December 25th. Applicant responded on December 19th that the project was put on hold and they would not be requesting another extension. Responded to applicant's email on December 20th indicating that based on their email it is RPBCWD's understanding that the applicant was withdrawing this permit application and if this understanding is incorrect please let RPBCWD know before 12/25/19. Because no indication otherwise was received this permit application is closed.
- b. Reviewed December 3rd submittal materials and adjusted draft permit review report to reflect revised design. Notified applicant of the December 11th conditional approval by the board of managers. Reviewed the draft maintenance agreement and provided comments to the applicant's engineer
- c. *Permit 2019-042: County State Aid Highway 101 - Chanhassen* – The project proposes to reconstruct County State Aid Highway 101 (CSAH 101) from Pioneer Trail to Flying Cloud Drive (CSAH 61), and filling a portion of the Nieman wetland floodplain. The applicant proposes stormwater management facilities including two pretreatment ponds, two filtration basins, and existing wet pond and vegetated swales to provide water quality treatment, volume abstraction and rate control for runoff prior to discharging offsite. This permit triggers RPBCWD's floodplain management, erosion control, wetland and creek buffer, and stormwater management rules. Reviewed December 3rd submittal materials and adjusted draft permit review report to reflect revised design. Notified applicant of the December 11th conditional approval by the board of managers. Reviewed the draft maintenance agreement and provided comments to the applicant's engineer.
- d. *Permit 2019-043: Cedarcrest Stables*: This project involves construction of a 17-lot single family home subdivision in Eden Prairie. The proposed project triggers RPBCWD's erosion control and stormwater management rules. Reviewed October 24th submittal and provided comments. Notified applicant of the December 11th conditional approval by the board of managers. Reviewed the draft maintenance agreement and provided comments to the applicant's engineer.
- e. *Permit 2019-048: Eden Prairie Central Middle School Addition*- Eden Prairie Public Schools is proposing site improvements at the Central Middle School including building additions, reconfiguration of the parking lots and drives, and relocation of the track. Site infrastructure such as the watermain, sanitary sewer, storm sewer, and stormwater infiltration basins for rate volume and water quality control. This permit triggers RPBCWD's erosion control, wetland buffer, and stormwater management rules. Reviewed November 22nd initial submittal and provided comments on December 9th, including informing the applicant that the submittal is considered incomplete because information needed to assess compliance with the wetland buffer requirements was missing from the submittal. December 3rd submittal materials Discussions with applicant's engineer incomplete items, comments, and timelines for review

- f. Worked with Watershed Planning Coordinator Jeffery and Counsel Welch on rule revisions.
- g. Met with Administrator Bleser and Watershed Planning Manager Jeffery on December 11th to discuss permit fee structure and efforts in 2019. Drafted a permit review summary to highlight engineering, legal and staff time spent on the RPBCWD regulatory program in 2019.
- h. Miscellaneous conversations with Watershed Planning Coordinator Jeffery and Administrator Bleser about technical questions on permit requirements for potential development and shoreline stabilization projects.

Data Management/Sampling/Equipment Assistance

- a. Prepared, uploaded, and verified 2019 Lake Data collected with the field app.
- b. Prepared, uploaded, and verified 2019 Hyland Lake Data collected by Three Rivers Park District.
- c. Prepared, uploaded, and verified 2019 Creek Data collected with the field app.
- d. Prepared, uploaded, and verified 2019 Pond Data collected with the field app
- e. Worked with RPBCWD to correct RML1 composite sample start and end times in the database.
- f. Created a new Enterprise Report for the RPBCWD dashboard to show composite sample start and end times..

Repair and Maintenance

Lake Susan spent lime filter modification

- a. Reviewed material submittal information provided by Sunram for the automated water level control valve, slotted draitile, and filter media gradation. The reviews included communicating with Sunram to provide comments regarding whether the proposed materials were consistent with the contract drawings. To keep track of the submittals received, and which submittals have been accepted, Barr staff developed a submittal log that has been used to track the status of each submittal.
- b. Sunram is anticipating a January 6 construction start date. Watershed Planning Manager Jeffery continued coordination with the City of Chanhassen to finalize the access agreement for the project, and prepare a notification letter to property owners adjacent to the project site.

Task Order 6: WOMP Station Monitoring

Purgatory Creek Monitoring Station at Pioneer Trail

- a. Download and review data.
- b. Clean up FTS DTS-12 turbidity sensor to return to manufacturer for tune-up.
- c. File management – lab submission forms.

Purgatory Creek Monitoring Station at Valley View Rd

- a. Download and review data.
- b. File management – lab submission forms.
- c. Review and approve MCES Laboratory invoice.

Task Order 13b: Lake Susan Watershed Treatment and Stormwater Reuse Enhancements Design and Construction Administration

- a. Preparation of project final close-out documentation, including construction documentation summary letter and organization of associated attachments:

Task Order 14b: Lower Riley Creek Final Design

- a. Met with Matt Bourne (City staff) on site to discuss bridge placement.
- b. Completed survey to stake construction limits.
- c. Reviewed submittals provided by Rachel Contracting
- d. Continued coordinating with contractor and City
- e. Met with Contractor and City to discuss dewatering options. Rachel Contracting original dewatering plan including pumping water around active grading areas that may range from approximately 200-1000 feet at a given time. This plan has proven to be infeasible because the remaining access route through the main channel does not support heavy equipment without doing additional grading. So, instead of pumping water around a portion of the project area at given time, Rachel Contracting is exploring options to pump water around a much larger portion of the project area, or even the entire project area, at a given time. This has required additional permitting with the DNR and the City.
- f. The delay in dewatering the project area has caused a delay in much of the work getting started. The contractor plans to install pumps during the first week of January and commence with tree clearing and rough grading.
- g. During the delay and permitting effort, the contractor has completed an additional survey of the project area to make sure they understand how grading can be completed.

Task Order 21B: Bluff Creek Stabilization Project

- a. Sunram Construction completed work such that the project is substantially complete except for final seeding and vegetation installation, which will happen in the spring. Sunram was able to complete all grading, installation of a new manhole and storm sewer, riprap, root wads, and constructed riffles.
- b. While clearing for the site, the subcontractor was able to salvage more trees to use as roots wads than anticipated. Ten additional root wads were installed through the project area to provide additional erosion control protection.
- c. As mentioned above, final seeding, permanent erosion control features, and final plantings will be completed in the spring.



Installing root wads toward the upstream end of the project



Installing a cross vane at the downstream end of a constructed riffle



Installed root wads in the foreground. Graded banks with floodplain adjacent to the channel. New manhole and flared end section in the background.



Installation of erosion control blanket on areas where grading was finished.

Task Order 25: Duck Lake Water Quality Improvement Project

- a. Two contractors have begun creating downspout planter box prototypes. Barr staff provided *Outdoor Lab Landscape* and *Landbridge Ecological* with final planter box dimensions and a list of required features such as easy connection to a residential downspout and controlled overflow. Based on those guidelines each contractor will produce a unique design. The boxes are to be relatively inexpensive and easy to construct. Prototypes will be delivered to the District office no later than January 17, 2020.
- b. Barr staff communicated with future rainwater garden owners to facilitate obtaining signed homeowner agreements to construct rainwater gardens during spring 2020. Two homeowners have signed and returned their agreements and we are working with the other two to address their questions.
- c. Barr staff are reviewing and finalizing the request for quote (RFQ) documents, including quote forms, design plans, and specifications for construction of four rainwater gardens during spring 2020.

Task Order 26: Stormwater Model Update and Flood-Risk Area Prioritization Identification for the Bloomington Portion of Purgatory Creek

- a. Barr staff revised the prioritization framework based on feedback provided by City of Bloomington staff and Administrator Bleser. The initial framework includes six criteria for prioritizing flood-prone areas.
 - (1) Number of impacted structures – This criterion considers the number of habitable structures that are within the 100-year floodplain within a given area. Consideration will be given to whether the structure is residential or commercial. Auxiliary structures such as sheds, park pavilions, or garages are not considered for this criterion.
 - (2) Frequency of flooding – This criterion considers how frequently structures maybe inundated. Structures that are inundated during more frequent events (i.e., 2-year) will be given a higher score than structures that are inundated during less frequent events (i.e., 100-year event).
 - (3) Social Vulnerability Index – This criterion considers census data to provide consideration for if a flood-prone area is located within a designated vulnerable area.
 - (4) Project Efficiency – This criterion considers project partners and if the project could meet goals published in the District or project partner's management plan.
 - (5) Multiple benefits – This criterion considers within a flood-risk mitigation project might provide multiple benefits for an area such as recreational benefits or ecosystem services.
 - (6) Critical Infrastructure – This criterion considers whether a project would reduce flood-risk for infrastructure classified by the District or City as critical such as emergency evacuation routes, emergency service locations such as hospital, police, fire, or city government buildings, emergency support services such as schools, grocery stores, or churches, and critical city services such as sanitary lift stations.

To: Riley-Purgatory-Bluff Creek Watershed District Board of Managers and District Administrator
From: Barr Engineering Co.
Subject: Engineer's Report Summarizing December 2019 Activities for January 8, 2020, Board Meeting
Date: December 30, 2019
Page: 8

- b. Barr staff finished processing GIS files for each of the six criteria. Information was post-processed and input into Excel. The Excel file allows District and/or City staff to modify the scoring assigned to each category, and rerank the flood-prone areas. Higher scores indicate that the flood-prone area is a higher priority for additional study, based on the criteria selected by District and City staff. The draft Excel file will then be shared with city and District staff to review the scoring.
- c. The prioritized list of flood-prone areas is intended to provide guidance on locations to complete further study and evaluation of flood-risk mitigation options. The order of the list may change over time as project are implemented or different partners are identified.

Task Order 28a: Rice Marsh Lake Subwatershed 12a Water Quality Project

- a. Continued reviewing monitoring data sample timing with respect to flow data to better understand which data are suitable for model calibration.
- b. Calibrated the P8 water quality model to the suitable monitoring data within the RM_12a watershed.
- c. Started analyzing various best management practice options given the site constraints
- d. Request Watershed Planning Manger reach out to city of Chanhassen to request any available bathymetry data for pond RM_12.

To: RPBCWD Board of Managers
From: Dave Melmer
Subject: December 10-11, 2019—Erosion Inspection
Date: December 31, 2019
Project: 23/27-0053.14 PRMT 9016

Barr staff has inspected construction sites in the Riley Purgatory Bluff Creek Watershed District for conformance to erosion and sediment control policies. Listed below are construction projects and the improvement needed for effective erosion control. The sites were inspected from December 10-11, 2019.

Site Inspections

2015-010	Children's Learning Adventure - Private - Commercial/Industrial Northwest Corner of Highway 5 and Galpin Avenue Chanhassen, MN 55317 No change since last monthly inspection.	2019-12-10
2015-036	Saville West Subdivision - Private - Residential 5325 County Road 101 Minnetonka, MN 55345 Construction complete at 5320 Spring Lane house site. Additional lot has silt fence perimeter control installed- no activity at this lot. Lots to south have been brushed/cleared. One site has been surveyed for construction. Site is snow covered.	2019-12-11
2015-050	Arbor Glen Chanhassen - Private - Residential 9170 GREAT PLAINS BLVD Chanhassen, MN 55317 Site is snow covered. No change since last month inspection. CA opened for silt fence overtopping and silt into detention pond south of 715 Crossroads Court. Site representative was notified. CA remains open--no change-site representative is aware.	2019-12-10
2015-055	Hampton Inn Eden Prairie - Private - Commercial/Industrial 11825 Technology Drive Eden Prairie, MN 55344 No change since last monthly inspection. Site construction continues--mainly on interior. BMP's in place.	2019-12-10
2016-017	SWLRT - Government - Other Varies Eden Prairie, MN 55344 No change since last monthly inspection. Some areas appear to be idled for winter.	2019-12-10
2016-026	Foxwood Development - Private - Residential 9150 and 9250 Great Plains Blvd Chanhassen, MN 55317 Multiple new home sites under construction. Rock entrances installed. Minor tracking to street observed prior to snowfall -- site	2019-12-10

To: RPBCWD Board of Managers
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was swept regularly. BMP's look good- silt fences and rock entrances installed/ good perimeter control. Catch basin protection removed for winter. Silt fences have been installed on unsold lots. Bare soils were sprayed prior to snowfall.

2016-032 **CSAH 61 Improvements - Government - Linear** **2019-12-10**
N/A Eden Prairie, MN 55347

Major construction complete. Slopes are covered with matting or have been spray tac'd- prior to snowfall. Area near creek crossing is completed.-- BMP's look good.

2016-041 **Chanhassen West Water Treatment Plant - Government - Other** **2019-12-10**
2070 Lake Harrison Road Chanhassen, MN 55317

No change since last month. Site is snow covered. Silt fences installed on site. Construction complete Site representative was notified about silt fence and bio-roll removal.

2017-001 **Kopesky 2nd Addition - Private - Residential** **2019-12-10**
18340 82nd St Eden Prairie, MN 55347

No change since last month. Site is snow covered. Site grading complete-house construction completed at three sites. Fourth house site construction is underway. Perimeter control installed/bio rolls along infiltration basin. Infiltration basins completed. Basin protection removed for winter.

2017-006 **6687 Horseshoe Curve Chanhassen** **2019-12-11**

No activity observed to date.

2017-023 **Eden Prairie Assembly of God - Private - Commercial/Industrial** **2019-12-11**
16591 Duck Lake Trail Eden Prairie, MN 55346

Construction complete. Site vegetation is established. Site is stable. All temporary BMP's have been removed from original construction. Additional construction observed and bio-logs installed and still onsite. Site is snow covered--unable to determine if bio-logs have been removed.

2017-024 **Prairie Bluffs Senior Living - Private - Residential** **2019-12-10**
10280 Hennepin Town Rd Eden Prairie, MN 55347

No change since last month--site is now snow covered--will inspect after spring snowmelt for issues at site described below: Construction complete. CA remains open for street tracking --sediment build up at curb--less than last month--still needs attention. Site representative was notified in May /July and again in September and is aware. Landscaping complete. Sand delta at wetland needs to be removed. Slope to wetland covered and stabilized. No change in status of wetland work-silt delta removal from previous runoff. Terry Jeffery was notified/photo taken.

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2017-026	6135 Ridge Road - Existing Single-Family 6135 Ridge Road, Excelsior, MN 55331	2019-12-10
	No change since last monthly inspection. Site is snow covered. Rock driveway good. Silt fence installed. Bare soils on upper half of slope have been covered with straw matting-vegetation is growing. Southwest corner has rock retaining landscaping completed.	
2017-030	Elevate - Private - Commercial/Industrial 12900 Technology Drive Eden Prairie, MN 55344	2019-12-10
	Construction completed. Perimeter control removed. Some catch basins have bladders installed---can be removed. Site is stable. Site representative was contacted about removing catch basin protection. Basin protection not removed-- mostly frozen in until spring. Will continue inspection until removed.	
2017-031	Lion's Tap - Private - Commercial/Industrial 16180 Flying Cloud Drive Eden Prairie, MN 55347	2019-12-10
	Construction continues. BMP's installed. Soils on slopes were covered -- prior to snowfall.	
2017-038	West Park - Private - Residential 760& 781 Lake Susan Drive 8601 Great Plains Blvd Chanhassen, MN 55317	2019-12-10
	No change since last month. Site is snow covered. BMP's look good. Final grading and landscaping underway prior to snowfall.	
2017-039	Mission Hill Senior Living - Private - Residential 8600 Grate Plains Boulevard Chanhassen, MN 55317	2019-12-10
	No change since last month. Site is snow covered. Construction winding down. BMP's installed look good.	
2017-047	Fawn Hill - Private - Residential 7240 Galpin Road Chanhassen, MN 55331	2019-12-10
	Construction continues at additional house sites. Perimeter silt fences installed and additional silt fences installed where needed. BMP's to date look good. Site is snow covered.	
2017-069	Scheels Redevelopment - Private - Commercial/Industrial 8301 Flying Cloud Dr. Eden Prairie, MN 55344	2019-12-10
	No change since last month inspection. BMP's installed. Construction continues inside. Parking lot to west is complete. Work on main parking lot is idled for winter. Minor tracking on south side observed - prior to snowfall. BMP's look good to date.	

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Date: December 31, 2019
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2017-072	O'Reilly Auto Parts Eden Prairie - Private - Commercial/Industrial 8868 AZTEC DRIVE Eden Prairie, MN 55347 No change since last month. Site will be idled for winter. Perimeter control installed. Site has been cleared. Site rock entrance installed. Inlet protection installed but must have been removed. BMP's good. CA closed.	2019-12-10
2017-073	Preserve Village - Private - Residential 9625 Anderson Lakes Pkwy Eden Prairie, MN 55344 No change since last month's inspection. Construction of building complete. Landscaping is complete. Vegetation is established and infiltration basin was working good prior to winter. All temporary BMP's have been removed site was stable prior to snowfall. This will be last field inspection for this permit.	2019-12-10
2018-014	Eden Prairie Road Reconstruction Construction on roadway completed. Additional silt fences installed on slope where old roadway existed. All slopes have been recently spray-tac'd or covered with matting. Steep slopes covered with matting-prior to snowfall. BMP's installed look good. Road and curb/gutter complete.	2019-12-10
2018-016	Avienda - Private - Commercial/Industrial SW corner of Powers and Lyman Boulevard Chanhassen, MN 55317 No activity observed to date.	2019-12-10
2018-025	Magellan Pipeline UCD Dig 8 through 12 No change since last inspection. Work halted until fall-winter 2019-20.	2019-12-10
2018-027	MAMAC - Private - Commercial/Industrial 8189 Century Boulevard Chanhassen, MN 55317 Construction has begun on infiltration basin. Perimeter control silt fence installed. Temporary BMP's installed. BMP's are good.	2019-12-10
2018-028	Oak Point Elementary School Parking Lot - Government - Other 13400 Staring Lake Parkway Eden Prairie, MN 55347 Parking lot construction complete. Bare soils have been sprayed. BMP's in place. Site is snow covered. Will inspect after spring snowmelt.	2019-12-10
2018-034	Basin 05-11-A Cleanout - Government - Other Corner of Sequoia and Ginger Eden Prairie, MN 55346	2019-12-11

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No change since last monthly inspection. Robert Ellis-site representative stated that this work will begin in 2019- contacted Robert Ellis again--work should start late 2019-early 2020. No activity observed to date.

2018-038 **Eden Prairie Senior Living - Private - Residential** **2019-12-10**
8460 Franlo Rd Eden Prairie, MN 55344

No change since last month. Site is snow covered. Will inspect after spring snowmelt.

2018-041 **Abra Auto Body - Private - Commercial/Industrial** **2019-12-10**
13075 Pioneer Trail Eden Prairie, MN 55347

No change since last month. Site is snow covered. Construction complete. Will inspect next spring for vegetation growth on covered slopes and in infiltration basins. BMP's good.

2018-043 **Control Concepts - Private - Commercial/Industrial** **2019-12-10**
8077 Century Boulevard Chanhassen, MN 55317

Construction continues. Site grading /underground work almost complete. Perimeter silt fence installed. BMP's to date look good.

2018-044 **Smith Village - Private - Residential** **2019-12-11**
16389 Glory Lane Eden Prairie, MN 55344

Demolition completed. Construction continues. BMP's installed. Site is snow covered.

2018-047 **Peterson Borrow Site - Private - Commercial/Industrial** **2019-12-10**
15900 Flying Cloud Drive Eden Prairie, MN 55347

No change since last monthly inspection. Site is snow covered. BMP's in place. Pit appears to be done being used. Soils in areas have been spray-tac'd. Entrance installation underway.

2018-052 **HCRRA Culvert Replacement - Government - Linear** **2019-12-11**
Hennepin County Wayzata and Deephaven, MN 55401

Construction complete. BMP's installed. Vegetation growing and filling in; some bare areas of no growth-matting is protecting bare soils. Site is stable. Fence and Watershed signage installed. Will check in late spring-2020 for vegetation establishment. Silt fences and bio-rolls in place.

2018-055 **Park Trail Improvement Project - Government - Other** **2019-12-10**
1700 W. 98th Street Bloomington, MN 55431

Site is snow covered--will inspect next spring after snow melt and into growing season. No change since last monthly inspection.

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2018-056	Bluff Creek Restoration - Government - Other Liberty on Bluff Creek, Outlot B Audubon Road Chanhassen, MN 55317 Site access completed. Brushing and tree removal completed. Rock entrance installed. Boulder stockpile onsite. Equipment onsite.	2019-12-10
2018-058	Walker Home - Existing Single-Family 9108 Stephens Pointe Eden prairie, MN 55347 No change since last month inspection. Site is snow covered. Issues will have to be addressed after spring snowmelt. CA's will remain open. See November-2019 inspection for details. Site representative is-- Ryan: 651-398-3622.	2019-12-10
2018-059	Mason Point Landscaping - Existing Single-Family 15363 Mason Pointe Eden Prairie, MN 55347 No change since last month. Construction complete. BMP's installed. Final landscaping will occur in spring 2020.	2019-12-10
2018-060	Loichinger Residence - Existing Single-Family 16396 Stratus Court Eden Prairie, MN 55347 Construction complete. Perimeter controls removed. Landscaping completed. Silt fence on north side still in place. Site is stable. Site is snow covered. Will inspect after spring snowmelt.	2019-12-10
2018-061	McCoy Lake Inlet Sediment Removal - Government - Other Mitchell Road and Cumberland Road Eden Prairie, MN 55347 No change since last monthly inspection. Access to site completed. No BMP's installed to date. No construction to date.	2019-12-10
2018-062	Lower Riley Creek Stabilization Project - Government - Other Ridge on Riley Creek, Outlot A Eden Prairie, MN 55344 Tree removal has begun and equipment/supply staging continues. Construction limits being surveyed in. No BMP's installed to date.	2019-12-10
2018-066	Castle Ridge Redevelopment - Private - Residential 615-635 Prairie Center Drive Eden Prairie, MN 55344 Construction continues. Demolition and earthwork/grading underway. Perimeter controls installed. BMP's to date look good.	2019-12-10
2018-067	Hennepin Co Library - Eden Prairie Branch Refurb - Government - Other 565 Prairie Center Drive Eden Prairie, MN 55344 Construction appears to be completed. Site is snow covered. Will inspect after spring snowmelt. Perimeter controls installed. Soils on slopes covered-landscaping underway. BMP's look good to date.	2019-12-10

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2018-068	DriSteem Warehouse Expansion - Private - Commercial/Industrial 14949 Technology Drive Eden Prairie, MN 55344 No change since last monthly inspection. Construction complete. Parking lot paved. Grading complete. Seeding completed and growing. Catch basin protection removed. Bio-rolls removed. Will inspect next spring for vegetation establishment.	2019-12-10
2018-072	Hyland Park Parking Lot Improvements - Government - Other 10145 E Bush Lake Rd Bloomington, MN 55438 Construction nearing completion. BMP's installed. Perimeter control good. Site control good. Lower parking lot area completed--areas have been seeded and vegetation was growing before cold season. Site is snow covered. Will inspect after spring snow melt and into growing season.	2019-12-10
2018-073	Preserve Boulevard - Government - Linear Preserve Boulevard Eden Prairie, MN 55344 Construction idled for winter. Minor tracking on onsite due to grading work underway prior to snowfall. Final grading still needs to be completed. Bare soils covered for winter-sprayed. BMP's good.	2019-12-10
2018-074	Eden Prairie Ground Storage Reservoir - Government - Other XXXX Eden Prairie Road Eden Prairie, MN 55344 Earthwork continues and site grading continues. Perimeter control installed. BMP's to date are good. Soils covered in plastic or with spray-tac--recently redone since last month prior to snowfall. Construction has begun. Site is snow covered.	2019-12-11
2019-001	Park-Galpin Nelson Property - Private - Residential 7141 Galpin Blvd Chanhassen, MN 55317 Grading complete. Perimeter silt fence installation complete BMP's to date are good. Roadway beds installed and paved. All bare soils have been covered with straw. Site is snow covered.	2019-12-10
2019-003	Stable Path - Private - Residential 9650 Stable Path Eden Prairie, MN 55347 Additional home sites under construction. Roadway and curb/gutter installed. Most bare soils covered with straw. Infiltration basin installed and slopes covered in some areas. BMP's installed where needed. Heavy tracking to street/ Catch basin protection removed for winter. CA opened for tracking. Site representative was notified. Site is snow covered. CA will remain open until spring.	2019-12-10

To: RPBCWD Board of Managers
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2019-007	Beverly Hill - Private - Residential 16540 Beverly Drive & 9800 Eden Prairie Road Eden Prairie, MN 55347 Construction continues. Perimeter controls installed. Site grading completed and roadway construction completed. BMP's to date look good. First two houses are under construction. Site is snow covered.	2019-12-10
2019-008	Staring Lake Pavilion - Government - Other 14800 Pioneer Trail Eden Prairie, MN 55347 Construction complete. Site perimeter control removed. Final grading completed and sod installed. Parking lot work complete BMP's are good to date. Will inspect next spring for vegetation growth.	2019-12-10
2019-011	Westwind Plaza - Private - Commercial/Industrial 4795 County Rd. 101 Minnetonka, MN 55345 Security fence installed. BMP's installed. No construction or earthwork to date. Site is snow covered.	2019-12-11
2019-017	Pawnee Drive - Existing Single-Family 6650 Pawnee Dr. Chanhassen, MN 55317 Catch basin protection area needs clean up along with street--snow plows have removed some sediments. Corrective Action remains open. Site has been landscaped and is stable. No change since last month. Site is snow covered.	2019-12-10
2019-018	Deerwood Drive - Existing Single-Family 6657 Deerwood Dr Chanhassen, MN 55317 Heavy sediment runoff /tracking from site --snow plows have removed most. Site still needs attention to control runoff during heavy rainfall events and after each rainfall event(spring-2020). Corrective Action remains opened. Some issues being addressed but not completed. Site grading appears to be underway. CA's will remain open. Site is snow covered.	2019-12-10
2019-019	Sheldon Place - Private - Residential 7960 Eden Prairie Rd Eden Prairie, MN 55347 Demolition completed. BMP's installed. Construction continues. Site is snow covered.	2019-12-11
2019-022	Woodcrest Place - Private - Residential 17170 Beverly Drive Eden Prairie, MN 55347 House tear down is completed. No BMP's installed to date. Site is snow covered.	2019-12-10
2019-023	Minnetonka Library - Government - Other 17524 Excelsior Blvd. Minnetonka, MN 55345 Construction complete. BMP's in place. All bare soils have been sprayed prior to snowfall. Site is snow covered.	2019-12-11

To: RPBCWD Board of Managers
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2019-024	Conifer Heights - Private - Residential 5615 Conifer Trail 5616 Mahoney Ave Minnetonka, MN 55345 Site has been surveyed and some brush clearing completed. No construction activity observed to date. Silt fences have been installed in some areas. Site is snow covered.	2019-12-11
2019-026	Ridgewood Church Parking Lot 4420 County Road 101 Minnetonka, MN 55345 Construction complete. Perimeter controls installed. BMP's installed. Bare soils covered at infiltration basin. Final grading at back of curbs underway. Site is snow covered. Will inspect after spring snowmelt.	2019-12-11
2019-028	Lifetime Parking Lot Chanhassen - Private - Commercial/Industrial 2970 Water Tower Place Chanhassen, MN 55317 Rock parking lot pad installed. Bio rolls installed around pad. Pad has been paved.	2019-12-10
2019-032	West 79th St Chanhassen Parking Lot - Government - Other Unassigned - W. 79th St and Market Blvd Chanhassen, MN 55317 Construction complete. BMP's in place. All bare soils have been sprayed prior to snowfall. Site is snow covered.	2019-12-11
2019-042	CSAH 101-Chanhassen - Government - Linear Chanhassen, MN 55317 House demolition underway. Construction limits surveyed.	2019-12-10

Please contact me at 952.832-2687 or dmelmer@barr.com if you have questions on the projects listed above or any additional items that need to be addressed for the erosion control inspections.



18681 Lake Drive East
Chanhausen, MN 55317
952-607-6512
www.rpbcwd.org

To: Board of Managers
From: Claire Bleser, District Administrator
Re: Middle Riley TO 29A

Friday, January 3, 2020

Dear Managers,

Please find attached, proposal from BARR to conduct feasibility on the restoration of Middle Riley Creek in Bearpath. Bearpath approached the District with concerns of erosion of Middle Riley Creek and are interested in partnering in the restoration of the creek. The Task Order that you have before is to conduct the feasibility of this project. This project was identified in the 10-year plan for 2025. However, staff is proposing to move it forward as the property owner is interested and willing to take part in the restoration.

Staff recommends approval of the proposal for the **\$18,900**. The funds would come from Reserve Funds to cover this expense.

Manager _____ seconded by Manager _____ to approve Task Order 29A for \$18,900 and funds to be transferred from Reserves for \$18,900 to a new line item title Middle Riley Creek Restoration.

**TASK ORDER No. 29A- Middle Riley Creek Stabilization Feasibility
Pursuant to Agreement for Engineering Services
Riley Purgatory Bluff Creek Watershed District and BARR Engineering Company.
December 30, 2019**

This Task Order is issued pursuant to Section 1 of the above-cited engineering services agreement between the Riley Purgatory Bluff Creek Watershed District (District) and BARR Engineering Company (Engineer) and incorporated as a part thereof.

1. Description of Services:

Barr will work with District staff and Bearpath Golf and Country Club to determine the feasibility of a stabilization project within the Riley Creek watershed. The assessment will review photographs collected by District staff to assess the creek between Rice Marsh Lake and Lake Riley for erosion. The feasibility study will focus on a reach of Riley Creek within the property boundary of the Bearpath Golf and Country Club that was identified in the Creek Restoration Action Strategy (CRAS), RPBCWD's capital improvement program in the 10-year plan, and subsequent site visits as an area with significant erosion. The reach includes approximately 900 feet of stream between Riley Lake Road and Bearpath Trail and a 100 feet section of eroded bank west of the St. Mellion Place cul-de-sac. The feasibility study will be conducted in early 2020 with design and construction scheduled for summer and late-fall 2020, respectively. The feasibility study will evaluate up to two (2) options for the both project reaches. Concept designs and conceptual level opinions of probable cost will be developed for each reach. The results will be summarized in a memorandum to be provided to the Board of Managers at the March 2020 meeting.

Barr's activity is anticipated to be divided into three phases:

Phase 1: Feasibility Study (This Task Order 29A)

Phase 2: Final Design and Permitting (Task Order anticipated in March 2020);

Phase 3: Construction Administration Services (Task Order anticipated in March 2020).

2. Scope of Services:

Engineer's services under this task order shall include:

PHASE 1. FEASIBILITY AND CONCEPT DESIGN

Feasibility and concept design includes multiple tasks in order to ensure the project is feasible to meet the anticipated fast timeline to complete construction, including close coordination between key stakeholders (RPBCWD, Bearpath Golf and Country club (Bearpath)) to properly assess the feasibility of a project within the identified reaches. These tasks are described below.

Task 1-1. Kick-off Meeting and Regular Project Meetings

A kick-off meeting will be held with the District, Bearpath, and Barr staff to discuss the project. Key criteria for the project (scope and budget) will be reviewed and used to develop an initial list of stabilization options that may be feasible for a 2020 project. The meeting will also provide an opportunity to define roles and responsibilities to be filled by District, Bearpath and Barr Staff.

Task 1-2. Data Review and Site Visits

Prior to the kick-off meeting, it will be expected that District and Barr staff will review the district's 10-year Plan, MPCA's Lake Riley Total Maximum Daily Load (TMDL), and the CRAS to be familiar with the project reaches and the erosion issues previously identified. These reports will then continue to be reviewed during the evaluation of the project feasibility. It is also assumed that District and Barr staff will share photos and data from previous studies to assist with the review of background information.

Shortly after the kick-off meeting, Barr staff will coordinate with District and Bearpath staff to complete one site visit to improve knowledge of the site characteristics and gain additional context for photos available from the previously identified studies. An invite will be extended to the Minnesota Department of Natural Resources (MNDNR) area hydrologist and US Army Corps of Engineers (USACE) representative to solicit input on restoration techniques and permitting requirements. If feasible, the site visit and kickoff meeting may be scheduled on the same day to expedite the development of concepts. During this meeting, Barr staff will discuss stabilization approaches with District staff and work towards a consensus for a concept design approach for each reach that will address site-specific characteristics while meeting District goals for stream stabilization.

Task 1-3. Concept Development

Barr staff will develop Preliminary Concept Design schematic drawings for up to two (2) options at each of the two project reaches (four concepts total). The drawings will be GIS based and primarily present a conceptual design to address the issues present and meet overall goals. A concept level opinion of probable cost range will also be developed for each concept. The concept development will also include a review of available hydrologic and hydraulic modeling for Riley Creek previously completed for the District to understand anticipated flows, shear stress, and velocities for the reaches. A high level desktop study of environmental, cultural/historical, and wetland impacts will be conducted.

The area near the 16th green of Bearpath Golf and Country Club has experienced slope instability. This task includes a review of available subsurface soil information near the site as well as the use of available LIDAR data to develop a slope cross section. A geotechnical slope stability model will be prepared to evaluate the stability of the existing slope and develop stabilization options for the concept designs. A hand auger soil boring will be collected if feasible (depending on frost conditions) to verify soil parameters. Depending on the desired stabilization option, a soil boring may be necessary as part of final design to collect additional soil information and refine the stability model.

Barr will estimate the water quality benefits associated with stabilizing a given reach by estimating the amount of erosion that could be prevented. This will help estimate a cost per unit of pollution (total suspended solids (TSS) and total phosphorus (TP)) prevented from entering the stream system and Lake Riley.

Once preliminary concepts have been developed, an agency/stakeholder meeting will be conducted either on-site (weather dependent) or at RPBCWD offices. Agencies/stakeholders invited to the meeting will include USACE, MNDNR, City of Eden Prairie, Bearpath, and District staff.

Task 1-4. Preliminary Design Memorandum

Following the agency/stakeholder meeting Barr will incorporate comments into the feasibility concepts and complete a feasibility report to document the information gathered and the various components and assumptions that influence the concept design. It is assumed the RPBCWD staff will provide a written summary of their recent observations along Middle Riley Creek for inclusion in the summary memo. The report will provide the Managers with information needed to evaluate the merits of the potential projects. It will also include a recommendation to allow the Board to make a decision to proceed to final design or not. Key components will likely include project purpose and objectives, documentation from tasks listed above, design criteria, potential implementation steps, cost range, and timeline as well as assumptions made to complete the design.

Task 1-5. Presentation to RPBCWD Board of Managers Assistance

Barr staff will assist RPBCWD's Administrator to present the preliminary design to the District Board of Managers at their regularly scheduled meeting.

Task 1-6. Project Management

Project Management will be required in all phases as careful project management will help to ensure the work meets the expectations of District staff and other stakeholders, and that it is completed in a satisfactory manner, within the project timeline and within the agreed-upon budget.

Assumptions

We have made several assumptions in preparing the scope of work for each work item in this agreement. Assumptions relating to individual work tasks are listed along with the detailed description. However, additional assumptions that do not correspond with a single work task are listed below:

- Includes time for one hand auger soil sample, however a full soil boring will not be collected in this phase.
- An assessment of the vegetation adjacent to the project area will not be completed in this phase.
- A wetland delineation of the project area will not be completed in this phase
- A Phase I Cultural and Historical Assessment will not be completed in this phase.
- A Phase I Environmental Assessment will not be completed in this phase.
- The project site is free from contamination as well as historic and cultural resources.
- A topographic survey will not be completed in this phase.
- Feasibility and concept design will include one kickoff/site visit meetings with District staff and one agency meeting to discuss the plans and cost estimate.
- One presentation for the District Board prior to approving the project for final design
- The proposed budget includes costs for mileage reimbursement for site visits and site observation.
- The District will provide all available and applicable GIS and CAD files to Barr in an electronic format.

3. Deliverables:

The following deliverables will be prepared and provided to the RPBCWD:

Phase 1: Preliminary Feasibility Design

- Regular email updates about project progress
- Concept drawings with estimates of TSS and TP load reductions
- Concept Opinions of Probable Cost Ranges
- Feasibility Design Report for District review
- Communications with District staff if unforeseen issues arise with any aspect of the project, including the technical scope of work, project budget, stakeholder involvement, or project schedule.

4. Budget:

Services under this Task Order will be compensated for in accordance with the engineering services agreement and will not exceed \$18,900 without written authorization by the Administrator or Board of Managers. The following table provides a breakdown of the anticipated cost for major tasks associated with scope of services describe above.

Task	Task Description	Anticipated Budget	Anticipated Completion Date
Phase 1: Preliminary Feasibility Design			
1-1	Kick-off Meeting and Project Meetings	\$2,000	ongoing
1-2	Data Review and Initial Site Visit	\$2,000	January 10
1-3a	Concept Design Development	\$7,800	January 24
1-3b	Agency meeting	\$1,200	February 7
1-4	Feasibility Design Report	\$3,900	February 21
1-5	Assistance with Presentation to RPBCWD Board	\$1,200	March 4
1-6	Project Management	\$800	ongoing
Task Order 29A Total		\$18,900	

5. Schedule and Assumptions Upon Which Schedule is Based

The proposed schedule (above) is based on the assumptions that this phase should be completed as quickly as possible in order to provide enough time to complete final design in the summer of 2020 and substantial completion of a construction occurring during the early winter of 2020. The schedule outlined above assumes project initiation will occur in January 2020.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver Phase 1 of this Agreement.

CONSULTANT

**RILEY PURGATORY BLUFF CREEK
WATERSHED DISTRICT**

By _____

By _____

Its Vice President _____

Its _____

Date:

Date:

APPROVED AS TO FORM & EXECUTION

**TASK ORDER No. 29A- Middle Riley Creek Stabilization Feasibility
Pursuant to Agreement for Engineering Services
Riley Purgatory Bluff Creek Watershed District and BARR Engineering Company.
December 30, 2019**

This Task Order is issued pursuant to Section 1 of the above-cited engineering services agreement between the Riley Purgatory Bluff Creek Watershed District (District) and BARR Engineering Company (Engineer) and incorporated as a part thereof.

1. Description of Services:

Barr will work with District staff and Bearpath Golf and Country Club to determine the feasibility of a stabilization project within the Riley Creek watershed. The assessment will review photographs collected by District staff to assess the creek between Rice Marsh Lake and Lake Riley for erosion. The feasibility study will focus on a reach of Riley Creek within the property boundary of the Bearpath Golf and Country Club that was identified in the Creek Restoration Action Strategy (CRAS), RPBCWD's capital improvement program in the 10-year plan, and subsequent site visits as an area with significant erosion. The reach includes approximately 900 feet of stream between Riley Lake Road and Bearpath Trail and a 100 feet section of eroded bank west of the St. Mellion Place cul-de-sac. The feasibility study will be conducted in early 2020 with design and construction scheduled for summer and late-fall 2020, respectively. The feasibility study will evaluate up to two (2) options for the both project reaches. Concept designs and conceptual level opinions of probable cost will be developed for each reach. The results will be summarized in a memorandum to be provided to the Board of Managers at the March 2020 meeting.

Barr's activity is anticipated to be divided into three phases:

Phase 1: Feasibility Study (This Task Order 29A)

Phase 2: Final Design and Permitting (Task Order anticipated in March 2020);

Phase 3: Construction Administration Services (Task Order anticipated in March 2020).

2. Scope of Services:

Engineer's services under this task order shall include:

PHASE 1. FEASIBILITY AND CONCEPT DESIGN

Feasibility and concept design includes multiple tasks in order to ensure the project is feasible to meet the anticipated fast timeline to complete construction, including close coordination between key stakeholders (RPBCWD, Bearpath Golf and Country club (Bearpath)) to properly assess the feasibility of a project within the identified reaches. These tasks are described below.

Task 1-1. Kick-off Meeting and Regular Project Meetings

A kick-off meeting will be held with the District, Bearpath, and Barr staff to discuss the project. Key criteria for the project (scope and budget) will be reviewed and used to develop an initial list of stabilization options that may be feasible for a 2020 project. The meeting will also provide an opportunity to define roles and responsibilities to be filled by District, Bearpath and Barr Staff.

Task 1-2. Data Review and Site Visits

Prior to the kick-off meeting, it will be expected that District and Barr staff will review the district's 10-year Plan, MPCA's Lake Riley Total Maximum Daily Load (TMDL), and the CRAS to be familiar with the project reaches and the erosion issues previously identified. These reports will then continue to be reviewed during the evaluation of the project feasibility. It is also assumed that District and Barr staff will share photos and data from previous studies to assist with the review of background information.

Shortly after the kick-off meeting, Barr staff will coordinate with District and Bearpath staff to complete one site visit to improve knowledge of the site characteristics and gain additional context for photos available from the previously identified studies. An invite will be extended to the Minnesota Department of Natural Resources (MNDNR) area hydrologist and US Army Corps of Engineers (USACE) representative to solicit input on restoration techniques and permitting requirements. If feasible, the site visit and kickoff meeting may be scheduled on the same day to expedite the development of concepts. During this meeting, Barr staff will discuss stabilization approaches with District staff and work towards a consensus for a concept design approach for each reach that will address site-specific characteristics while meeting District goals for stream stabilization.

Task 1-3. Concept Development

Barr staff will develop Preliminary Concept Design schematic drawings for up to two (2) options at each of the two project reaches (four concepts total). The drawings will be GIS based and primarily present a conceptual design to address the issues present and meet overall goals. A concept level opinion of probable cost range will also be developed for each concept. The concept development will also include a review of available hydrologic and hydraulic modeling for Riley Creek previously completed for the District to understand anticipated flows, shear stress, and velocities for the reaches. A high level desktop study of environmental, cultural/historical, and wetland impacts will be conducted.

The area near the 16th green of Bearpath Golf and Country Club has experienced slope instability. This task includes a review of available subsurface soil information near the site as well as the use of available LIDAR data to develop a slope cross section. A geotechnical slope stability model will be prepared to evaluate the stability of the existing slope and develop stabilization options for the concept designs. A hand auger soil boring will be collected if feasible (depending on frost conditions) to verify soil parameters. Depending on the desired stabilization option, a soil boring may be necessary as part of final design to collect additional soil information and refine the stability model.

Barr will estimate the water quality benefits associated with stabilizing a given reach by estimating the amount of erosion that could be prevented. This will help estimate a cost per unit of pollution (total suspended solids (TSS) and total phosphorus (TP)) prevented from entering the stream system and Lake Riley.

Once preliminary concepts have been developed, an agency/stakeholder meeting will be conducted either on-site (weather dependent) or at RPBCWD offices. Agencies/stakeholders invited to the meeting will include USACE, MNDNR, City of Eden Prairie, Bearpath, and District staff.

Task 1-4. Preliminary Design Memorandum

Following the agency/stakeholder meeting Barr will incorporate comments into the feasibility concepts and complete a feasibility report to document the information gathered and the various components and assumptions that influence the concept design. It is assumed the RPBCWD staff will provide a written summary of their recent observations along Middle Riley Creek for inclusion in the summary memo. The report will provide the Managers with information needed to evaluate the merits of the potential projects. It will also include a recommendation to allow the Board to make a decision to proceed to final design or not. Key components will likely include project purpose and objectives, documentation from tasks listed above, design criteria, potential implementation steps, cost range, and timeline as well as assumptions made to complete the design.

Task 1-5. Presentation to RPBCWD Board of Managers Assistance

Barr staff will assist RPBCWD's Administrator to present the preliminary design to the District Board of Managers at their regularly scheduled meeting.

Task 1-6. Project Management

Project Management will be required in all phases as careful project management will help to ensure the work meets the expectations of District staff and other stakeholders, and that it is completed in a satisfactory manner, within the project timeline and within the agreed-upon budget.

Assumptions

We have made several assumptions in preparing the scope of work for each work item in this agreement. Assumptions relating to individual work tasks are listed along with the detailed description. However, additional assumptions that do not correspond with a single work task are listed below:

- Includes time for one hand auger soil sample, however a full soil boring will not be collected in this phase.
- An assessment of the vegetation adjacent to the project area will not be completed in this phase.
- A wetland delineation of the project area will not be completed in this phase
- A Phase I Cultural and Historical Assessment will not be completed in this phase.
- A Phase I Environmental Assessment will not be completed in this phase.
- The project site is free from contamination as well as historic and cultural resources.
- A topographic survey will not be completed in this phase.
- Feasibility and concept design will include one kickoff/site visit meetings with District staff and one agency meeting to discuss the plans and cost estimate.
- One presentation for the District Board prior to approving the project for final design
- The proposed budget includes costs for mileage reimbursement for site visits and site observation.
- The District will provide all available and applicable GIS and CAD files to Barr in an electronic format.

3. Deliverables:

The following deliverables will be prepared and provided to the RPBCWD:

Phase 1: Preliminary Feasibility Design

- Regular email updates about project progress
- Concept drawings with estimates of TSS and TP load reductions
- Concept Opinions of Probable Cost Ranges
- Feasibility Design Report for District review
- Communications with District staff if unforeseen issues arise with any aspect of the project, including the technical scope of work, project budget, stakeholder involvement, or project schedule.

4. Budget:

Services under this Task Order will be compensated for in accordance with the engineering services agreement and will not exceed \$18,900 without written authorization by the Administrator or Board of Managers. The following table provides a breakdown of the anticipated cost for major tasks associated with scope of services describe above.

Task	Task Description	Anticipated Budget	Anticipated Completion Date
Phase 1: Preliminary Feasibility Design			
1-1	Kick-off Meeting and Project Meetings	\$2,000	ongoing
1-2	Data Review and Initial Site Visit	\$2,000	January 10
1-3a	Concept Design Development	\$7,800	January 24
1-3b	Agency meeting	\$1,200	February 7
1-4	Feasibility Design Report	\$3,900	February 21
1-5	Assistance with Presentation to RPBCWD Board	\$1,200	March 4
1-6	Project Management	\$800	ongoing
Task Order 29A Total		\$18,900	

5. Schedule and Assumptions Upon Which Schedule is Based

The proposed schedule (above) is based on the assumptions that this phase should be completed as quickly as possible in order to provide enough time to complete final design in the summer of 2020 and substantial completion of a construction occurring during the early winter of 2020. The schedule outlined above assumes project initiation will occur in January 2020.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver Phase 1 of this Agreement.

CONSULTANT

**RILEY PURGATORY BLUFF CREEK
WATERSHED DISTRICT**

By _____

By _____

Its Vice President _____

Its _____

Date:

Date:

APPROVED AS TO FORM & EXECUTION

**TASK ORDER No. 30A- Pioneer Wetland Restoration Feasibility
Pursuant to Agreement for Engineering Services
Riley Purgatory Bluff Creek Watershed District and BARR Engineering Company.
December 30, 2019**

This Task Order is issued pursuant to Section 1 of the above-cited engineering services agreement between the Riley Purgatory Bluff Creek Watershed District (District) and BARR Engineering Company (Engineer) and incorporated as a part thereof.

1. Description of Services:

Barr will work with District staff to determine the feasibility of restoring the wetland in the northwest quadrant of the intersection of Pioneer Trail and CSAH 101 in Chanhassen. The assessment will review photographs collected by District staff, historic aerial photographs, and prior outlet surveys by RPBCWD or the city of Chanhassen. The feasibility study will focus on restoring the portion of the wetland on the parcels owned by RPBCWD as outlined in the district's 10-year plan. The three parcels were previously purchased in fee title to remove the flood prone structures from the floodplain using a flood damage reduction grant from the Minnesota Department of Natural Resources (MNDNR). Two parcels were purchased by RPBCWD and the third by the city of Chanhassen. The City has indicated they intend to transfer the property to RPBCWD for restoration purposes. The feasibility study will be conducted in early 2020 with design and construction scheduled for summer and late-fall 2020, respectively. The feasibility study will evaluate up to two (2) options for restoration. Concept designs and conceptual level opinions of probable cost ranges will be developed for each option. The results will be summarized in a memorandum to be provided to the Board of Managers at the March 2020 meeting.

Barr's activity is anticipated to be divided into three phases:

Phase 1: Feasibility Study (This Task Order 30A)

Phase 2: Final Design and Permitting (Task Order anticipated in March 2020);

Phase 3: Construction Administration Services (Task Order anticipated in March 2020).

2. Scope of Services:

Engineer's services under this task order shall include:

PHASE 1. FEASIBILITY AND CONCEPT DESIGN

Feasibility and concept design include multiple tasks in order to ensure the project is feasible to meet the anticipated fast timeline to complete construction because of Clean Water Fund (CWF) grant requirements. These tasks are described below.

Task 1-1. Kick-off Meeting and Regular Project Meetings

A kick-off meeting will be held with the District and Barr staff to discuss the project. Key criteria for the project (scope and budget) will be reviewed and used to develop an initial list of restoration options that may be feasible for a late-2020 project. The meeting will also provide an opportunity to define roles and responsibilities to be filled by District and Barr Staff.

Task 1-2. Concept Development

The wetland restoration portion of the feasibility study will include a description and evaluation of the different options, costs, and goals for the project. The results of this report will include recommendations for project planning decisions and directions to fully implement a restoration project.

The scope of services to develop no more than two wetland restoration alternatives include:

1. Creating native plant community restoration concept plans
 - Develop a diverse planting plan for up to two concept plans including the removal of invasive plants and site preparation, diverse planting and three years of native plant community management.
 - Develop conceptual grading contours to support a variety of wetland habitats while maximizing floodplain storage and reduce erosion potential in Bluff Creek
 - Attempt to quantify the ecological services improved potentially using Watershed-Based Stormwater Mitigation Toolbox (WBSMT) and wildlife supported by the restoration
2. Assess preliminary outlet modifications using the district's existing hydrologic and hydraulic (H&H) model to improve the wetland hydrology. There are several options to do this type of analysis ranging from mild to over the top wild.
 - **Statistical analysis** - This approach is not recommended because there is insufficient data (daily or weekly measurements) of how the wetland responds to the current outlet configuration.
 - **P8 Water Balance** - Use District's P8 hydrology model used for the Bluff Creek TMDL. The P8 model allows for continuous simulation using simplified curve number hydrology routines (lumped hydrology) but is not very robust for hydraulic routing of flows, thus this approach is not recommended.
 - **H&H Modeling with Design Storms** – Update district's Bluff Creek PCSWMM H&H model to reflect the city of Chanhassen survey data of the outlet form the wetland complex. The model would be used to simulate up to 4 statistically based design events using Atlas 14 median rainfall amounts (1-, 2-, 10-, and 100-year). This approach is more robust than the simplified P8 approach but is based on design event rather than measured rainfall within the RPBCWD. Because it is based on design events the modeling will not reflect the changing climatic conditions, current wet cycle, back to back rainfall events, or observed inundation durations, this approach is not recommended.
 - **H&H Modeling with measured Precipitation** – Recommended approach - Update district's Bluff Creek PCSWMM H&H model to simulation continuous climatic conditions. Requires more effort than the simplified P8 approach but is much more robust at simulating hydrology (rainfall, snowmelt, evaporation, infiltration, simplified groundwater & runoff) and allows for better flow routing, inundation duration estimations, and hydraulic outlet sizing functionality.
 - **Fully Coupled Surface/Ground water model** – This would develop coupled surface water and groundwater models. The most robust, intensive, and costly approach. In my opinion this is much more effort than is needed to provide a sound science basis for decision makers.

Below is a summary of the recommend approach using a portion of the Bluff Creek H&H model to assessing the potential water level impacts of the modification to the wetland outlet.

H&H Modeling Work Tasks

- a) Compile hourly rainfall, snowfall, temperature, & wind speed data from either the Chanhassen NWS or Flying Cloud Airport and convert information into a format suitable for PCSWMM for calibration/validation simulations (2014-2018).
 - b) Compile hourly rainfall, snowfall, temperature, & wind speed data from MSP and convert information into a format suitable for PCSWMM for long-term simulations (70 –yrs).
 - c) Clip the District stormwater model of Bluff Creek so that it only includes the watershed tributary to wetland and downstream to Bluff Creek.
 - d) Define/review snowmelt parameters in PCSWMM.
 - e) Review RPBCWD’s Regional Groundwater/Surface Water Interaction Study with the author (Evan G. Christianson) to establish the initial interaction condition between the lake level and groundwater by adjusting seepage estimates (rates and areas).
 - f) Review available soil boring data from the CSAH 101 Road reconstruction project to aid in defining soil infiltration and groundwater. Additional boring information could be reviewed is available.
 - g) The clipped model will be used to simulate approximately 70-years of rainfall. We assumed that rainfall from the Minneapolis-St. Paul airport would be used for the continuous simulation. This rain gauge provides a long, consistent source of data that can be used to run a continuous simulation. The clipped model will be used to evaluate the wetland response to the current outlet configuration.
 - h) The clipped model will be updated for up to two proposed outlets from the wetland, and the model will be used to simulate approximately 70-years of rainfall. We assume that the 70-years of rainfall would be based on measurements from the MSP gauge.
3. Create a native plant community restoration and outlet modification opinion of probable cost ranges

For the wetland restoration aspects of the project, there may be several approaches and options with varying timelines and implementation costs which may include the following. These options will be summarized in more detail in the feasibility study.

- Site restoration without receiving credits. This approach will identify the benefits of vegetation and hydrology restoration, such as benefits to Bluff Creek, flood protection, water quality improvements, wildlife habitat benefits, etc.
- Project specific wetland replacement. This approach requires coincidental timing of a current project requiring wetland replacement.
- Potential for banking:
 - BWSR road bank program. There are options within this approach which can include
 - assistance from BWSR throughout the project planning stages or
 - RPBCWD would be responsible for completing the wetland restoration work and would then sell the credits to the BWSR road bank.

- Establish a wetland bank for RPBCWD use or credits for sale. This is a lengthy process and requires several stages of submittals with regulatory reviews, recommendations, and approvals.

Depending on conditions of the CWF grant, which Barr has not had an opportunity to review, and regulatory requirements, the options listed above may be limited. The CWF grant may restrict the recipient from obtaining wetland credits from the wetland restoration project. In addition, our limited understanding of conditions of the grant based on discussion with the District Administrator requires project construction completion by the end of 2021. Regulatory approvals and permits for this work may delay the process.

Scope, schedule, and budget for future project implementation will vary depending on the results on the feasibility study and the approach determined by the Managers. While a more detailed timeline will be presented in the feasibility study, two tentative timelines are summarized below:

Implementation Element	No Bank Approach	Banking Approach
Feasibility (this task order)	Jan-Feb 2020	
Board Order Project	March 2020	
Wetland delineation and survey	Submittal in June. Approval and concurrence in August 2020. A USACE jurisdictional determination may take longer.	
Scoping document and pre-application regulatory meetings	June 2020	
Restoration Design	March – September 2020	
Application submittal	October 2020	If the approach involves banking, there are several additional submittals and reviews which may delay this schedule. Receiving approvals and permits May 2021.
Quotes Period and Opening	September 2020	June-July 2021
Award	October 2020	August 2021
Construction	October -November 2020	September-Dec 2021
Warranty Period, Easement Recordation	May 2021-2023	2022-2024
Establishment Period	2021-2025	2022 - 2026

Barr will estimate the water quality benefits and reduced stream erosion impacts associated with restoring a portion of the wetland. This will help estimate a cost per unit of pollution (total suspended solids (TSS) and total phosphorus (TP)) prevented from entering Bluff Creek, an impaired water.

Once preliminary concepts have been developed, an agency/stakeholder meeting will be conducted either on-site (weather dependent) or at RPBCWD offices. Agencies/stakeholders invited to the meeting will include USACE, MNDNR, BWSR, city of Chanhassen, and District staff.

Task 1-3. Preliminary Design Memorandum

Following the agency/stakeholder meeting Barr will incorporate comments into the feasibility concepts and complete a feasibility memorandum to document the information gathered and the various components and assumptions that influence the concept design. The memorandum will provide the Managers with information needed to evaluate the merits of the potential projects. It will also include a recommendation to allow the Board to make a decision to proceed to final design or not. Key components will likely include project purpose and objectives, documentation from tasks listed above, design criteria, potential implementation steps, cost range, and timeline as well as assumptions made to complete the design.

Task 1-4. Presentation to RPBCWD Board of Managers Assistance

Barr staff will assist RPBCWD's Administrator to present the preliminary design to the District Board of Managers at their regularly scheduled meeting.

Task 1-5. Project Management

Project Management will be required in all phases as careful project management will help to ensure the work meets the expectations of District staff and other stakeholders, and that it is completed in a satisfactory manner, within the project timeline and within the agreed-upon budget.

Assumptions

We have made several assumptions in preparing the scope of work for each work item in this agreement. Assumptions relating to individual work tasks are listed along with the detailed description. However, additional assumptions that do not correspond with a single work task are listed below:

- No soil borings will be collected for this phase.
- An assessment of the vegetation adjacent to the project area will not be completed in this phase.
- A wetland delineation of the project area will not be completed in this phase but rather the assessment will rely on the best available data
- A Phase I Cultural and Historical Assessment will not be completed in this phase.
- A Phase I Environmental Assessment will not be completed in this phase.
- The project site is free from contamination as well as historic and cultural resources.
- Topographic data for this phase will be limited to the available LIDAR data and a topographic survey will not be completed in this phase.
- Feasibility and concept design will include one kickoff/site visit meetings with District staff and one agency meeting to discuss the plans and cost estimate.
- One presentation for the District Board prior to approving the project for final design
- No more than proposed two outlet configurations will be analyzed. Alternative outlet configurations would be simulated on a time and materials basis. The proposed budget includes costs for mileage reimbursement for site visits and site observation.
- RPBCWD staff will aid in the development of the design criteria for the restoration of the wetland hydrology
- The District will provide all available and applicable GIS and CAD files to Barr in an electronic format.

3. Deliverables:

The following deliverables will be prepared and provided to the RPBCWD:

Phase 1: Feasibility Design

- Regular email updates about project progress
- Concept drawings of up to two options with estimates of TSS and TP load reductions
- Concept Opinions of Probable Cost Ranges
- Feasibility Design Report for District review
- Communications with District staff if unforeseen issues arise with any aspect of the project, including the technical scope of work, project budget, stakeholder involvement, or project schedule.

4. Budget:

Services under this Task Order will be compensated for in accordance with the engineering services agreement and will not exceed \$21,100 without written authorization by the Administrator or Board of Managers. The following table provides a breakdown of the anticipated cost for major tasks associated with scope of services describe above.

Task	Task Description	Anticipated Budget	Anticipated Completion Date
Phase 1: Preliminary Feasibility Design			
1-1	Kick-off Meeting and Project Meetings	\$1,000	ongoing
1-2a	Concept Design Development	\$12,400	January 24
1-2b	Agency meeting	\$1,100	February 7
1-3	Feasibility Design Memo	\$4,600	February 21
1-4	Assistance with Presentation to RPBCWD Board	\$900	March 4
1-5	Project Management	\$1,100	ongoing
Task Order 30A Total		\$21,100	

5. Schedule and Assumptions Upon Which Schedule is Based

The proposed schedule (above) is based on the assumptions that this phase should be completed as quickly as possible in order to provide enough time to complete final design in the summer of 2020 and substantial completion of a construction occurring during the early winter of 2020. The schedule outlined above assumes project initiation will occur in January 2020.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver Phase 1 of this Agreement.

CONSULTANT

**RILEY PURGATORY BLUFF CREEK
WATERSHED DISTRICT**

By _____

By _____

Its Vice President _____

Its _____

Date:

Date:

APPROVED AS TO FORM & EXECUTION



December 13, 2019

President Dick Ward and Board of Managers
Riley-Purgatory-Bluff Creek Watershed District
18681 Lake Dr E,
Chanhassen, MN 55317

**Re: Lake Susan Park Pond Watershed Treatment and Stormwater Reuse Project – Pay
Application #4 (Final)
Barr Project # 23/27-0053.14-013B**

Dear President Ward and Board of Managers:

Enclosed is the Application for Payment #4 from Peterson Companies for work completed through 11/19/2019, on the above-referenced project. This is the final payment application for the project as the contractor has completed the project according to the plans and specifications with the exception of the installation of the cord grass plugs. As a result, the attached payment application reflects payment for those plugs verified to be installed and growing. Vegetation is growing in the area designated for cord grass plugs and the area appears stable. Upon your review and approval, please sign three copies and return one copy to me, one copy to the contractor and retain the remaining copy for your files.

Major items of work covered by this pay application include:

- Miscellaneous/final mobilization for work completion,
- Programing adjustments to the reuse system
- Coordination with City of Chanhassen staff for spring 2019 start-up
- Final excavation work associated with the iron enhanced sand filter (IESF),
- Furnishing and installation of the plug container grass (70 viable units) around the IESF, and
- Furnishing and installation of the turf reinforcement mat at the pond intake
- Removal of temporary erosion control measures

Barr Engineering has reviewed the application and is recommending final payment in the amount of **\$19,961.07**. Because the project is complete, this final payment includes the release of all retainage. Payments shall be made directly to Peterson Companies.

Please call me at 952-832-2755 if you have any questions or concerns about the application for payment, or about any other related matters.

Sincerely,

A handwritten signature in black ink that reads "Scott Sobiech". The signature is written in a cursive, flowing style.

Scott Sobiech, P.E.
Barr Engineering Co.

c: Claire Bleser, RPBCWD
Josh Flem, Peterson Companies

Enclosure #1 – Application for Payment –Payment 4 (Final)

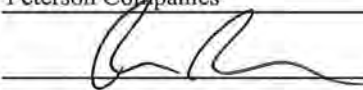
**Lake Susan Park Pond Watershed Treatment and Stormwater Reuse Project
Progress Payment Number 4 - FINAL**

1.0	Total Completed Through This Period	<u>\$467,970.33</u>		
2.0	Total Completed Previous Period		<u>\$459,966.53</u>	
3.0	Total Completed This Period			<u>\$8,003.80</u>
4.0	Amount Retained, Previous Period		<u>\$11,687.27</u>	
5.0	Amount Retained, This Period (See Note 1)		<u>\$0.00</u>	
6.0	Total Amount Retained		<u>\$11,687.27</u>	
7.0	Retainage Released Through This Period:			<u>\$11,687.27</u>
8.0	Amount Due This Period			<u><u>\$19,691.07</u></u>


Note 1: At rate of 5% until Completed to Date equals 50% of current Contract Price. Retainage after 50% of current Contract Price as determined by Engineer based on character and progress of work.

Note 2: Current Contract Price \$467,460.69

SUBMITTED BY:

Name: Andrew Marchant Date: 12/13
 Title: Project Manager
 Contractor: Peterson Companies
 Signature: 

RECOMMENDED BY:

Name: Scott Sobiech Date: 12/13/2019
 Title: District Engineer
 Engineer: Barr Engineering Company
 Signature: 

APPROVED BY:

Name: Dick Ward Date: _____
 Title: President
 Owner: Riley Purgatory Bluff Creek Watershed District
 Signature: _____



Lake Susan Park Pond Watershed Treatment and Stormwater Reuse Project
 Riley Purgatory Bluff Creek Watershed District
 Summary of Work Completed through 11/19/2019 for Progress Payment Number 4 - FINAL

Item	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	BID - Peterson Companies		(1) Total Completed Through This Period		(1) Total Completed for Pay Application #1		(1) Total Completed for Pay Application #2		(1) Total Completed for Pay Application #3		(1) Total Completed for Pay Application #4	
				UNIT COST	EXTENSION	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
A	Mobilization/Demobilization	LS	1	\$36,889.00	\$36,889.00	1	\$36,889.00	0.5	\$18,444.50	0	\$0.00	0.4	\$14,755.60	0.1	\$3,688.90
B	Erosion Control Construction Entrance	Each	1	\$904.00	\$904.00	1	\$904.00	1	\$904.00	0	\$0.00	0	\$0.00	0	\$0.00
C	Cleaning and Grubbing	Acre	0.2	\$26,740.00	\$5,348.00	0.2	\$5,348.00	0.2	\$5,348.00	0	\$0.00	0	\$0.00	0	\$0.00
D	Erosion Control Silt Fence	LF	1400	\$2.10	\$2,940.00	1900	\$3,990.00	1900	\$3,990.00	0	\$0.00	0	\$0.00	0	\$0.00
E	Erosion Control Blanket	SY	2500	\$1.85	\$4,625.00	4287	\$7,930.95	0	\$0.00	0	\$0.00	4287	\$7,930.95	0	\$0.00
F	Riprap, MnDot Class III with Filter Materials	Ton	40	\$116.25	\$4,650.00	38.52	\$4,477.95	0	\$0.00	34	\$3,952.50	4.52	\$525.45	0	\$0.00
G	Common Excavation for Iron Enhanced Sand Filter	CY	615	\$25.75	\$15,836.25	615	\$15,836.25	461.25	\$11,877.19	0	\$0.00	0	\$0.00	153.75	\$3,959.06
H	Site Restoration: Seed Mix	Acre	0.9	\$7,788.00	\$7,009.20	0.9	\$7,009.20	0	\$0.00	0	\$0.00	0.9	\$7,009.20	0	\$0.00
I	Site Restoration: 4" Black Powder Coated Landscape Edging	LF	54	\$12.00	\$648.00	60	\$720.00	0	\$0.00	0	\$0.00	60	\$720.00	0	\$0.00
J	Site Restoration: Plug Container Grass (Furnish and Install)	Each	354	\$3.60	\$1,274.40	70	\$252.00	0	\$0.00	0	\$0.00	0	\$0.00	70	\$252.00
K	Site Restoration: Gray Trap Rock Mulch	CY	1.2	\$726.70	\$872.04	1.2	\$872.04	0	\$0.00	0	\$0.00	1.2	\$872.04	0	\$0.00
L	Site Restoration: Buller Zone Signage	Each	6	\$240.00	\$1,440.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
M	Site Restoration: Turf Reinforcement Mat (TRM)	SY	48	\$23.60	\$1,132.80	4.4	\$103.84	0	\$0.00	0	\$0.00	0	\$0.00	4.4	\$103.84
N	Polyvinyl Chloride (PVC) Underdrain Perforated Pipe and Fittings	LF	340	\$14.20	\$4,808.00	265	\$3,763.00	0	\$0.00	0	\$0.00	265	\$3,763.00	0	\$0.00
O	Polyvinyl Chloride (PVC) Non-Perforated Pipe and Fittings	LF	150	\$12.40	\$1,860.00	150	\$1,860.00	0	\$0.00	0	\$0.00	150	\$1,860.00	0	\$0.00
P	Geotextile	SY	790	\$2.70	\$2,133.00	553	\$1,493.10	553	\$1,493.10	0	\$0.00	0	\$0.00	0	\$0.00
Q	Cleanouts, Cleanout Structure and Water Level Control Structure	LS	1	\$5,930.00	\$5,930.00	1	\$5,930.00	0	\$0.00	0	\$0.00	1	\$5,930.00	0	\$0.00
R	Iron Filings	Ton	24	\$109.00	\$2,616.00	24	\$2,616.00	24	\$2,616.00	0	\$0.00	0	\$0.00	0	\$0.00
S	Clean Washed Sand	Ton	470	\$103.20	\$48,504.00	470	\$48,504.00	470	\$48,504.00	0	\$0.00	0	\$0.00	0	\$0.00
T	Poa Rock	Ton	62	\$104.75	\$6,494.50	62	\$6,494.50	0	\$0.00	62	\$6,494.50	0	\$0.00	0	\$0.00
U	Flow Distribution Structure	LS	1	\$5,490.00	\$5,490.00	1	\$5,490.00	0	\$0.00	0	\$0.00	1	\$5,490.00	0	\$0.00
V	High Density Polyethylene (HDPE) with Cut Openings and Angle Iron	LF	240	\$46.70	\$11,208.00	240	\$11,208.00	0	\$0.00	0	\$0.00	240	\$11,208.00	0	\$0.00
W	HDPE piping	LS	1	\$6,400.00	\$6,400.00	1	\$6,400.00	0.3	\$1,920.00	0.3	\$1,920.00	0.4	\$2,560.00	0	\$0.00
X	Water Treatment Building and Foundation	LS	1	\$50,622.50	\$50,622.50	1	\$50,622.50	0	\$0.00	1	\$50,622.50	0	\$0.00	0	\$0.00
Y	Water Treatment System	LS	1	\$138,200.00	\$138,200.00	1	\$138,200.00	0	\$0.00	0	\$0.00	1	\$138,200.00	0	\$0.00
Z	Intake/Backwash/Screen Flush Pipe Install	LS	1	\$3,721.00	\$3,721.00	1	\$3,721.00	0	\$0.00	0	\$0.00	1	\$3,721.00	0	\$0.00
AA	Directional Drift	LS	1	\$26,855.00	\$26,855.00	1	\$26,855.00	0	\$0.00	1	\$26,855.00	0	\$0.00	0	\$0.00
AB	Irrigation Box Connection	LS	1	\$5,867.00	\$5,867.00	1	\$5,867.00	0	\$0.00	0	\$0.00	1	\$5,867.00	0	\$0.00
AC	Electric and Controls	LS	1	\$41,375.00	\$41,375.00	1	\$41,375.00	0	\$0.00	0.5	\$20,687.50	0.5	\$20,687.50	0	\$0.00
AD	Pumps and Appurtenances	LS	1	\$5,825.00	\$5,825.00	1	\$5,825.00	0	\$0.00	0	\$0.00	1	\$5,825.00	0	\$0.00
AE	Siting Well	LS	1	\$12,913.00	\$12,913.00	1	\$12,913.00	0	\$0.00	0	\$0.00	1	\$12,913.00	0	\$0.00
AF	Miscellaneous Pipe and Appurtenances	LS	1	\$4,500.00	\$4,500.00	1	\$4,500.00	0	\$0.00	0	\$0.00	1	\$4,500.00	0	\$0.00
CONSTRUCTION SUBTOTAL					\$467,490.69		\$467,970.33		\$95,096.79		\$110,532.00		\$254,337.74		\$8,003.80
Subtotal					\$467,490.69		\$467,970.33		\$95,096.79		\$110,532.00		\$254,337.74		\$8,003.80



December 31, 2019

President Dick Ward and Board of Managers
Riley-Purgatory-Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55317

**Re: Bluff Creek Southwest Branch Stabilization and Restoration Project – Pay Application #2
Barr Project # 23/27-0053.14-021**

Dear President Ward and Board of Managers:

Enclosed is the Application for Payment #2 from Sunram Construction Company for work completed through 11/26/19, on the above-referenced project. Upon your review and approval, please sign three copies and return one copy to me, one copy to the contractor and retain the remaining copy for your files.

Major items of work covered by this pay application include mobilization, tree protection, erosion control, storm sewer installation, furnishing and installing riprap, and installation of boulder vane.

Barr Engineering has reviewed the application, and is recommending payment in the amount of **\$52,474.88**. Payments shall be made directly to Sunram Construction Company.

Please call me at 952-832-2755 if you have any questions or concerns about the application for payment, or about any other related matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sobiech". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Scott Sobiech, P.E.
Barr Engineering Co.

c: Claire Bleser, RPBCWD
Ryan Sunram, Sunram Construction Company

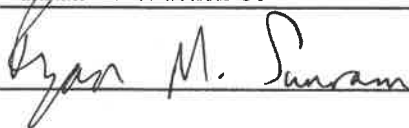
Enclosure #1 – Application for Payment – Progress Payment 2

**Bluff Creek Southwest Branch Stabilization and Restoration Project
Progress Payment Number 2**

1.0	Total Completed Through This Period	<u>\$104,431.93</u>	
2.0	Total Completed Previous Period		<u>\$49,195.21</u>
3.0	Total Completed This Period		<u>\$55,236.71</u>
4.0	Amount Retained, Previous Period		<u>\$2,459.76</u>
5.0	Amount Retained, This Period (See Note 1)		<u>\$2,761.84</u>
6.0	Total Amount Retained		<u>\$5,221.60</u>
7.0	Retainage Released Through This Period:		<u>\$0.00</u>
8.0	Amount Due This Period		<u><u>\$52,474.88</u></u>

Note 1: At rate of 5% until Completed to Date equals 50% of current Contract Price and a rate of 0% thereafter.

SUBMITTED BY:

Name: Ryan Sunram Date: 12/13/19
 Title: Project Manager
 Contractor: Sunram Construction Co
 Signature: 

RECOMMENDED BY:

Name: Scott Sobiech Date: 12/16/19
 Title: District Engineer
 Engineer: Barr Engineering Company
 Signature: 

APPROVED BY:

Name: Dick Ward Date: _____
 Title: President
 Owner: Riley Purgatory Bluff Creek Watershed District
 Signature: _____

Bluff Creek Southwest Branch Stabilization and Restoration Project
Piley Purgatory Bluff Creek Watershed District
Summary of Work Completed Through November 26, 2019- for Progress Payment Number 2

1.04 Item	Description	Unit	Estimated Quantity	Unit Price	Extension	(1) Total Completed Through This Period		(2) Total Completed Previous Period		(3) Total Completed This Period	
						Quantity	Amount	Quantity	Amount	Quantity	Amount
A	Mobilization/Demobilization	LS	1	15,300.85	15,300.85	0.5	\$7,650.43	0.25	\$3,825.21	0.25	\$3,825.21
B	Control of Water	LS	1	1,500.00	1,500.00	0.5	\$750.00	0	\$0.00	0.5	\$750.00
C	Traffic Control	LS	1	1,500.00	1,500.00	0.5	\$750.00	0	\$0.00	0.5	\$750.00
D	Rock Construction Entrance	Each	1	1,500.00	1,500.00	1	\$1,500.00	1	\$1,500.00	0	\$0.00
E	Sediment Log	LF	200	4.00	800.00	0	\$0.00	0	\$0.00	0	\$0.00
F	Silt Fence	LF	50	5.00	250.00	0	\$0.00	0	\$0.00	0	\$0.00
G	Floating Silt Curtain	Each	1	400.00	400.00	1	\$400.00	0	\$0.00	1	\$400.00
H	Tree Protection Fencing	LF	100	5.00	500.00	0	\$0.00	0	\$0.00	0	\$0.00
I	Inlet Protection	Each	5	150.00	750.00	1	\$150.00	0	\$0.00	1	\$150.00
J	Street Sweeping	LS	1	1,000.00	1,000.00	0.5	\$500.00	0	\$0.00	0.5	\$500.00
K	Clearing and Grubbing	Acre	1.5	16,300.00	24,450.00	2.2	\$35,860.00	2.2	\$35,860.00	0	\$0.00
L	Remove and Dispose of Trash and Non-Woody Debris	LS	1	2,750.00	2,750.00	0.5	\$1,375.00	0	\$0.00	0.5	\$1,375.00
M	Remove Storm Sewer	LS	1	850.00	850.00	0	\$0.00	0	\$0.00	0	\$0.00
N	Furnish and Install Manhole	Each	1	4,500.00	4,500.00	0.5	\$2,250.00	0	\$0.00	0.5	\$2,250.00
O	Furnish and Install Manhole Casing	Each	1	500.00	500.00	0.5	\$250.00	0	\$0.00	0.5	\$250.00
P	Furnish and Install Storm Sewer	LF	20	155.00	3,100.00	0	\$0.00	0	\$0.00	0	\$0.00
Q	Furnish and Install Flared End Section	Each	1	2,500.00	2,500.00	0.5	\$1,250.00	0	\$0.00	0.5	\$1,250.00
R	Common Excavation (P)	CY	2,200	10.80	23,760.00	1100	\$11,880.00	0	\$0.00	1100	\$11,880.00
S	Grading (P)	SY	7,240	1.40	10,136.00	3620	\$5,068.00	0	\$0.00	3620	\$5,068.00
T	Furnish and Install Riprap (CL I)	Ton	0	100.00	0.00	0	\$0.00	0	\$0.00	0	\$0.00
T	Furnish and Install Riprap (CL III)	Ton	325	76.25	24,781.25	250	\$19,062.50	0	\$0.00	250	\$19,062.50
U	Furnish and Install Granular Backfill	Ton	12	73.00	876.00	12	\$876.00	0	\$0.00	12	\$876.00
V	Clear and Salvage Trees and Install as Root Wad	Each	19	445.00	8,455.00	18	\$8,010.00	18	\$8,010.00	0	\$0.00
W	Import and Install Root Wad	Each	19	445.00	8,455.00	0	\$0.00	0	\$0.00	0	\$0.00
X	Furnish and Install Boulder Vane	LF	200	100.00	20,000.00	68.5	\$6,850.00	0	\$0.00	68.5	\$6,850.00
Y	Turf Reinforcement Mat	SY	103	12.00	1,236.00	0	\$0.00	0	\$0.00	0	\$0.00
Z	Import Topsoil	CY	5	100.00	500.00	0	\$0.00	0	\$0.00	0	\$0.00
AA	Seed Area	Acre	1	6,300.00	6,300.00	0	\$0.00	0	\$0.00	0	\$0.00
BB	Seed Mix - Cover Crop	LB	152	0.55	83.60	0	\$0.00	0	\$0.00	0	\$0.00
BB	Seed Mix - Floodplain Forest Mix	LB	48	115.00	5,520.00	0	\$0.00	0	\$0.00	0	\$0.00
BB	Seed Mix - Upland Construction Mix	LB	8	95.00	722.00	0	\$0.00	0	\$0.00	0	\$0.00
CC	Plant Shrubs	Each	150	64.00	9,600.00	0	\$0.00	0	\$0.00	0	\$0.00
DD	Plant Trees	Each	15	240.00	3,600.00	0	\$0.00	0	\$0.00	0	\$0.00
EE	Furnish and Install Erosion Control Blanket	SY	5,772	2.45	14,141.40	0	\$0.00	0	\$0.00	0	\$0.00
FF	Furnish and Install Straw Mulch	SY	1,643	0.30	492.90	0	\$0.00	0	\$0.00	0	\$0.00
GG	Furnish and Install Buffer Markers	Each	15	200.00	3,000.00	0	\$0.00	0	\$0.00	0	\$0.00
HH	Vegetation Establishment and Warranty Period	LS	1	6,765.00	6,765.00	0	\$0.00	0	\$0.00	0	\$0.00

Total of Extensions = \$ 213,599.00

\$104,431.93

\$49,195.21

\$55,236.71



18681 Lake Drive East
Chanhausen, MN 55317
952-607-6512
www.rpbcwd.org

To: Board of Managers
From: Claire Bleser, District Administrator
Re: Berm Feasibility

Friday, January 3, 2020

Dear Managers,

Please find attached, proposal from WENCK to conduct feasibility on the restoration of the Purgatory Creek Park, Eden Prairie Berm area. The City of Eden Prairie, Department of Natural Resources and USACOE, all met together to discuss what direction would be acceptable in the design and restoration of the berm without compromising carp management effort.

Staff recommends approval of the proposal for the **\$13,500**. The Construction Management Add-on will be discussed when projects moves to implementation.

Manager _____ seconded by Manager _____ to approve Proposal for Purgatory Creek Conservation Area Improvements for \$13,500 without the Add-on Service.



December 16, 2019

Dr. Claire Bleser

District Administrator
Riley Purgatory Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55317

RE: Proposal for Purgatory Creek Conservation Area Improvements

Dear Dr. Bleser:

Wenck Associates, Inc. (Wenck) is pleased to provide the Riley Purgatory Bluff Creek Watershed District with this proposed scope of work and fee estimate for:

- Stabilization and reconstruction of approximately 130-feet of boardwalk west of the Jean Harns Gathering Bridge
- Plunge pool regrading for carp management downstream of the Jean Harns Gathering Bridge

The work will include a site visit to obtain topographic and soils data, soil evaluation to solution suitability, product evaluations, a draft and final technical memo and construction plans, and a meeting with city staff to present draft plans.

Background

Since the construction of the boardwalk in 2017, soil conditions and water levels have resulted in sinking of the boardwalk, which includes concrete structures and sheet piling. The stabilization and reconstruction of the boardwalk would restore the boardwalk to 2017 permitted conditions and utilize existing infrastructure to the maximum extent practicable.

Carp management currently includes collection of carp at the downstream side of the boardwalk due to suitable access options. Once the boardwalk is reconstructed, carp removal would need to take place downstream of the Jean Harns Gathering Bridge. Current conditions at this location include a plunge pool that limits removal opportunities. By reducing the plunge pool depth to 2.5 ft, carp removal options would improve at this location.

Boardwalk Stabilization and Reconstruction Tasks

The following tasks will be completed for this scope of work:

- **Existing Conditions Review:** Wenck will review available and applicable site records to determine construction options to ensure compliance with original permitted work.
- **Site Evaluation:** Wenck will visit the site and obtain topographic data for the boardwalk and plunge pool, and soil information. Preferably this will be done jointly with City staff to discuss considerations for material and construction access.

- **Soil Analysis and Material Evaluation:** Wenck will determine material suitable for construction of boardwalk and fill material for the plunge pool based on soil conditions.
- **Draft Technical Memo and Construction Plans:** Wenck will prepare a draft technical memo summarizing the site, material evaluation, 60% construction plans and cost, site access, and permitting requirements.
- **Meeting with City Staff:** Wenck conduct a meeting with City staff to discuss the findings and arrive at a recommendation.
- **Final Technical Memo and Construction Plans:** After comments from the City are received a final technical memorandum will be prepared.

Additional Scope

Wenck is ready to provide construction management services for the scope of work. Construction management services include preparing a quote package to send to contractors, pre-quote meeting on-site, reviewing quotes and providing recommendations, executing the contract, construction observation and payment processing. The permitting services

Cost Estimate

The following table provides a summary of the estimated fees to complete the above scope of work:

Task Name	Estimated Fee
Existing Conditions Review	\$500
Site Evaluation	\$2,500
Soil Analysis and Material Evaluation	\$1,000
Draft Technical Memo and Construction Plans:	\$7,000
Meeting with City Staff	\$500
Final Technical Memo and Construction Plans	\$2,000
Estimated Total	\$13,500
Construction Management Services Add-on	\$6,500
Estimated Total with Add-on Service	\$20,000

Assumptions

We have made the following assumption in preparing this scope of work and budget estimate:

1. Construction documents are readily available for boardwalk and are in compliance with permitting requirements.
2. Estimated fees include labor and equipment required to complete the task.
3. Estimated fees do not include additional permitting required to complete work.

Dr. Claire Bleser
District Administrator
PCCA Improvements
December 16, 2019

On behalf of the 300+ employee-owners of Wenck, thank you for this opportunity to work with Coon Creek Watershed District. Should you have any questions or need clarification of any items, please do not hesitate to call me at 763-252-6851.

Sincerely,

Wenck Associates, Inc.



Ed Matthiesen, P.E.
Principal

If you find this proposal acceptable, please sign and return one copy of this proposal to serve as written acceptance.

Accepted by:

Riley Purgatory Bluff Creek Watershed District

By: _____

Its: _____

Date: _____



January 2, 2020

Claire Bleser
District Administrator
Riley Purgatory Bluff Creek Watershed District
18681 Lake Drive E.
Chanhassen, Minnesota 55317

Dear Claire:

Enclosed please find the checks and Treasurer's Report for Riley Purgatory Bluff Creek Watershed District for the one month and eleven months ending November 30, 2019.

Please examine these statements and if you have any questions or need additional copies, please call me.

Sincerely,

REDPATH AND COMPANY, LTD.

A handwritten signature in black ink that reads "Mark Gibbs".

Mark C. Gibbs, CPA
Enclosure



To The Board of Managers
Riley Purgatory Bluff Creek Watershed District
Chanhassen, Minnesota

Accountant's Opinion

The Riley Purgatory Bluff Creek Watershed District is responsible for the accompanying November 30, 2019 Treasurer's Report in the prescribed form. We have performed a compilation engagement in accordance with the Statements on Standards for Accounting and Review promulgated by the Accounting and Review Services Committee of AICPA. We did not audit or review the Treasurer's Report nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by the Riley Purgatory Bluff Creek Watershed District. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the Treasurer's Report.

Reporting Process

The Treasurer's Report is presented in a prescribed form mandated by the Board of Managers and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America. The reason the Board of Managers mandates a prescribed form instead of GAAP (Generally Accepted Accounting Principles) is this format gives the Board of Managers the financial information they need to make informed decisions as to the finances of the watershed.

GAAP basis reports would require certain reporting formats, adjustments to accrual basis and supplementary schedules to give the Board of Managers information they need, making GAAP reporting on a monthly basis extremely cost prohibitive. An independent auditing firm is retained each year to perform a full audit and issue an audited GAAP basis report. This annual report is submitted to the Minnesota State Auditor, as required by Statute, and to the Board of Water and Soil Resources.

The Treasurer's Report is presented on a modified accrual basis of accounting. Expenditures are accounted for when incurred. For example, payments listed on the Cash Disbursements report are included as expenses in the Treasurer's Report even though the actual payment is made subsequently. Revenues are accounted for on a cash basis and only reflected in the month received.

A handwritten signature in black ink that reads "Redpath and Company, LTD." in a cursive style.

REDPATH AND COMPANY, LTD.
St. Paul, Minnesota
January 2, 2020

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Treasurers Report

November 30, 2019

REPORT INDEX

<u>Page #</u>	<u>Report Name</u>
1	Cash Disbursements
2	Cash Disbursements
3	Fund Performance Analysis – Table 1
4	Multi-Year Project Performance Analysis – Table 2
5	Balance Sheet
6	VISA Activity

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
Cash Disbursements
November 30, 2019

Accounts Payable:

<u>Check #</u>	<u>Payee</u>	<u>Amount</u>
5043	Barr Engineering	\$44,282.11
5044	CenturyLink	205.88
5045	Coverall of the Twin Cities	316.76
5046	Jill S. Crafton	2,132.99
5047	CSM Financial, LLC	7,137.48
5048	Dunn & Semington, LLC	846.00
5049	DVS Renewal	19.25
5050	Fortin Consulting, Inc.	1,105.68
5051	Freshwater Scientific Services	7,580.00
5052	HealthPartners	4,740.91
5053	Amy Herbert, LLC	846.38
5054	Olivia R. Holstine	212.97
5055	Iron Mountain	129.95
5056	Kari Jo Johnson	400.00
5057	Limnotech	3,820.00
5058	Metro Sales, Inc.	276.22
5059	Metropolitan Council	694.00
5060	MVEC	58.63
5061	NAVICO	3,909.55
5062	Janet Neville	168.20
5063	Park Nicollet	195,800.00
5064	Peterson Companies	19,961.07
5065	Principal	400.65
5066	Redpath & Company, Ltd.	2,337.21
5067	Richfield Printing	5,563.34
5068	RMB Environmental Laboratories	125.00
5069	Smith Partners	10,756.04
5070	Southwest News Media	516.34
5071	Southwest Metro Chamber of Commerce	100.00
5072	Sunram Construction, Inc.	52,474.88
5073	Lori Tritz	165.88
5074	Wenck, Inc.	3,039.00
5075	Prairie Edge-Wild Ones	200.00
5076	Xcel Energy	364.07
Total Accounts Payable:		<u><u>\$370,686.44</u></u>

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
Cash Disbursements
November 30, 2019

Payroll Disbursements:

Payroll Processing Fee	194.55
Employee Salaries	34,425.99
Employer Payroll Taxes	3,550.58
Employer Benefits (H.S.A. Match)	375.00
Employee Benefit Deductions	(294.10)
Staff Expense Reimbursements	862.77
PERA Match	2,581.96

Total Payroll Disbursements: \$41,696.75

VISA 13,910.68

Check #5063 Park Nicollet - Surety Release (195,800.00)

TOTAL DISBURSEMENTS: \$230,493.87

Memos

The 2019 mileage rate is .58 per mile. The 2018 rate was .54.5
Old National VISA will be paid on-line.

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
Fund Performance Analysis - Table 1
November 30, 2019

	2019 Budget	Fund Transfers	Revised 2019 Budget	Current Month	Year-to-Date	Year-to Date Percent of Budget
REVENUES						
Plan Implementation Levy	\$3,602,500.00	-	\$3,602,500.00	-	1,845,612.60	51.23%
Minnesota Market Value Credit	-	-	-	-	22.41	---
Permit	50,000.00	-	50,000.00	-	40,393.50	80.79%
Grant Income	708,079.00	-	708,079.00	-	540,609.57	76.35%
Investment Income	35,000.00	-	35,000.00	16,316.20	103,758.36	296.45%
Miscellaneous Income	-	-	-	-	1,502.65	---
Past Levies	2,511,789.00	-	2,511,789.00	-	-	0.00%
Partner Funds	432,000.00	-	432,000.00	-	-	0.00%
TOTAL REVENUE	\$7,339,368.00	\$0.00	\$7,339,368.00	\$16,316.20	\$2,531,899.09	34.50%
EXPENDITURES						
Administration						
Accounting and Audit	42,000.00	-	42,000.00	2,531.76	40,641.73	96.77%
Advisory Committees	5,000.00	-	5,000.00	334.08	1,728.68	34.57%
Insurance and bonds	20,000.00	-	20,000.00	-	13,848.00	69.24%
Professional Services	-	-	-	-	6,524.80	---
Engineering Services	106,000.00	-	106,000.00	7,824.50	97,692.70	92.16%
Legal Services	78,000.00	-	78,000.00	5,443.09	61,837.49	79.28%
Manager Per Diem/Expense	20,000.00	-	20,000.00	4,360.61	16,468.23	82.34%
Dues and Publications	12,000.00	-	12,000.00	-	13,678.08	113.98%
Office Cost	144,000.00	-	144,000.00	12,094.44	133,451.79	92.67%
Permit Review and Inspection	135,000.00	-	135,000.00	11,403.78	151,322.35	112.09%
Permit and Grant Database	-	39,900.00	39,900.00	-	-	0.00%
Recording Services	10,000.00	-	10,000.00	846.38	10,411.66	104.12%
Staff Cost	550,000.00	-	550,000.00	44,083.24	512,144.06	93.12%
Subtotal	\$1,122,000.00	\$39,900.00	\$1,161,900.00	\$88,921.88	\$1,059,749.57	91.21%
Programs and Projects						
District Wide						
10-year Management Plan	5,000.00	-	5,000.00	3,242.07	26,835.87	536.72%
AIS Inspection and early response	75,000.00	-	75,000.00	-	6,201.31	8.27%
Cost-share	267,193.00	-	267,193.00	-	59,368.18	22.22%
Creek Restoration Action Strategies Phase	-	-	-	-	-	---
Data Collection and Monitoring	186,000.00	-	186,000.00	15,227.28	183,044.68	98.41%
District Wide Floodplain Evaluation - Atlas 14/SMM model	30,000.00	18,000.00	48,000.00	645.00	31,342.50	65.30%
Education and Outreach	119,000.00	-	119,000.00	12,940.86	118,687.78	99.74%
Plant Restoration - U of M	42,000.00	-	42,000.00	-	25,238.45	60.09%
Repair and Maintenance Fund *	177,005.00	-	177,005.00	-	8,260.50	4.67%
Wetland Management*	145,272.00	-	145,272.00	1,010.00	24,466.00	16.84%
District Groundwater Assessment	-	-	-	-	-	---
Groundwater Conservation*	130,000.00	-	130,000.00	250.00	250.00	0.19%
Lake Vegetation Implementation	75,000.00	-	75,000.00	7,580.00	14,873.76	19.83%
Opportunity Project*	200,000.00	-	200,000.00	-	9,999.00	5.00%
TMDL - MPCA	10,000.00	-	10,000.00	-	-	0.00%
Stormwater Ponds - U of M	86,092.00	-	86,092.00	43.68	26,107.01	30.32%
Hennepin County Chloride Initiative	120,800.00	-	120,800.00	1,105.68	4,828.25	4.00%
Lower Minnesota Chloride Cost-Share	217,209.00	-	217,209.00	-	-	0.00%
Subtotal	\$1,885,571.00	\$18,000.00	\$1,903,571.00	\$42,044.57	\$539,503.29	28.34%
Bluff Creek						
Bluff Creek Tributary*	291,091.00	-	291,091.00	56,116.28	117,234.89	40.27%
Chanhassen High School *	41,905.00	-	41,905.00	-	3,609.50	8.61%
Wetland Restoration at Pioneer	561,870.00	-	561,870.00	283.63	545,201.80	97.03%
Subtotal	\$894,866.00	\$0.00	\$894,866.00	\$56,399.91	\$666,046.19	74.43%
Riley Creek						
Lake Riley - Alum Treatment*	5,000.00	-	5,000.00	-	-	0.00%
Lake Susan Water Quality Improvement Phase 2 *	13,420.00	-	13,420.00	20,028.57	23,339.76	173.92%
Rice Marsh Lake in-lake phosphorus load	73,983.00	-	73,983.00	-	13,414.87	18.13%
Rice Marsh Lake Water Quality Improvement Phase 1	150,000.00	-	150,000.00	-	-	0.00%
Riley Creek Restoration (Reach E and D3)	1,680,562.00	-	1,680,562.00	11,525.18	36,835.32	2.19%
Lake Riley & Rice Marsh Lake Subwatershed Assessment	72,500.00	-	72,500.00	1,272.00	37,680.17	51.97%
Upper Riley Creek Stabilization	425,000.00	-	425,000.00	-	-	0.00%
Subtotal	\$2,420,465.00	\$0.00	\$2,420,465.00	\$32,825.75	\$111,270.12	4.60%
Purgatory Creek						
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	-	50,000.00	-	-	0.00%
Lotus Lake in-lake phosphorus load control	105,772.00	-	105,772.00	-	1,666.30	1.58%
Purgatory Creek at 101	-	-	-	-	90.00	---
Silver Lake Restoration - Feasibility Phase 1	168,013.00	-	168,013.00	5,514.76	9,981.83	5.94%
Scenic Heights	111,226.00	-	111,226.00	162.00	55,547.25	49.94%
Hyland Lake in-lake phosphorus load control	120,000.00	-	120,000.00	-	128,612.41	107.18%
Mitchell Lake Subwatershed Assessment	87,500.00	-	87,500.00	1,767.00	37,702.04	43.09%
Duck Lake watershed load	213,955.00	-	213,955.00	2,858.00	88,210.02	41.23%
Subtotal	\$856,466.00	\$0.00	\$856,466.00	\$10,301.76	\$321,809.85	37.57%
Reserve	\$160,000.00	(\$57,900.00)	102,100.00	-	-	0.00%
TOTAL EXPENDITURE	\$7,339,368.00	\$0.00	\$7,339,368.00	\$230,493.87	\$2,698,379.02	36.77%
EXCESS REVENUES OVER (UNDER) EXPENDITURES	\$0.00	\$0.00	\$0.00	(\$214,177.67)	(\$166,479.93)	

*Denotes Multi-Year Project - See Table 2 for details

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

Multi-Year Project Performance Analysis - Table 2

November 30, 2019

	Total Project	FUNDING SOURCE			Month Ended 11/30/19	Year To-Date	Lifetime Costs	Remaining
		District funds	Partner Fund	Grants				
Programs and Projects								
District Wide								
District Wide Floodplain Evaluation - Atlas 14/SMM model	48,000.00	48,000.00	-	-	645.00	31,342.50	31,342.50	16,657.50
Repair and Maintenance Fund	202,005.00	177,005.00	-	-	-	8,260.50	33,260.50	168,744.50
Wetland Management	150,000.00	150,000.00	-	-	1,010.00	24,466.00	54,194.31	95,805.69
Groundwater Conservation	130,000.00	130,000.00	-	-	250.00	250.00	250.00	129,750.00
Opportunity Project*	200,000.00	200,000.00	-	-	-	9,999.00	9,999.00	190,001.00
Hennepin County Chloride Initiative	120,800.00	19,000.00	-	101,800.00	1,105.68	4,828.25	4,828.25	115,971.75
Lower Minnesota Chloride Cost-Share	217,209.00	20,000.00	-	197,209.00	-	-	-	217,209.00
Stormwater Ponds - U of M	86,092.00	44,092.00	42,000.00	-	43.68	26,107.01	26,107.01	59,984.99
Subtotal	\$1,154,106.00	\$788,097.00	\$42,000.00	\$299,009.00	\$3,054.36	\$105,253.26	\$159,981.57	994,124.43
Bluff Creek								
Bluff Creek Tributary*	292,362.00	242,362.00	50,000.00	-	56,116.28	117,234.89	212,894.43	79,467.57
Chanhassen High School *	508,000.00	208,000.00	100,000.00	200,000.00	-	3,609.50	454,704.60	53,295.40
Wetland Restoration at Pioneer	561,870.00	450,000.00	-	111,870.00	283.63	545,201.80	545,201.80	16,668.20
Subtotal	\$1,362,232.00	\$900,362.00	\$150,000.00	\$311,870.00	\$56,399.91	\$666,046.19	\$1,212,800.83	\$149,431.17
Riley Creek								
Lake Riley - Alum Treatment 1st dose *	260,000.00	260,000.00	-	-	-	-	254,999.83	5,000.17
Lake Susan Water Quality Improvement Phase 2 *	662,491.00	330,000.00	99,091.00	233,400.00	20,028.57	23,339.76	672,410.56	(9,919.56)
Rice Marsh Lake in-lake phosphorus load	150,000.00	150,000.00	-	-	-	13,414.87	89,432.81	60,567.19
Riley Creek Restoration (Reach E and D3) *	1,565,000.00	1,265,000.00	300,000.00	-	11,525.18	36,835.32	217,330.47	1,347,669.53
Lake Riley & Rice Marsh Lake Subwatershed Assessment	72,500.00	12,500.00	5,000.00	55,000.00	1,272.00	37,680.17	37,680.17	34,819.83
Upper Riley Creek Stabilization	450,000.00	450,000.00	0.00	-	-	-	-	450,000.00
Subtotal	\$3,159,991.00	\$2,467,500.00	\$404,091.00	\$288,400.00	\$32,825.75	\$111,270.12	\$1,271,853.84	\$1,888,137.16
Purgatory Creek								
Purgatory Creek Rec Area- Berm/retention area - feasibility/design	50,000.00	50,000.00	-	-	-	-	-	50,000.00
Lotus Lake in-lake phosphorus load control	345,000.00	345,000.00	-	-	-	1,666.30	240,893.34	104,106.66
Scenic Heights	260,000.00	165,000.00	45,000.00	50,000.00	162.00	55,547.25	204,321.01	55,678.99
Mitchell Lake Subwatershed Assessment	87,500.00	12,500.00	5,000.00	70,000.00	1,767.00	37,702.04	37,702.04	49,797.96
Duck Lake watershed load	220,000.00	220,000.00	-	-	2,858.00	88,210.02	94,254.52	125,745.48
Subtotal	\$962,500.00	\$792,500.00	\$50,000.00	\$120,000.00	\$4,787.00	\$183,125.61	\$577,170.91	\$385,329.09
Total Multi-Year Project Costs	\$6,638,829.00	\$4,948,459.00	\$646,091.00	\$1,019,279.00	\$97,067.02	\$1,065,695.18	\$3,221,807.15	\$3,417,021.85

Riley Purgatory Bluff Creek Watershed District
Balance Sheet
As of November 30, 2019

ASSETS

Current Assets

General Checking-Old National	\$1,617,239.82
Checking-Old National/BMW	46,115.29
Investments-Standing Cash	271,229.04
Investments-Wells Fargo	4,154,445.53
Accrued Investment Interest	22,486.64
Due From Other Governments	25,021.73
Taxes Receivable-Delinquent	29,411.16
Pre-Paid Expense	31,605.23
Security Deposits	7,244.00

Total Current Assets: \$6,204,798.44

LIABILITIES AND CAPITAL

Current Liabilities

Accounts Payable	\$537,991.21
Retainage Payable	23,657.38
Salaries Payable	18,853.39
Permits & Sureties Payable	594,681.00
Deferred Revenue	29,411.16

Total Current Liabilities: \$1,204,594.14

Capital

Fund Balance-General	\$5,166,684.23
Net Income	(166,479.93)

Total Capital \$5,000,204.30

Total Liabilities & Capital \$6,204,798.44

RILEY PURGTORY BLUFF CREEK WATERSHED DISTRICT
Old National Bank VISA Activity
November 30, 2019

DATE	PURCHASED FROM	AMOUNT	DESCRIPTION	ACCOUNT #	RECEIPT
10/15/19	U of M Continuing Learning	325.00	MN Water Resource Conference	10-00-4010	Y
10/15/19	Signs.com	16.21	Window Decal	10-00-4200	Y
10/15/19	SQ Fe Security, LLC	182.11	Office Building Maintenance	10-00-4215	Y
10/15/19	Kowalski's Market	49.93	Office Supplies	10-00-4200	N
10/15/19	U of M Continuing Learning	325.00	MN Water Resource Conference	10-00-4321	Y
10/15/19	SPIGEN, Inc.	32.20	Galaxy Case	10-00-4321	Y
11/15/19	Costco	1,461.62	Computer Purchase	10-00-4200	Y
11/21/19	Verizon	366.79	Telecommunications	10-00-4240	Y
11/22/19	U of M Continuing Learning	100.00	Climate Adaptation Conference	10-00-4321	Y
11/26/19	Randy's Sanitation	100.65	Trash Service	10-00-4215	Y
11/26/19	MAWD	250.00	MAWD Conference Registration	10-00-4010	Y
12/04/19	Adobe	16.10	Software	10-00-4203	Y
12/04/19	Arrowwood	333.99	MAWD Hotel	10-00-4010	Y
12/05/19	Arrowwood	386.42	MAWD Hotel	10-00-4010	Y
12/05/19	MAWD	150.00	MAWD Conference Registration	10-00-4010	Y
12/06/19	Arrowwood	222.66	MAWD Hotel	10-00-4010	Y
12/06/19	Arrowwood	229.78	MAWD Hotel	10-00-4810	Y
12/06/19	Arrowwood	919.14	MAWD Hotel	10-00-4321	Y
12/06/19	Arrowwood	229.78	MAWD Hotel	10-00-4321	Y
12/07/19	Arrowwood	333.99	MAWD Hotel	10-00-4010	Y
12/07/19	Arrowwood	344.67	MAWD Hotel	10-00-4010	Y
12/07/19	Arrowwood	344.67	MAWD Hotel	10-00-4810	Y
12/11/19	Microsoft	134.41	Software	10-00-4203	Y
		\$6,855.12	General Administration Total		
10/15/19	U of M Continuing Learning	250.00	MN Water Resource Conference	20-14-4265	Y
10/15/19	Amazon	59.99	Round BackPin Buttons	20-08-4265	Y
10/15/19	Kwik Trip	57.67	Gas for Vehiclees	20-05-4322	Y
11/15/19	Kowalski's	43.68	Stormwater Pond Meeting	20-18-4260	N
11/15/19	Costco	99.99	Evening with the Watershed	20-08-4275	Y
11/16/19	Facebook	6.94	Education	20-08-4260	Y
11/19/19	Chanhassen Goodyear	38.79	Vehicle Maintenance	20-05-4322	Y
11/22/19	Home Depot	120.80	Data Collection	20-05-4650	Y
11/22/19	Minnesota Nuirsery	865.00	Chloride Booth	20-08-4275	Y
11/22/19	Adobe	644.12	Software	20-08-4203	Y
11/22/19	Adobe	644.12	Software	20-08-4203	Y
11/25/19	Costco	124.32	Evening with the Watershed	20-08-4275	Y
11/25/19	Menards	550.07	Data Collection Supplies	20-05-4650	Y
12/03/19	American Legion	320.81	Evening with the Watershed	20-08-4275	Y
12/05/19	Amazon	19.89	Education & Outreach	20-08-4260	Y
12/09/19	UPS	371.20	Shipping	20-05-4280	Y
12/10/19	Amazon	141.99	Education & Outreach	20-08-4275	Y
12/11/19	Zoho	420.00	Education & Outreach Software	20-08-4203	Y
12/12/19	Full Source	529.30	Safety Gear	20-05-4260	Y
12/13/16	Amazon	64.86	Education & Outreach Materials	20-08-4275	Y
12/13/19	Amazon	168.95	Data Collection Supplies	20-05-4260	Y
12/16/19	Facebook	7.10	Education	20-08-4260	Y
		\$5,549.59	District-Wide Total		
		\$12,404.71	GRAND TOTAL		

Citizen Advisory Committee (CAC) Application

First Name *

Kim

Last Name *

Behrens

Address where you reside *

8780 Flamingo Drive, Chanhassen, MN 55317

If you are employed within the watershed, please also list that address.

Email Address *

kimbehrens.mn@gmail.com

Phone Number *

612-581-7663

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

I love being in the outdoors and am a hiker, paddler, and occasional biker. I am learning that I can no longer protect my ignorance about the natural world—only enjoying the fruits of it--without taking a role in conservation and protection. I've spent time in natural areas all over the Twin Cities and have developed an appreciation for the rehab and education being accomplished in places such as Spring Peeper Meadow. I've been doing my best to read and study about watersheds, bogs, marshes, and swamps and feel that it's time to move from education to action.

It's important to note as well that Madeline Seveland's (Carver County Land and Water Services) Chanhassen Villager column has inspired me to contribute to the causes raised in her articles.

What do you hope to accomplish while serving on the committee? *

In our neighborhood, I am aware of lawn care and dog waste issues that impact our watershed. At home, we do our best to keep leaves and grass debris from sidewalks, the driveway and storm drains and I want to know the best way to incentivize neighbors who don't. Many neighbors are good canine citizens--and there are others who look the other way on dog waste in our parks and along our storm pond habitats. I would like to join the CAC to participate in developing the approaches to influence water healthy habits in my neighborhood and community.

Also, I intend to support the mission and goals of the RPBCWD by reviewing activities, programs and projects; considering issues; advising in decision-making; and providing guidance on and assisting with coordination of volunteer activities; as well as research and outreach.

Citizen Advisory Committee (CAC) Application

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

- I completed the Big Woods, Big Rivers Master Naturalist Program in 2018
 - I am a certified Technology of Participation (ToP) Facilitator. ToP methods enable personal and group transformation through facilitation, planning, development, education, consulting, leadership and training.
 - I followed the Wetland Inventory conducted in Lake Susan Hills neighborhood by RP3CWD Water Quality this fall—spoke with one of researchers and discussed difference between duckweed and algae blooms.
 - I participated in the Chanhassen Leaf Clean-up organized by Sharon McCotter in 2018
- Volunteer experience includes:
- Community
- We Can Ride Equine Assisted Activities and Therapy (Medina, MN)
Assist instructors and occupational therapists with horse and client safety. Consulted with Volunteer Coordinator to re-launch volunteer newsletter and volunteer retention.
 - Chaska Mindfulness Center (Chaska, MN) Marketing and Special Events Volunteer.
Led project teams for fundraising events, celebration of life ceremonies, and marketing communications.
 - Bountiful Basket Food Shelf (Chaska, MN) Grocery Shopping Assistant Volunteer.
Accompanied clients to help them maximize available offerings.
 - Three Rivers Park District (Minnetrista, MN) Gale Woods Farm Volunteer.
Harvested produce and prepared for on-site vegetable market.
- Professional
- SW Metro Chamber of Commerce (Chanhassen, MN) Member and event volunteer.
 - National ToP Network (Virtual) Marketing Committee Chairperson.
Virtually led national team in developing and executing marketing plan.
 - Minnesota Facilitators Network (St. Paul, MN) Board of Directors.
Planned and executed programming for area facilitators, business owners and leaders.

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

There are a number of commonly asked questions and unknowns about water. Some of these questions include:

- Why is algae overgrowth a problem to me?
- Why doesn't the city sweep the streets for leaves?
- What difference does it make what I do with lawn clippings, leaves, and fertilizers?
- Isn't animal poo natural so I don't need to pick it up?
- How do we start the conversation about water when we are in a place where it is so bountiful and available?

The biggest need I believe is to answer: Why does water quality matter and what does my property and actions have to do with it?

Citizen Advisory Committee (CAC) Application

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

No

Citizen Advisory Committee (CAC) Application

First Name *

Steven

Last Name *

Donen

Address where you reside *

7341 Frontier Trall

If you are employed within the watershed, please also list that address.

Email Address *

c_sdonen@yahoo.com

Phone Number *

952-292-5568

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

I want to help to improve the lakes and streams of our district. I am also on the board of Lotus Lake Conservation alliance and will be representing Lotus Lake as part of my responsibilities on the board.

What do you hope to accomplish while serving on the committee? *

Representing Lotus Lake and helping to improve and protect the waters in our district

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

Before retiring I led the development of many new green chemical processes to produce green chemicals to replace our oil based chemicals. I lead the development organizations. So my unique leadership skills and chemical background should help the committee fulfill its purpose and duties.

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

I am a data driven individual and I would like to see data driven education. I believe people need to better understand what happens to waste materials when they go down the street into the drainage systems. They affect the water quality of our lakes and streams

Citizen Advisory Committee (CAC) Application

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

No

Citizen Advisory Committee (CAC) Application

First Name *

Michelle

Last Name *

Frost

Address where you reside *

14834 BLAKENEY RD

If you are employed within the watershed, please also list that address.

Email Address *

michelle.frost@gmail.com

Phone Number *

9529137410

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

I recently completed the Master Water Steward program and feel like being on the CAC will help me grow in my knowledge and awareness of the water issues in our watershed district.

What do you hope to accomplish while serving on the committee? *

I would like to become a more aware and involved citizen, and build up my skills to support the district with volunteering and community outreach.

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

I am a certified master water steward. I am also enthusiastic, responsible, and I love the outdoors and our natural resources that we have right here in our watershed district.

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

I have children that attend school in Eden Prairie, and think that there are many opportunities for building knowledge and awareness about water issues among school children, particularly at the high school. Helping student connections to local natural resources and local issues can lead them into their young adulthood as they become the leaders that will help us deal with resource shortages and climate change.

Application received shortly after deadline.

Citizen Advisory Committee (CAC) Application

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

Yes
No

A vertical dropdown menu with a blue background for the selected 'Yes' option and a white background for the 'No' option. The menu is positioned to the right of the text labels.

Citizen Advisory Committee (CAC) Application

First Name *

Heidi

Last Name *

Groven

Address where you reside *

420 Pleasant View Rd

If you are employed within the watershed, please also list that address.

Email Address *

hlgroven@gmail.com

Phone Number *

9522219373

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

To better understand how we can better improve the water quality protect the water resources of the watershed and facilitate education of others.

What do you hope to accomplish while serving on the committee? *

Participate in providing a gateway for the general public to give input, participate in projects and learn how to protect the waters.

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

Background as environmental educator working with children, ability to organize and execute plans and programs for adults and teens and a great passion for our waters and those who live in them and depend on them.

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

Better understanding of the impact of lawn runoff into our ponds and lakes and ways to prevent them such as raingardens, erosion control and change in lawn practices.

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

Yes

No

Citizen Advisory Committee (CAC) Application

First Name *

Terry

Last Name *

Jorgenson

Address where you reside *

18601 Chennault Way, Eden Prairie MN 55346

If you are employed within the watershed, please also list that address.

Email Address *

tjorg33@gmail.com

Phone Number *

952-406-2433

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

I use and enjoy the watershed every chance I can get and would like to make a positive contribute to its long and short term health.

What do you hope to accomplish while serving on the committee? *

Service to the community, and assisting the local committee and board on making solid decisions for our watershed for all to enjoy.

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

I'm a recent retiree of the US Army Corps of Engineer. I had worked 35 years as an Engineering Geologist in the office, and field. My projects included design, build and rehabilitate water resource projects including dams, levees, failing slopes, groundwater supply and cleanup, wind and soil erosion, etc. I work well with others, I am a good listener, I am an advocate for the outdoors and feel I can contribute a good common sense approach to problem solving. The watershed is critical to the outdoor haven we have here in the suburbs, and I would like to help. I have extensive background in preparing and reviewing technical documents as well as conducting hands on work in the outdoors. As a retired person I have some time on my hands and can share my background with others and chip in to keep our watershed in great shape.

Application received shortly after deadline.

Citizen Advisory Committee (CAC) Application

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

I am not a big advocate for using groundwater resources for water lawns. As a limited resource it is becoming more critical to get set for the future. I can see more runoff collection and less groundwater use for the lower priority uses.

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

Yes
No



Citizen Advisory Committee (CAC) Application

First Name *

Vanessa

Last Name *

Nordstrom

Address where you reside *

8722 Stanley Trail

If you are employed within the watershed, please also list that address.

Email Address *

vnordy@yahoo.com

Phone Number *

6123823653

Why are you interested in becoming a Citizen Advisor for the Watershed District? *

I am an environmental consultant that is holistically focused on the circular system and inner workings of our eco-system. Without soil, we have no life, without water, we have no life, with both of these we do not have the amount of oxygen needed to sustain life. We are in a world crisis and I believe that local action has the quickest impact. I want to work with the advocates and group members driven towards protecting our water supply as a resource and from a health perspective. We are only borrowing our time on the earth, we owe it to future generations to have an environment that can sustain them, while working symbiotically with nature.

What do you hope to accomplish while serving on the committee? *

While serving on the committee, I hope to support that current/future plans and engage the community I live in to become fully educated, understand their impact on our resources and create conscious changes in their habits that create sustainable change, while reducing their impact on our environment and natural resources. I want to broaden the communication and understanding of what the water shed does and promote it's importance.

Citizen Advisory Committee (CAC) Application

What are the strengths and/or qualifications you can bring to help this committee fulfill its purpose and duties? *

I am an Environmental policy major. I spent the last 20 years in corp packaged food and have seen the substantial food waste and food degradation we have made to the environment. I am now fully focused on launching my environmental consulting practice and I researching and bench marking communities around the area, the state, the country and globally to find the best solutions to repair our earth. I am a strong people person, resilient, passionate and ready to work.

One of the roles of CAC members is to identify education needs in the community. What is one need, related to water, that you have seen? *

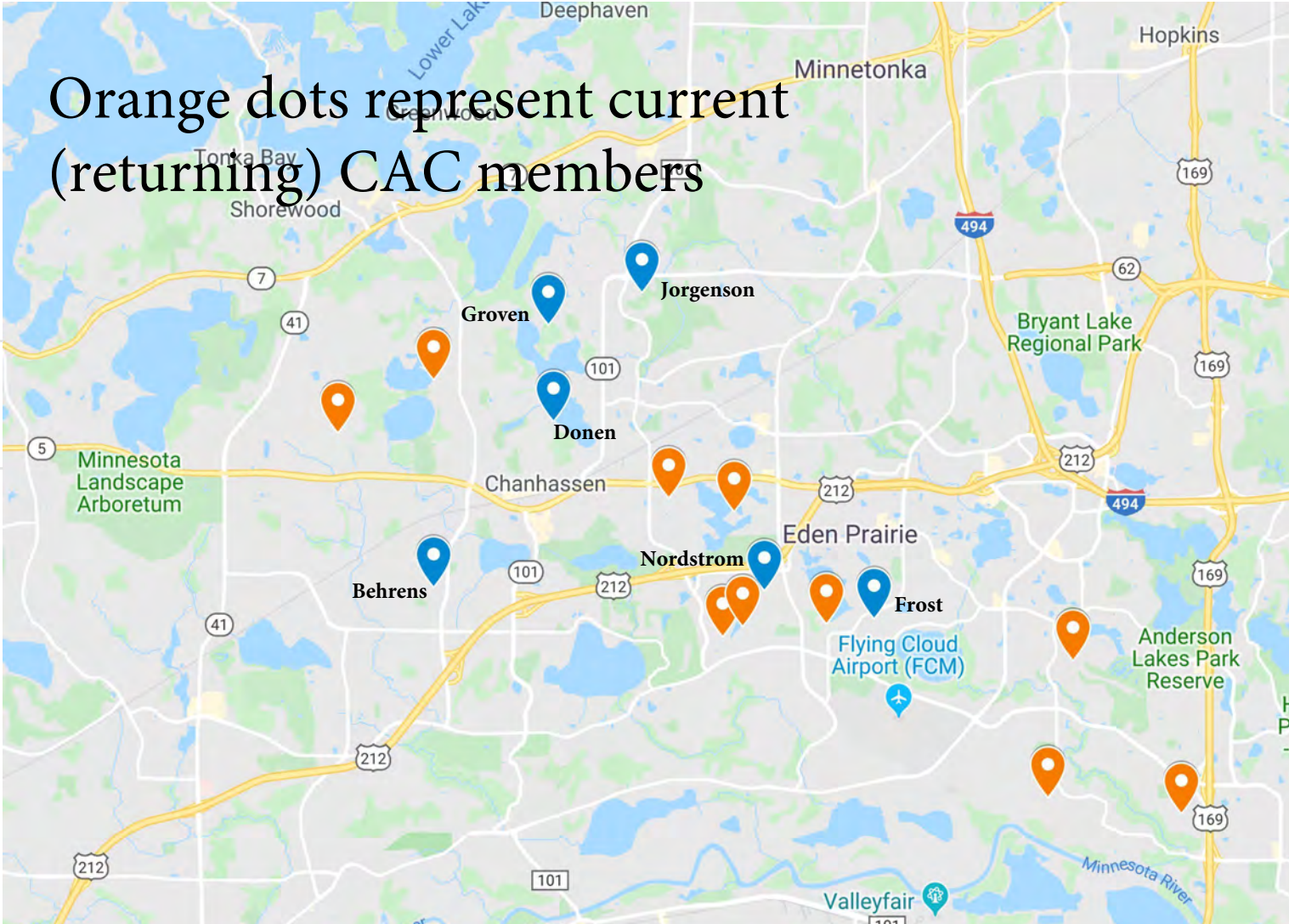
Contamination run off in storm drains, soil degradation and more from the use of pesticides. I want to really drive a campaign that educates the community on all the impacts pesticide use has on our community and walk them through solutions to reduce and stop this impact.

Are you able to commit to attending monthly meetings and special topic meetings as needed? *

Yes
No



Orange dots represent current
(returning) CAC members



Current (returning) CAC members

Jim Boettcher, Chanhassen

Barry Hofer, Eden Prairie

Matt Lindon, Eden Prairie

Sharon McCotter, Chanhassen

Jan Neville, Eden Prairie

Marilynn Torkelson, Eden Prairie

Lori Tritz, Eden Prairie

Samir Penkar, Eden Prairie

Pete Iverson, Eden Prairie

Joan Palmquist, Eden Prairie

	NWMO	RWMWD	CRWD	MCWD	NMCWD	RPBCWD
Administration	Executive Director Administrative Specialist Administrative Specialist Human Resources Coordinator	Administrator District Secretary Office Manager	Administrator Administrative Assistant Administrative Assistant Office Manager	Administrator Operations Manager Assistant Operations Manager	Administrator	Administrator
Data Collection	Water Resources Director Water Resources Specialist Environment Specialist Monitoring Intern Monitoring Intern	Natural Resources Specialist Natural Resources Technician Natural Resources Technician Water Quality Monitoring Monitoring Coordinator	Water Resources Project Manager Monitoring and Research Manager Water Resources Technician Water Resources Technician Water Resources Specialist Monitoring Coordinator	Research & Monitoring Program Manager Research & Monitoring Coordinator Aquatic Ecologist Research & Monitoring Technician Research & Monitoring Field Assistant		Water Resources Manager Water Resources Tech II
Regulatory	NA	Permit Coordinator	PE Regulatory Manager BMP Inspector BMP Inspector Urban BMP Specialist	Permitting Program Manager Permitting Technician Permitting Technician Permitting Technician Permitting Assistant	Permit Coordinator	Watershed Management Planner
Projects/Planning	Capital Project and Stewardship Specialist Planning Principal Project planning and Implementation Specialist	Watershed Project Manager (grants) Water Quality Technician Water Quality Technician GIS Technician	Planning projects and Grant Manager Urban BMP Technician Water Resources Project Manager	Policy Planning Manager Project Planning Manager Planner - Project Manager Planner-Project Manager Policy Planning Coordinator Planner - Project Manager GIS Technician Project and Land Manager Project and Land Management Technician	Project and Program Manager	
Education/Communication	Projects and Outreach Director Communication Principal Training and Community Learning Specialist Youth and Community Outreach Specialist Stewardship and Community Outreach Specialist	Watershed Education Specialist	Community and Engagement Manager Community Outreach Coordinator Communication Associates	Communication and Education Director Education and Engagement Coordinator Education and Engagement Coordinator Communication Coordinator	Education and Outreach Coordinator	Education and Outreach Coordinator
Administration/Operation	\$ 1,820,000.00	\$ 2,104,000.00	\$ 3,617,000.00	\$ 1,403,000.00	\$ 715,000.00	\$ 1,196,000.00
Implementation	\$ 3,825,000.00	\$ 11,207,000.00	\$ 2,950,000.00	\$ 12,142,000.00	\$ 3,024,000.00	\$ 5,480,000.00
Budget	\$ 5,645,000.00	\$ 13,311,000.00	\$ 6,507,000.00	\$ 13,545,000.00	\$ 3,739,000.00	\$ 6,676,000.00



18681 Lake Drive East
Chanhassen, MN 55317
952-607-6512
www.rpbcwd.org

To: Board of Managers
From: Claire Bleser, District Administrator
Re: Staff Employment

Friday, January 3, 2020

Dear Managers,

Please find enclosed in this memo two position job descriptions. One is for Administrative Assistant position and the other is for a Communication and Community Engagement Manager. The Communication and Community Engagement Manager is a modification of the District's Communication and Project Manager. This position would be split into two to reflect needs of the District. I propose that the Communication and Community Engagement Manager be a senior level position that can oversee the District's Education and Outreach Coordinator as well as future Green Corps member and proposed future hire for the District's Stewardship and Groundwater Programs Coordinator (1 position). All three of these hires would require additional funds to be allocated to salaries.

I propose that the District reallocate funds from the Upper Riley Creek Stabilization Project to cover these additional hires (2 now and 1 later). The Upper Riley Creek Stabilization Project has been put on hold into the new Public Works Director was hired for the City of Chanhassen. Staff do not anticipate expenditure for the project to exceed 100K in 2020 as the District needs to work with the City and private properties on property and maintenance agreements, ordering of the project and start of design.

Staff recommends that **\$200,000** be transferred from Upper Riley Creek Stabilization and Restoration to Staff Cost, and that the Board of Managers approve the release of Administrative Assistant and Communication and Community Engagement Manager positions.

Adding the following staff is not a typical for Watershed District. Please find enclosed in your packet table displaying various watershed districts in the metro and staff compositions. Only full-time staff members were included in the chart. I have identified in this breakdown their administration/operations cost based on reports that could be found.

Manager _____ seconded by Manager _____ approve the transfer of \$200,000 from the Upper Riley Creek Stabilization and Restoration project to Staff Cost and approves the solicitation of applications for both the Administrative Assistant Position and Communication and Community Engagement Manager Position.

Administrative Assistant Position Opening

The Riley Purgatory Bluff Creek Watershed District seeks a master multi-tasker with excellent communication skills and an upbeat attitude Administrative Assistant. This position is critical in helping keep the District offices in good functioning order and plays a critical role in welcoming guests to the District. The Administrative Assistant will assist the Administrator in the implementation of District goals and objectives.

Riley Purgatory Bluff Creek Watershed District
 18681 Lake Drive East
 Chanhassen, MN 55317

POSITION TITLE: Administrative Assistant
 REPORTS TO: Administrator
 TYPE: Full-time, exempt from the provisions of the Fair Labor Standards Act.
 Pay Grade: \$37,080 - \$55,620 commensuration based on experience

PRIMARY OBJECTIVE

Perform skilled to highly skilled administrative and secretarial support to staff as it relates to the implementation of District goals and objectives. The Administrative Assistant provides support for: scheduling conference rooms, answering phones, assisting with the preparation of Board and CAC packets, handling shipping requests, providing technical support for guests using meeting rooms, updating District website, processing contracts, binding reports and setting up meeting rooms.

PRIMARY DUTIES AND RESPONSIBILITIES

- Perform administrative and support duties for the District staff.
- Greet the public and answer/screen phone calls in a courteous and professional manner, provide information and answer questions on a variety of issues related to the District, listen to concerns/complaints, assess needs, explain procedures, route calls, and/or take messages.
- Schedule and make arrangements for meetings for District staff. Provide support for meetings hosted at RPBCWD. Meeting support includes technology, meeting materials, refreshments and room set up and arrangements.
- Act as a host or greeter for visitors and the general public who enter our building.
- Uses word processing, spreadsheet, and database management software (such as Word, Excel, Access, PowerPoint, etc.) to produce correspondence, minutes, reports, forms, budget and technical information.
- Send and route all RPBCWD mail. Perform clerical duties such as typing and data entry, copying, assembling, mass mailings, faxing, filing, mail distribution, review, etc. Request courier services for shipping and receiving, order supplies, maintain document and report archiving and library.
- Assists with records, filing and information retrieval system, both manual and automated (computer). Compose letters, memoranda, reports, and other written communications. Assist staff with surveys and collects/researches data for special projects.
- Promote a diverse, inclusive, culturally competent, and respectful workplace.
- Maintain website.

ADDITIONAL FUNCTIONS:

- When necessary, attend and take minutes at Board of Managers meetings, prepare minutes for review.
- Keep staff informed of meetings, events, and deadlines by disseminating written and verbal information in a timely manner. Attend and participate in staff meetings to keep abreast of staff activities and to share the same type of information with them so that work efforts can be coordinated.
- Maintain office supplies. Perform routine maintenance, troubleshooting and staff training on office equipment (printer/copier, postage machine, phone equipment) and arrange for necessary service calls.
- Effectively listens, speaks, and interacts tactfully in a work group or with the public.

- Ability to manage conflict with citizens and others.
- Follows oral and written instructions.
- Communicates with a diverse group of co-workers, supervisors, and the public in a cooperative, effective, and respectful manner.
- Responds promptly and develops positive working relationships with internal and external audiences
- Selects and uses the most appropriate method of communication with the public or coworkers.
- Produces effective and readable non-technical reports, documents, and correspondence.

(The functions are intended only as illustrations of various types of work performed and are not necessarily all-inclusive. This position description is subject to change as the needs of the employer and requirements of the position change.)

SALARY: Salary range is from \$37,080 - \$55,620 and initial salary depends on qualifications and experience.

MINIMUM QUALIFICATIONS: The employee must possess High School diploma or GED equivalent. Three years of experience as administrative assistant including regular use of a personal computer, database management, word processing and spreadsheet software.

KNOWLEDGE, SKILLS and ABILITIES:

General

- Performs varied and challenging detail-oriented work.
- Ability to establish priorities, balance diverse work and implement projects successfully.
- Ability to take direction from supervisor and colleagues, work successfully with considerable independence (self-motivated) and use good time management skills.
- Excellent communication.

Reports to: The Administrator Assistant reports directly to, and is supervised by, the District Administrator. The position will meet with the District Administrator regularly to prioritize project workload commitments and to discuss issues pertaining to this position.

APPLICATION PROCESS:

This position is open until filled (First consideration January 31). Applications received during the final stage of the search are not guaranteed consideration. Apply by email to: cbleser@rpbcwd.org. Attach to the email in PDF format only the following 2 items: Cover letter and Resume with 3 professional references. Complete application submissions will be acknowledged by return email.

Communication and Community Engagement Manager Position Opening

The Riley Purgatory Bluff Creek Watershed District seeks a dynamic, adept and creative Communications Manager to lead our communications strategy to the next level. This important, newly restructured role will collaboratively set and guide efforts for all communications including website and social media management, public relations, marketing and collateral—to consistently articulate the mission, work and accomplishments of the Riley Purgatory Bluff Creek Watershed District. The Communications and Community Engagement Manager will collaborate with media entities and community resources to ensure that Riley Purgatory Bluff Creek Watershed District is viewed as the primary source, disseminator, and conduit of water resource information within our greater community—and region. A vital requirement of this position is a sincere commitment to work collaboratively and positively with all constituent groups: including staff, board members, volunteers, state and local governments and community members.

Riley Purgatory Bluff Creek Watershed District
 18681 Lake Drive East
 Chanhassen, MN 55317

POSITION TITLE: Communication and Community Engagement Manager
 REPORTS TO: Administrator
 SUPERVISES: Education & Outreach Coordinator, Stewardship Coordinator
 TYPE: Full-time, exempt from the provisions of the Fair Labor Standards Act.
 Pay Grade: \$68,400 to \$102,000 commensuration based on experience

PRIMARY OBJECTIVE

The Communication and Community Engagement Manager works in partnership with staff, consultants, stakeholders, and member communities to implement Riley Purgatory Bluff Creek Watershed District (District) communications and oversees the Education and Outreach, and Stewardship programs. The Communication Manager ensures that This position will be responsible in implementing a communication program for the District as well as supervising our education and outreach program. The individual will provide leadership

PRIMARY DUTIES AND RESPONSIBILITIES

Communication, Marketing and Outreach (65%)

- Update, implement, and evaluate annual communications plan, seeking new and creative ways to engage and penetrate our market and greater community. Annually review and measure marketing and engagement efforts; while generating creative ideas and approaches to build reach in our community. Monitor and craft strategy for the voice coming from the organization
- Manage and supervise the creation, distribution, and maintenance of new and established print and e-materials, including: e-newsletter, print newsletter, event PR & marketing, consistent and engaging posts to all social media outlets, regular updates and maintenance to our website and blog, and press releases as necessary. In all areas, the Manager will ensure integration and alignment within District projects and programs.
- Collaborate with staff and media companies on marketing projects that support the Riley Purgatory Bluff Creek Watershed District and champion our past and current accomplishments; oversee production of the Annual Report
- Work with board and staff leadership to identify media opportunities and implement campaigns around key programs and issues; manage all media contacts, press releases and op-ed
- Supervise Education and Outreach Coordinator and Stewardship Coordinator.

Stewardship and Volunteer Coordination (20%)

- Assist in the development, implement and evaluate stewardship program which include stewardship grants and volunteer program.

- Create and maintain volunteer manual.
- Oversee recruitment, training, and management of volunteers to help build reach and stewardship within the community.

Other (15%)

- Engage in professional development opportunities
- Attend and provide monthly reports and feedback at board meetings
- Attend and represent organization at community events
- Collaborate with other staff to plan and implement workshops, continuing education classes, and other activities for local professionals and adult community members
- Other responsibilities as needed

KNOWLEDGE, SKILLS AND ABILITIES:

REQUIRED KNOWLEDGE & SKILLS

- Master's or Bachelor's Degree in Communication, Journalism, Natural Resources, Urban Planning, Public Administration, Water Resources Science or a related field and coursework with an ecological or environmental focus. Master's degree preferred, but not required. An equivalent combination of relevant education/experience/professional licenses may be considered.
- Minimum of five (5) years of related experience including research, public education, communication, negotiations, budget development and management, watershed-based planning, urban environmental planning, development of storm water management systems, preservation/restoration of urban ecosystems.
- Creative, dynamic leadership style with a positive attitude
- Strong work ethic, excellent time-management and organizational skills, detail-orientated and requiring minimal direction.
- Foster team and cross-functional interactions.
- Highly organized and able to handle multiple tasks and corresponding deadlines.
- Experience developing and implementing communications strategies
- Experience cultivating and managing media relationships
- Experience writing, editing, and proofreading
- Experience communicating with and presenting to different targeted audiences
- Experience cultivating and managing stakeholder relationships
- Experience coordinating, implementing, and managing multiple projects
- Availability to work evenings and weekends
- Supervisory experience
- Ability to apply knowledge, skills, and experience to solve common problems on the job.
- Experience using data analytics.

DESIRED KNOWLEDGE & SKILLS

- 10 years experience
- Master's degree in above fields.
- Experience in graphic design and familiarity with Adobe Creative Suite, including InDesign, Photoshop and Illustrator.
- Experience with Concrete or other website creation software
- Knowledge of public process in government.

Reports to: The Communications and Community Engagement Manager reports directly to, and is supervised by, the District Administrator. The position will meet with the District Administrator regularly to prioritize project workload commitments and to discuss issues pertaining to this position.

APPLICATION PROCESS:

This position is open until filled (First consideration January 31). Applications received during the final stage of the search are not guaranteed consideration. Apply by email to: cbleser@rpbcwd.org. Attach to the email in PDF format only the following 2 items: Cover letter and Resume with 3 professional references. Complete application submissions will be acknowledged by return email.

**Public Notice
(Official Publication)
Notice of Public Hearing
Riley Purgatory Bluff Creek Watershed District
St Hubert Catholic School Water Quality Project**

PLEASE TAKE NOTICE that the Board of Managers of the Riley Purgatory Bluff Creek Watershed District will hold a public hearing consistent with Section 103B.251 of Minnesota Statutes, on April 3, 2019 at 7:00 p.m. at District Office, 18681 Lake Drive East, Chanhassen, MN to consider implementing the St Hubert Catholic School Water Quality Project. The project seeks to protect and improve the health of Rice Marsh Lake by implementing a suite of practices on St Hubert Catholic School Property.

The total estimated project cost for this project is \$277,000. The District proposes to pay for part of the project from the District's ad valorem property tax levy authorized by Minnesota Statutes Section 103B.241 for the implementation of its water management plan and through Metropolitan Council Grant awarded to the District for this project in the amount of \$75,000. Approximately 77% of the District's portion of the project will be paid by properties in Hennepin County, and 23% paid by properties in Carver County.

All interested parties are invited to appear at the public hearing to offer comments and ask questions in order to advise the board of managers on whether to approve the proposed project. Further information is available by contacting the District Administrator, Claire Bleser, cbleser@rpbcwd.org, or 952-607-6512, or by visiting the District website: www.rpbcwd.org.

Dated: January 8, 2020

BY ORDER OF THE BOARD OF MANAGERS

David Ziegler, Secretary

January 2, 2020

To: The RPBCWD Board of Managers

From: B Lauer, Education and Outreach Assistant and Administrator Claire Bleser

Re: Groundwater Conservation Program

Overview

Over the past several months, District staff have been in the process of developing a District-wide program with the goal of conserving groundwater. Staff have conducted stakeholder engagement, identified local opportunities and case studies, and researched local resources. Through this process staff recommends three parts to a groundwater program: to fund practices to conserve water, help promote awareness and stewardship through education, and finally pilot the use of future technologies.

10-Year Plan groundwater goals and strategies

The following goal and strategy were developed based on community input in the Districts' 10-year plan.

Ground 1. Promote the sustainable management of groundwater resources.

Ground S1. The District will promote the conservation of groundwater resources through its education and outreach program and will work with cities to encourage conservation practices (e.g., water reuse) and reduce consumption.

Understanding local resources

In 2017, Barr Engineering conducted a study of "Regional Groundwater/ Surface Water Interaction" for the District. They found that surface water features most vulnerable to fluctuation caused by changes in groundwater levels are located in the southeast portion of the district including Staring Lake, Red Rock Lake, Mitchell Lake, Round Lake, the southernmost section of Riley Creek, and sections of Purgatory Creek. The mode of interaction between surface and groundwater changes throughout the District. In the western portion of the District, surface waters tend to recharge groundwater. In the eastern portion of the District, surface waters tend to gain water from groundwater. The study also illustrates the variations in the depths of the groundwater table. The groundwater table tends to be deeper in the northern portions of the District and shallower along the southern boundary of the District. Projected drawdown of the Prairie Du Chien- Jordan aquifer (where most of the drinking water in the District is coming from) was calculated using population and water demand projections. It is projected that the aquifer will be drawn down by 5-30 feet by 2040.

Stakeholder input

In November and December of 2019, District staff engaged in a series of activities to identify the needs and priorities of three major audiences: residents (single family homeowners), cities, and large campuses (commercial, HOAs, multifamily housing facilities etc.). The following details the engagement process with and key findings from each target audience.

Residential

The District conducted a facilitated conversation with members of the RPBCWD Citizen Advisory Committee (CAC) on December 16th, 2019 to better understand community perspectives on groundwater conservation. CAC members highlighted the importance of conserving water through efficient use and included general care for the resource in the definition of conservation. They indicated an interest in learning more about how local government units can regulate water use through the implementation of rebate programs, ordinances, and regulation. Furthermore, CAC members highlighted how technology had evolved to be highly efficient but the users of these types of technologies might not necessarily know how to use them and thus render such technology less efficient.

City

In 2019 The Metropolitan Council launched, accepted applications for, and awarded Water Efficiency Grants. The grant awarded funds to cities to launch rebate programs. Items eligible for inclusion in grant funded rebate programs are smart irrigation controllers, water efficient spray heads, irrigation system audits, water efficient toilets, and water efficient clothes washers. Grant funds are effective September 30, 2019- June 20, 2022.

Six out of the seven cities contained in RPBCWD applied for and were awarded funds (**fig.1**). In total, cities in the District were awarded a total of \$137,600. Though all applicants were awarded funding, no applicant received the full amount requested.

City	Requested	Granted	Proposed rebate items
Bloomington	\$ 50,000.00	\$ 18,000.00	30 smart controllers, 1450 sprayheads, 15 audits
Chaska	\$ 30,000.00	\$ 14,000.00	200 smart controllers
Chanhassen	\$ 24,858.00	\$ 19,300.00	150 toilets, 100 smart controllers, 75 clothes washers, 100 spray heads, 25 audits
Eden Prairie	\$ 50,000.00	\$ 37,300.00	150 smart controllers, 500 sprayheads, 5 audits
Minnetonka	\$ 50,000.00	\$ 30,000.00	215 smart controllers, 1000 sprayheads, 15 audits
Shorewood	\$ 32,000.00	\$ 19,000.00	50 toilets, 160 smart controllers, 1000 sprayheads
Deephaven	NA	NA	NA
Total	\$ 236,858.00	\$ 137,600.00	855 smart controllers, 3150 sprayheads, 60 audits, 200 toilets, 75 clothes washers

Fig.1 Six cities in RPBCWD applied for Water Efficiency Grants from the Metropolitan Council. Above is the amount of funding each city applied for, the amount they were granted, and the types of technology they applied for to distribute through a rebate program. Deephaven did not apply for a Water Efficiency Grant.

After gathering initial feedback through in person conversations with city staff, the District sought to gain better understanding of water conservation efforts already underway and gauge interest in forming a partnership with the District to maximize our combined efforts. To accomplish these goals, the District released an electronic survey to all seven cities in the District. Part of the survey assessed initial interest in receiving supplemental funding to fully complete their Metropolitan Council Grant and the second part assessed whether the communities in the District would be interested in collaborating on the development of educational materials and programming.

All communities who participated in the survey said they would be interested in receiving additional fund and collaborating on educational materials and programming (**Fig. 2**).

City Name	Interest in receiving supplemental funding from RPBCWD	Interest in collaboration to develop educational materials/ programming
Bloomington	Y	Y
Chaska	Y	Y
Chanhassen	Y	Y
Deephaven	NR	NR
Eden Prairie	Y	Y
Mnetonka	Y	Y
Shorewood	NR	NR

Fig. 2 Key results from the survey sent to cities. “Y” indicates a positive response to the indicated statement. “NR” indicates no response as of 1/2/2020.

Large Campuses

Large campuses can be anything from commercial buildings to industrial parks to multi-family homes. Large campuses use large volumes of municipal water and as such should be incorporated into the groundwater program. The common thread between these different types of large campuses is facility management. Typically, large campuses have property managers who are responsible for the maintenance of the property whether it is inside or out of the building. Thus, in addition to the types of individuals who use the space, those who manage these facilities should be included as a target audience. Recent findings from the Hennepin County Chloride Initiative highlight that end user education is important. Some cities, such as Bloomington, have plans to engage large campuses through the Metropolitan Council Water Efficiency Grants. Because of the complexity of this audience, staff is recommending the development of a needs and barrier assessment in order to develop a groundwater conservation

program for that type of water user. The study would help develop a groundwater conservation program tailored for that user.

New Technologies

Through staff research, new technologies were identified as an opportunity to increase stewardship. Water smart meters, which have been increasingly used in western states, have seen great benefits. They not only remove the guessing game of whether or not the practice you are implementing is conserving water, water smart meters are able to provide the user with real time water consumption data and send warnings about possible leaks and irrigation malfunctions. Traditional meters are typically read once a month and require a person driving around picking up meter signals. However, water smart meters allow you to see your meter in real time. This is similar to the District converting from traditional water-level sensor to Enviro DIY water level stations. These types of meters are typically 2-3 times more than traditional meters. Typical water meters have a shelf life of 10-15 years which is similar to water smart meter. The City of Shoreview has already piloted piloting such a system. This could be a great opportunity to help cities detect leaks, measure usage and better manage assets compared to analog meters. In addition, transitioning to smart meters could help promote efficient water usage amongst end users.

Recommendations

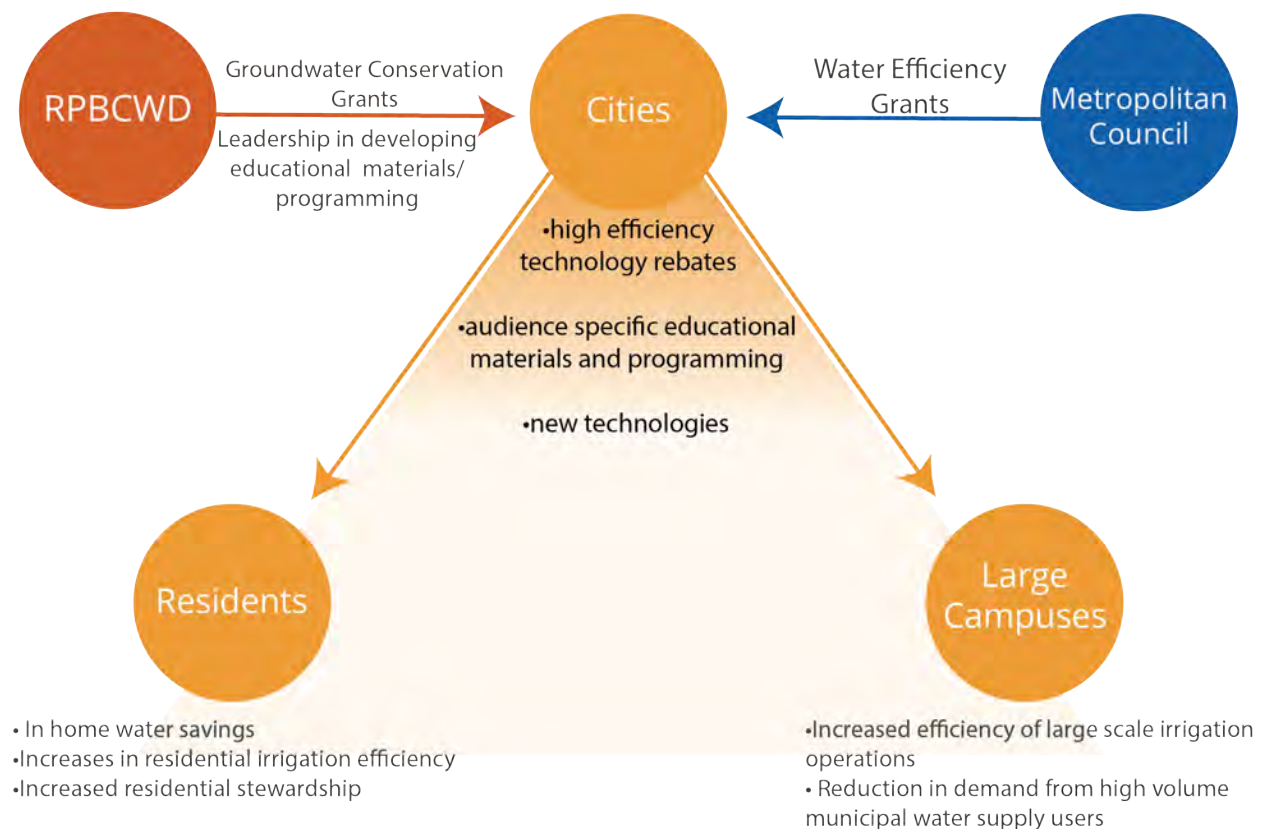
Staff believes that by capitalizing on the existent momentum sparked by the implementation of the Metropolitan Council's Water Efficiency Grants, the District will be able to maximize the impact on local groundwater resources. In addition, the proposed program promotes further development of collaborative relationships with city partners.

- **GRANT.** Based on the research conducted, data gathered, and stakeholder input Staff recommends the formation a grant program that provides funds to cities to supplement the Water Efficiency Grants awarded by the Metropolitan Council. By providing cities with enough funds to fulfill their original request to the Metropolitan Council, cities will be able to maximize the potential of their rebate programs as well as increase the volume of groundwater conserved.
- **EDUCATION.** In addition to providing funds, Staff proposes to develop a Groundwater Collaborative with cities to develop accompanying educational materials and programming to raise awareness, increase stewardship and build capacity. It is anticipated that the intended audience would range from residential to large campuses. The CAC could be involved in reviewing the residential materials to ensure clear messaging.
- **PILOT.** Finally, Staff also recommends the development of a pro-active program working with the cities and residents to evaluate the transition of traditional water meters to water smart meters. The meters allow water users to measure daily consumption and can trigger possible water leak issues. The District could provide grants to enable cities to transition meters already in need of replacement to smart meters and the software that

accompanies such meters. In addition, some education of end users and would likely be required. The District, along with the Groundwater Collaborative could work to create appropriate materials.

Each components of this program will be evaluated. Metrics of success will focus on number of installations, audits, people reached, and reduction in water consumption. Furthermore, the grant program hinges on the Metropolitan Council grant program. This means that when the Metropolitan Council Water Efficiency funds cease to exist in June 2022, the program that RPBCWD has developed will need to be evaluated prior to completion of grants to determine continuation as detailed in the Program process summary and proposed timeline (page 7).

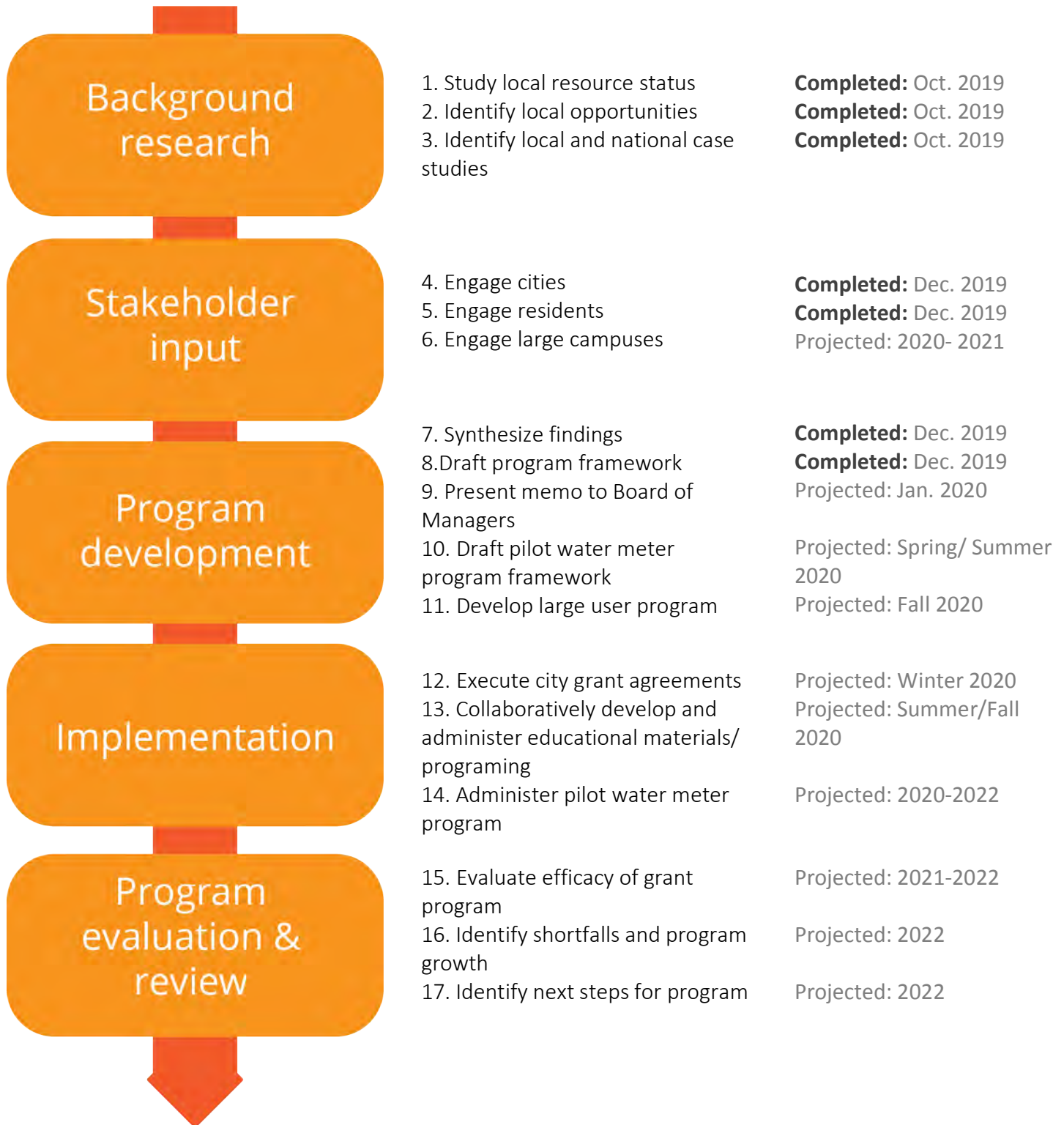
Summary of proposed Groundwater Conservation Program



Staff recommends that **\$120,000** go to a grant program supporting cities in their groundwater conservation efforts, **\$30,000** to support groundwater collaborative and finally **\$30,000** for the implementation of a water smart meter pilot program. The Budget for the Groundwater Conservation Program is \$180,000 for 2020.

It was moved by Manager _____ and seconded by Manager _____ to support the Groundwater Conservation Program as detailed in the January 2, 2019 memo titled "Groundwater Conservation Program" with a budget to not exceed \$180,00 for 2020.

Program process summary and proposed timeline





18681 Lake Drive East
Chanhausen, MN 55317
952-607-6512
www.rpbcwd.org

To: Board of Managers
From: Claire Bleser, District Administrator
Re: Fund Transfers

Friday, January 3, 2020

Dear Managers,

Please find recommendation to conduct fund transfers in order to balance year-to-date expenditures.

Transfer \$6,524.80 from reserve to Professional Service (Covers the cost of conducting administrator review).

Transfer \$2,000 from Reserve to Dues and Publications (Cover increase in dues)

Transfer \$25,000 from Reserve to 10-year Management Plan (cover for rules amendment)

Transfer \$10,000 from Reserve to Lake Susan Water Quality Improvement Phase 2 (cover additional work related to project)

Manager _____ seconded by Manager _____ to approve fund transfers out of Reserve for \$43,524.80 to \$6,524.80 – Professional Service, \$2,000- Dues and Publications, \$25,000 – 10-year Management Plan and \$10,000- Lake Susan Water Quality Improvement Phase 2.

MEMORANDUM

TO: Board of Managers
FROM: Claire Bleser, Administrator; Terry Jeffery, Watershed Planning Manager; and Scott Sobiech, PE, District Engineer
DATE: January 2, 2020
RE: Summary of 2019 Permit Fees and Regulatory Fee Structure

1.0 RECOMMENDATION

Staff recommends modifying the existing fee structure as follows to improve the recovery of regulatory program costs:

1. Replace the size based initial permit fee with a fixed amount. The fixed fee could be set at \$3,000 because that was roughly the average cost of permit private development review in 2019.
2. Revise the fee for existing single-family home to \$200 because that was roughly the average cost of existing single-family home reviews in 2019.
3. Revise the excess cost of recovery thresholds to activate once the above initial fees are exceeded.
4. Incorporate a standard stipulation in all approvals (administrator or board) and list requirement on permit application and form requiring payment of any outstanding balance for unpaid permit fees.
5. Refund any unused fees to the applicant after the project close-out activities are complete.

In addition, staff suggest the board of manger's consider adding a full-time regulatory position given the extensive administrative efforts associated with the improved regulatory program. Some duties could include assisting with processing permit applications and financial assurances, databased management, applicants through permitting process, and with inspecting permitted sites to ensure compliance with District rules, during construction and annual maintenance.

2.0 INTRODUCTION

At the March 2019 meeting, the Board of Managers requested staff evaluate the regulatory fee structures with respect to recouping all staff and consultant time incurred during the entire permit process through close-out. The purpose of this memo is to summarize the 2019 regulatory program activities, including fees and pollutant reductions.

3.0 SUMMARY OF 2019 PERMITS

Regulation plays an important role in managing water resource problems. For instance, municipal land use planning and zoning powers are invaluable for ensuring that land uses are compatible with the surrounding environment. The District's current regulatory program was adopted by the Board of Managers in November of 2014. These rules were amended on August 8, 2018 and December 11, 2019 to address stakeholder concerns.

Regulation ensures proper integration of water resource protection when development and redevelopment projects occur. The regulatory program prevented sediment pollution, reduced food for algae and helped slow down and soak in water where it falls. The District received 51 permit applications in 2019 which is about 25 fewer than in 2018. Table 1 provides a summary of the permits reviewed in 2019 based on the permit type. Several of these permits were determined to incomplete and remain under review. No pollutant or volume reductions are listed in Table 1 for existing single family or existing shoreline stabilization projects because the applicants were not required to quantify the removals. In addition, only six governmental permits required the applicant provide pollutant and volume in accordance with RPBCWD’s stormwater criteria (Rule J). The majority of the other 15 governmental permits generally only required compliance with RPBCWD’s Rule C, Erosion control and sediment prevention.

Table 1 2019 Permit Summary

Type of Permit	Number of 2019 Permits	Total Suspended Solids (lbs/yr)	Total Phosphorus (lbs/yr)	Impervious Runoff Volume Abstracted from 1.1" Event	Total Hours	Total Cost ¹
Government	21	2,606.4	6.7	16,488	315.7	\$38,607.50
Private	15	23,616.2	67.4	86,465	371.1	\$44,844.50
Existing Shoreline ²	3	0	0	-	13.75	\$570.63
Existing Single Family	12	0	0	-	53.75	\$2,562.63
Total	51	26,222.6	74.1	102,953	754.3	\$86,585.25

¹ The total cost represents a composite of staff, legal and engineering time through early to mid-December 2019.

² Repair of existing riprap

The efforts associated with general regulatory program assistance (pre-application meetings, rule revisions, and misc. discussions) is summarized in Table 2 under the general services task. The efforts for erosion control inspections and database maintenance are also summarized in Table 2.

Table 2 Summary of additional staff, engineering, and legal regulatory efforts

Description	Total Hours	Total Cost ¹
Work on Non-2019 Permits	515.35	\$48,801.25
General Regulatory Support	798.45	\$78,276.13
Permit Tracking Tool-Database	3.5	\$442.50
Erosion Compliance Inspection	266.7	\$24,663.00
Total	1584	\$152,182.88

¹ The total cost represents a composite of staff, legal and engineering time through early to mid-December 2019.

A total of 78 permits were worked on by staff, engineer, legal in 2019. Table 3 provides a breakdown of the all the individual permits worked on in 2019. These efforts include permit modifications, review of maintenance agreements and declarations, processing of financial assurances, correspondence with applicants, and review of close-out materials.

Table 3 Summary of Permit Activities in 2019

Permit Number	Description	Type	Site Area (ac)	Permit Fee Received	Additional Fee Due	Total Hours	Total Cost ¹
2015-002	Mission Hills-Chan	Existing Single-Family	8.65	\$1,000.00	\$0.00	2.5	\$289.00
2015-003	Olympic Hills-Parking Lot-EP	Private - Commercial/Industrial	175	\$750.00	\$0.00	0.35	\$78.75
2015-030	Chanhassen Retail	Private - Commercial/Industrial	2.71	\$750.00	\$0.00	4.3	\$524.25
2015-036	Saville West Subdivision	Private - Residential	1.19	\$1,000.00	\$12,045.70	72	\$6,694.50
2016-014	Chanhassen Chick-fil-a	Private - Commercial/Industrial	1.32	\$1,500.00	\$2,428.00	13.7	\$605.25
2016-017	Southwest Green Line LRT Ext	Government - Other	54	N/A	N/A	11.5	\$1,403.50
2016-030	IDI Distribution	Private - Commercial/Industrial	6.27	\$2,000.00	\$3,137.00	3.05	\$472.38
2016-035	LaMettry's Motorplex	Private - Commercial/Industrial	2.81	\$1,000.00	\$0.00	1.25	\$143.63
2016-045	Purdey Rd Ravine Stabilization	Government - Other	1.5	N/A	N/A	0.1	\$22.50
2017-007	Cedarcrest Stables	Private - Residential	10.7	\$3,000.00	\$4,417.30	6	\$430.38
2017-024	Prairie Bluffs Senior Living	Private - Residential	4.7	\$1,500.00	\$973.30	7.7	\$627.25
2017-030	Elevate	Private - Residential	3.16	\$1,500.00	\$2,663.00	1.7	\$107.25
2017-031	Lion's Tap Parking	Private - Commercial/Industrial	9.42	\$1,500.00	\$0.00	26	\$1,264.25
2017-038	Pulte - West Park	Private - Residential	10.37	\$3,000.00	\$0.00	18.6	\$790.25
2017-047	Fawn Hill	Private - Residential	11.6	\$3,300.00	\$2,255.00	2.95	\$270.88
2018-028	Oak Point Elementary Parking Lo	Government - Other	23.05	N/A	N/A	28.1	\$4,070.75
2018-043	Control Concepts	Private - Commercial/Industrial	5.48	\$5,500.00	\$0.00	18.8	\$2,945.00
2018-044	Smith Village	Private - Residential	7.16	\$2,000.00	\$0.00	30.5	\$1,724.50
2018-049	D'Allesandro	Existing Single-Family		\$300.00		5.25	\$217.88
2018-060	Loichinger Residence	Existing Single-Family		\$300.00		6.6	\$292.25
2018-065	3611 Rainbow Dr Minnetonka - Arbit	Existing Single-Family		\$300.00		5.85	\$261.13

Permit Number	Description	Type	Site Area (ac)	Permit Fee Received	Additional Fee Due	Total Hours	Total Cost ¹
2018-066	Castle Ridge	Private - Residential	19.5	\$4,500.00	\$0.00	45.25	\$6,541.75
2018-068	DriSteem Warehouse Expansion	Private - Commercial/Industrial	4.31	\$1,500.00		32.3	\$1,395.50
2018-071	Minnetonka HS Lacrosse Field	Government - Other	96.16	N/A	N/A	19.55	\$1,004.00
2018-072	Hyland Park Parking Lot Improvements	Government - Other	880.28	N/A	N/A	21.9	\$1,074.00
2018-073	Preserve Blvd	Government - Linear	22.84	N/A	N/A	85.45	\$13,335.00
2018-074	EP Ground Storage Reservoir	Government - Other	12	N/A	N/A	44.1	\$2,215.50
2019-001	Galpin Site - The Park	Private - Residential	156.3	\$10,500.00	\$0.00	127.9	\$15,543.50
2019-002	Shelangoski Home	Existing Single-Family		\$50.00		11	\$456.50
2019-003	Stable Path	Private - Residential	5.9	\$2,000.00	\$0.00	34	\$5,196.50
2019-004	Duck Lake Road	Government - Linear	3.5	N/A	N/A	129.05	\$16,409.75
2019-005	Singletree Lane Streetscape Improvements	Government - Other		N/A	N/A	2.75	\$114.13
2019-006	2019 Mill and Overlay	Government - Linear	5.09	N/A	N/A	2	\$83.00
2019-007	Beverly Hills	Private - Residential	7.11	\$2,000.00	\$0.00	23.8	\$2,787.25
2019-008	Staring Lake Pavilion	Government - Other	37.75	N/A	N/A	23.2	\$3,158.50
2019-009	5995 Ridge Rd Remodel	Existing Single-Family		\$300.00		4.25	\$176.38
2019-010	Chanhassen HS Concession Sanitary line repair	Government - Other	41	N/A	N/A	2	\$83.00
2019-011	Westwind Plaza	Private - Commercial/Industrial	10.2	\$1,500.00	\$0.00	21.4	\$2,517.50
2019-012	Costigan Storage Building	Existing Single-Family		\$300.00	\$0.00	3.5	\$145.25
2019-013	Cozine Project	Existing Single-Family		\$300.00	\$0.00	6.5	\$269.75
2019-014	Hennepin Town Road Turn Lane Improvements	Government - Linear	0.14	N/A	N/A	2.75	\$114.13
2019-015	Lake Drive East Street Improvement Project	Government - Linear	4.2	N/A	N/A	7.5	\$311.25
2019-016	Minnetonka Blvd Natural Gas Pipeline	Private - Commercial/Industrial		\$50.00		2	\$83.00
2019-017	6650 Pawnee Dr.	Existing Single-Family		\$300.00	\$0.00	13	\$539.50

Permit Number	Description	Type	Site Area (ac)	Permit Fee Received	Additional Fee Due	Total Hours	Total Cost ¹
2019-018	6657 Deerwood Drive	Existing Single-Family		\$300.00	\$0.00	10	\$415.00
2019-019	Sheldon Place	Private - Residential	1.04	\$1,500.00		13	\$1,910.00
2019-020	Dixon new home	Existing Single-Family		\$300.00		5.25	\$217.88
2019-021	2019 Miscellaneous Drainage Improvements	Government - Other		N/A	N/A	4.5	\$186.75
2019-022	Woodcrest Place	Private - Residential	5.4	\$2,000.00		17.2	\$2,097.50
2019-023	Minnetonka Library	Government - Other	1.66	N/A	N/A	24.3	\$3,002.00
2019-024	Conifer Heights	Private - Residential	4.8	\$2,250.00		19.7	\$2,461.75
2019-025	Homestead Circle Sump Pump Collection	Government - Linear		N/A	N/A	3.75	\$155.63
2019-026	Ridgewood Church Parking Lot	Private - Church	7.97	\$1,500.00	\$500.00	28.1	\$3,286.25
2019-027	Eden Prairie Pavement Management (Mill & Overlay)	Government - Linear		N/A	N/A	2.25	\$93.38
2019-028	Life Time Parking Addition	Private - Commercial/Industrial	26	\$4,000.00		21.65	\$2,896.00
2019-029	Sheldon Avenue Storm Sewer Improvements	Government - Linear		N/A	N/A	3.75	\$155.63
2019-030	Koepfen Shoreline Stabilization	Existing Shoreline		\$150.00		3.25	\$134.88
2019-031	Leddy Shoreline Impromements	Existing Shoreline		\$150.00		4	\$166.00
2019-032	West 79th St Parking Lot-Chan	Government - Other	1.75	\$1,500.00	\$2,181.00	43.9	\$5,520.75
2019-033	Spring Road Pedestrian Xing	Government - Linear		N/A	N/A	2.5	\$103.75
2019-034	Lions Tap Site Improvements	Private - Commercial/Industrial	9.42	\$1,500.00		14.05	\$741.13
2019-035	Shadow Lane	Private - Commercial/Industrial	0.7	\$1,500.00		8.8	\$896.25
2019-036	Miller Pool	Existing Single-Family		\$50.00		2	\$83.00
2019-037	Maple Leaf Drive SPCS	Government - Linear		N/A	N/A	2.5	\$103.75
2019-038	Costco Fuel Facility Expansion	Private - Commercial/Industrial	17.07			6.95	\$696.38

Permit Number	Description	Type	Site Area (ac)	Permit Fee Received	Additional Fee Due	Total Hours	Total Cost ¹
2019-039	Maple Leaf Drive Drain Tile	Government - Linear	0.13	N/A	N/A	3.75	\$155.63
2019-040 ²	5328 Spring Lane home	Existing Single-Family				5.5	\$228.25
2019-041	Engelstad Pool	Existing Single-Family		\$50.00		2.5	\$103.75
2019-042	CSAH 101-Chan	Government - Linear	7.54	N/A	N/A	57.95	\$7,927.50
2019-043	Cedarcrest Stable	Private - Residential	10.7	\$3,000.00	\$2,000.00	24.55	\$3,275.00
2019-044	Melander	Existing Shoreline		\$300.00		6.5	\$269.75
2019-045	16820 Excelsior BLVD, Minnetonka	Existing Single-Family		\$250.00		5.5	\$228.25
2019-046	Magnolia Trail Erosion Repair	Government - Linear		N/A	N/A	2	\$83.00
2019-047	Building Demolition and Site Restoration	Government - Linear		N/A	N/A	3.75	\$155.63
2019-048 ²	Central Middle School Additions & Remodel 2020	Government - Other		N/A	N/A	7.4	\$846.00
2019-049 ²	Powers Blvd and Lake Lucy Rd	Government - Linear		N/A	N/A	0	\$0.00
2019-050 ²	SP 8825-629 TH629	Government - Linear		N/A	N/A	0	\$0.00
2019-051 ²	Berrospid Addition	Existing Single-Family				0	\$0.00
		Total		\$73,800.00	\$32,600.30	1292.75	\$135,386.50

¹ The total cost represents a composite of staff, legal and engineering time through early to mid-December 2019.

² Because these permit application submittals are incomplete, the total cost only reflect the efforts to date, which in some case has be nothing because only an online application was provided.

The above tables are limited to those tasks necessary to apply for and receive a permit from the RPBCWD. It has been observed that some communities have reduced their erosion prevention and sediment control (EPSC) inspection program, others rely on self-reporting, and still others do not have an inspection program.

Resource protection would clearly benefit from increased site inspection frequency for EPSC beyond the monthly inspections and periodic follow up inspections now performed by the RPBCWD. For perspective, the NPDES permit requires inspections every week and after every rainfall event 0.5” or greater. The installation of many of the emerging technologies as well as practices sensitive to construction methods would benefit from construction observation. Other areas staff is looking at are ways to improve application process efficiency via early coordination with applicants and partner agencies as well as assisting applicants in their permit close out requirements, especially as it pertains to demonstrating the BMP is functioning as approved and that they have met other permit stipulations and conditions. Other districts have recognized the importance of these items and employ the equivalent of 4.0FTP or 5.0FTP to administer their regulatory program.

Table 4 provides a summary of the minimum, maximum and average costs associated with the various permits reviewed in 2019. The large cost range is related to the varying degrees of complexity. A simple mill and overlay project typically only require review and approval for erosion prevention and sediment control. A complete roadway reconstruction, such as the Preserve Boulevard in Eden Prairie, required extensive analysis for compliance with RPBCWD’s Floodplain Management and Drainage Alterations, Erosion Prevention and Sediment Control, Wetland and Creek Buffers, Stormwater Management, and Variances and Exceptions. Similarly, private developments have a wide range in review cost tied to the number of rules implicated and the complexity of the proposed development. It is important to note that several of the permits only have online applications but no materials have been submitted for review, thus there are no costs associated with those permit reviews. The average permit review cost listed in Table 4 exclude those permits that only have an online application submitted and an incomplete application.

Table 4 2019 Permit Cost Summary

Type of Permit	Minimum Cost ¹	Maximum Cost ¹	Average Cost ¹
Government	\$83.00	\$16,409.75	\$2,097.86
Private	\$83.00	\$15,543.50	\$2,989.63
Existing Shoreline ²	\$134.88	\$269.75	\$190.21
Existing Single Family	\$83.00	\$539.50	\$232.97

¹ Because the permit submittals for 2019-048, 2019-049, 2019-050, and 2019-051 are incomplete, the cost associated with those permits were removed from the computations in Table 4.

² Repair of existing riprap

4.0 POTENTIAL REGULATORY FEE STRUCTURE

The current fee structure was adopted by the Board of Managers at the January 9, 2019 meeting and is provided as attachment A. The adopted fee schedule establishes an initial permit fee based on the size of the site and the rules triggered. The fee schedule also allows for

excess cost recovery in the event the district's review effort, including consultants' expenses, exceeds the predetermined thresholds listed on the fee schedule and summarized below.

- Excess Costs Recovery - Costs of site inspections, analysis of the proposed activities, services of consultants and compliance assurance in excess of the amounts stated below arising from a particular permit will be charged to the permit holder, whether costs were incurred by the permit holder or transferor:
 - Single-family residential property \$1,000
 - All other properties, 0 -4.99 acres \$2,500
 - All other properties, 5 -9.99 acres \$3,500
 - All other properties, 10 acres or larger \$5,000
- The release of financial assurance described in Rule M, subsection 4 indicates “If the project is completed in accordance with the terms of the permit and District rules, any documentation or other records necessary to demonstrate and confirm that required facilities, features or systems have been constructed or installed and are functioning as designed and permitted, and there is no outstanding balance for unpaid permit fees, the District will release the financial assurance”.

This structure has worked well at recovering excess cost related to the review effort before action by the board is taken. Costs incurred after the board's conditional approval of a permit have typically not been recovered. Those costs include monthly erosion inspections, maintenance agreement/declaration review, site visits, and close-out processing. In addition, to streamline the budget tracking the costs associated with erosion inspections have not been tracked by individual permit. Internal discussion during the recent rule revision process daylighted the following challenges and opportunities associated with administering the regulatory program, beyond the permit review, thus presenting a need to re-evaluate the current level of effort.

- Setting permit fees based on parcel size may not be equivalent to the level of effort needed to administer the program for a given permit.
- Extensive administrative time is needed to assign conduct pre-application meetings, maintain existing databases (or new database if implemented), record and process financial assurances, review/coordinate maintenance agreements and declarations, draft permit forms, and coordinate permit close-out documentation.
- Four (4) key inspection items: a) erosion and sediment prevention BMP installation, b) BMP installation, c) final grading d) site stabilization (close-out).
 - More frequent site inspections are needed than monthly and need to be inspecting more than erosion. Likely need bi-weekly erosion inspections and after rainfall events.
 - On site observation of the installation of the approved best management practices
 - Need to field verify decompaction of sites
 - Need to verify topsoil meets requirements for composition and installation thickness

- Follow-up time for sites with corrective actions or those identified as conducting work without RPBCWD approval
- Lack of annual maintenance reporting, tracking and need for verification by RPBCWD
- Proprietary device review and monitoring protocols

To address the costs associated with improving the current process, staff have prepared Table 5 to summarize alternative regulatory cost recovery structures for the board’s consideration.

Table 5 Potential regulatory fee structures

Alternative	Initial Fees	Cost Recovery Method
Current	Based on site size	Recover cost prior to permit issuance as is currently performed as needed
Modified Current	Based on site size or potentially a fixed amount	Recover cost prior to permit issuance and track/require payment of outstanding costs prior to financial assurance release. This option could also include a revision to the thresholds listed above such that once the level of effort exceeds the fees paid the excess cost of recovery mechanism is activated (i.e., eliminate the built-in buffer). A stipulation of approval could include the requirement that all staff and consultant charges be paid prior to the release of any financial assurance.
Invoice	Fixed amount	Invoice permit applicants monthly to recover costs. This would likely require revisions to the district’s account system and staffing to perform the accounts receivable and payable functions.
Escrow	Fixed escrow amount	Draw on escrow to cover all costs. This would require the district to track escrow for each individual permit, refund unexpended funds at permit close-out, and request additional escrow funds as needed. This would likely require revisions to the district’s permit tracking and account systems to track and draw on individual permit escrows. This could prove challenging for existing single-family home permits. Additional staff time will also be needed to perform the tracking functions.

Based on the options presented, staff suggests modifying the existing fee structure as follows:

1. Replace the size based initial permit fee with a fixed amount. The fixed fee could be set at \$3,000 because that was roughly the average cost of permit private development review in 2019.
2. Revise the fee for existing single-family home to \$200 because that was roughly the average cost of existing single-family home reviews in 2019.
3. Revise the excess cost of recovery thresholds to activate once the above initial fees are exceeded.
4. Incorporate a standard stipulation related to recovery of excess costs in all approvals (administrator or board) and list requirement on permit application and form.
5. Refund any unused fees to the applicant after the project close-out activities are complete.

RILEY-PURGATORY-BLUFF CREEK WATERSHED DISTRICT

GOVERNANCE MANUAL

Adopted as amended January 8, 2020

Deleted: May 3, 2017

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Appendix A: Inventory of Not-Public Data on Individuals

Riley-Purgatory-Bluff Creek Watershed District Governance Manual – Introduction

The Riley-Purgatory-Bluff Creek Watershed District is a special purpose unit of government established under Minnesota Statutes chapters 103B and 103D. The Riley-Purgatory-Bluff Creek Watershed District, is governed by a five-member Board of Managers appointed to staggered terms by the Hennepin County and Carver County Boards of Commissioners. In 2012, the Riley-Purgatory-Bluff Creek Watershed District hired an administrator to oversee and direct day-to-day activities and to carry out the Water Management Plan.

This **Riley-Purgatory-Bluff Creek Watershed District Governance Manual** was adopted by the Board on July 2, 2014, and adopted as amended February 4, 2015. The manual establishes clear written policies, procedures and instructions for the management of District activities and accounts, complete recordkeeping and records management, and separation of duties among District staff and contractors. The manual will also help to ensure that: similar transactions are treated consistently; that accounting principles used are appropriate and proper; and that records and reports are produced in forms desired by the managers and state review entities, including: the Legislature, the Office of the State Auditor; and the Board of Water and Soil Resources.

The manual consists of this document, along with the following policies and protocols adopted by the District:

- **General Governance Policies.**
- **Bylaws**, including the District Conflict of Interest Policy and fulfilling the requirement of Minnesota Statutes section 103D.315, subdivision 11.
- **Policies and Procedures for Public Access to Documents** fulfills requirements of the state Data Practices Act applicable to the District. The following auxiliary documents fulfill specific requirements of the Data Practices Act, as noted:
 - Security of Not-Public Data and procedures to ensure accuracy and security of data on individuals and to notify data subjects of their rights under the DPA, along with the accompanying Inventory of Not-Public Data on Individuals.
 - Procedures to ensure accuracy and security of data on individuals (Minn. Stat. § 13.05, subd. 5) and to notify data subjects of their rights under the DPA (Minn. Stat. § 13.025, subd. 3).
 - Tennessee notices and consent forms, created when needed and tailored for specific circumstances where private or confidential data is collected from individuals, such as new employees, or distributed (Minn. Stat. § 13.04, subd. 2). (The manual includes the District’s basic templates.)
- **Records Retention Schedule** allows the District to efficiently manage and, when appropriate, archive its files, and fulfills the requirement of section 138.17, subdivision 7, as well and the Data Practices Act requirement that the District maintain a list of private and confidential data on individuals maintained by the

District (section 13.05, subdivision 1). The schedule also includes indication of whether the District stores information electronically or in hard copy form, in compliance with the Uniform Electronic Transactions Act, Minnesota Statutes section 325L.17.

- **Policy for Management of Permit Fees, Financial Assurances and Abandoned Property** provides protocols to manage assurances collected by the District from permittees and ensures that funds submitted are managed in accordance with the state unclaimed property law (chapter 345 generally and section 345.38 specifically), accompanied by an:
 - Escrow agreement template, for escrow of funds submitted by permittees in fulfillment of the financial performance-assurance requirements in the District rules.
- **Public Purposes Expenditures Policy** includes protocols and requirements to ensure that the District complies with the requirement in the state constitution (Article X, section 1) that expenditures by government bodies must serve a public purpose;
- **Fund Balance Policy** adopted to bring District fund-classification and -naming practices into compliance with general accounting standards.
- **Internal Controls and Procedures for Financial Management** provides terms for the management and administration of District finances.

The manual will be reviewed at the managers' annual business meeting and updated as necessary. The manual will be submitted within 60 days of adoption to the Office of the State Auditor in compliance with Minnesota Statutes section 6.756, as will any revisions and additional policies when adopted.

District staff and contractors are expected to conduct District business in accordance with the manual and to alert the Board of Managers to improvements and additions needed.

Riley-Purgatory-Bluff Creek Watershed District
General Governance Policies

Adopted February 1, 2017

The following general governance policies help ensure sound administration of District business and continued focus of District resources on protection and improvement of the water resources in the Riley-Purgatory-Bluff Creek watershed.

I. Contracting

- a. The Board of Managers delegates to the administrator the authority to approve work-change directives and change orders for District projects that will result in a change in the cost of a project of \$10,000 or less.
- b. The administrator may require a District contractor to secure additional or replacement payment and/or performance bonds to cover any increased price of a District project resulting from a change order approved by the administrator.
- c. A change order approved by the administrator will be presented to the Board of Managers at its next meeting.

II. Per diems

- a. Managers may receive a per diem for participation in a meeting of the Board of Managers, approved meeting and training, and for other necessary duties. An activity must be authorized or requested by the Board of Managers or requested by the administrator to be considered a necessary duty for purposes of this policy.
- b. Managers will prepare claim forms for per diem and expenses in duplicate. The original will be submitted to the treasurer to be processed and approved in the same manner as other claims against the District. Claims for expenses should be submitted quarterly, and under any circumstances all claims for expenses in any given year must be submitted prior to January 15 of the following year. The manager will retain a copy for his or her personal records.
- c. A manager may receive only one per diem per day of service to the District.
- d. The District will establish the per diem rate by resolution. In the absence of such action by the Board, the per diem rate will be as specified in Minnesota Statutes section 103D.315, subdivision 8.

III. Records management and retention

- a. The District will make and preserve all records necessary to ensure the availability of a full and accurate accounting of the District's official activities, in fulfillment of Minnesota Statutes sections 15.17, subdivision 1, and 138.17.
- b. The District will adopt and maintain a records retention schedule, to be approved by the State Archives Office, governing the retention and/or disposal of records created by the District.

- c. In keeping with the direction of the Uniform Electronic Transactions Act, the District has determined that it will create and retain its records in electronic form to the greatest extent possible. The District's records retention schedule includes indication of records that may be retained in hard copy form, but District policy is to retain all records in electronic form. This policy is prospective as of November 2012, and the District does not intend to convert historic records from hard copy to electronic form.
- d. The administrator is the responsible authority for purposes of District compliance with the Data Practices Act, Minnesota Statutes chapter 13.
- e. The administrator is the data practices compliance official for purposes of District compliance with the Data Practices Act.

IV. Delegated authority

- a. No employee of the District may exercise authority beyond that which is allocated to the administrator by the District bylaws and policies that constitute the Governance Manual.
- b. Authority delegated to the administrator may not be delegated to other employees or contractors of the District.
- c. Duties assigned to the administrator may be delegated to other employees or contractors by the administrator, however the administrator will remain responsible to the Board of Managers for the proper execution of all delegated duties.
- d. All consultants to the District work under the direction of the administrator, except for auditors and legal counsels. Auditors and legal counsels' primary responsibility is to the board except when providing administrative or project/program support.
- e. The administrator may not commit funds of the District without the approval of the Board of Managers.

V. Managers' authority

- a. The Board President is authorized to speak on behalf of the District. No other manager may speak on behalf of the District unless authorized to do so by the Board of Managers.
- b. No individual manager may provide direction, instructions or authorization to the administrator unless specifically authorized to do so by the Board of Managers.
- c. A manager's request for information that would require more than 15 minutes of the Administrator's time must be approved by the board of managers. [Cumulative requests that require more than 30 minutes of the administrator's time in one calendar month must be approved by the board of managers.](#)
- d. A manager's request for information from consultants to the District, other than auditors or legal counsels, must be directed through the Administrator. Requests for information to auditors and legal counsels are governed by the board of managers.
- e. Individual managers cannot bind the District to agreements or expenditures.

Schedule of Regular Activities

The District will observe the following schedule of required activities to ensure continued compliance with laws and regulations:

- The District conducts its annual business meeting in January. At that meeting the Board of Managers:
 - Approves a schedule of regular meetings of the Board of Managers and Citizens Advisory Committee for the ensuing year.
 - *Reviews insurance needs and current coverage (annual renewal is in September, review in July).*
 - Authorizes, biennially, the solicitation of engineering, legal, auditing, accounting and other professional services proposals, per Minnesota Statutes section 103B.227, subdivision 5.
 - Names:
 - a District depository bank(s),
 - a permit security depository for bonds and letters of credit
 - a permit security depository for cash escrows,
 - and an official newspaper for publication of notices.
 - Names individuals to serve on the District's Citizens Advisory Committee, in compliance with Minnesota Statutes section 103D.331.
 - Reviews the District's fee and permit security schedules and directs the administrator to prepare revisions as warranted for adoption by resolution.
 - Reviews and, as necessary, directs the preparation of updates to its Governance Manual.
 - *Elect from among its members the following officers: president, vice president, secretary and treasurer.*
- The District annually publishes a newsletter or other watershed-wide communication that explains the District's programs, lists the members of the Board of Managers and notes District contact information, per Minnesota Statutes section 103B.227, subdivision 4. The District will maintain this information on its website as well.
- The District annually audits its accounts and expenditures, per Minnesota Statutes section 103D.335, subd. 1.
- The District annually submits to the Board of Water and Soil Resources a financial, activity and audit report each year by May 1 (within 120 days of the end of the District's fiscal year), per Minnesota Statutes section 103B.231, subdivision 14, and Minnesota Rules 8410.0150, subpart 1, and submits to the Office of the State Auditor an audit report by May 1 each year (within 120 days of the end of the District fiscal year), per Minnesota Rules 8410.0150, subpart 1.
- The District administrator annually prepares, in February, an end-of-year report of the Budget to the board.
- The District administrator annually prepares, in July, a report to the board on the status of fund balances in relation to the Fund Balance Policy.

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- The administrator, as the Data Practices Act responsible authority, reviews in July each year the District’s DPA policy and associated protocols to ensure harmony with current law, in accordance with Minnesota Statutes section 13.05, subd. 1.
- The administrator annually assesses in July each year whether the District has abandoned property and returns abandoned property, if any, in accordance with the schedule in the Policy for Management of Permit Fees, Permit Securities and Abandoned Property.
- Annually on or before September 15 the District adopts a budget for the next year and decides on the total amount of funding necessary to be raised from ad valorem tax levies to meet the budget.
- Pursuant to the Truth in Taxation law, the District holds a further public informational meeting on its budget and levy at its December meeting at which the public is allowed to speak; the Board of Managers need not take any action to alter the budget and levy adopted in September; it may decrease, but may not increase the levy adopted in September prior to finalization by the county auditors at the end of December.

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Riley-Purgatory-Bluff Creek Watershed District

Bylaws

Adopted as amended, May 3, 2017

These bylaws establish governing rules for the Riley-Purgatory-Bluff Creek Watershed District (District) Board of Managers (Board), in compliance with Minnesota Statutes section 103D.315, subdivision 11.¹

- I. **Office.** The District will maintain its principal place of business and its official records at an office located within the watershed, presently 18681 Lake Drive East, Chanhassen MN 55346. The Board may change the location of its principal place of business in accordance with Minnesota Statutes section 103D.321, subdivision 2.
- II. **Board of Managers.** The Board consists of four managers appointed by the commissioners of Hennepin County and one manager appointed by the commissioners of Carver County. Managers serve staggered three-year terms. A manager serves until his or her replacement is appointed.
 - a. *Vacancy.* A manager who is unable to fulfill his or her term will notify his or her county board of commissioners to allow the commission to appoint a replacement in a timely manner.
 - b. *Compensation.* The Board may elect to compensate its members for attending meetings and performing other duties necessary to properly manage the District and reimburse managers for expenses incurred in performing official duties. Compensation will be in accordance with Minnesota Statutes section 103D.315, subdivision 8, and policy established by the Board.
 - c. *Bonding.* Before a manager assumes his or her duties, the District at its expense will obtain and file a bond for the manager in accordance with Minnesota Statutes section 103D.315, subdivision 2.
 - d. *Insurance.* The Board will provide insurance for the managers for liability protection on such terms and in such amounts as the Board determines.
 - e. *Attendance.* Managers are expected to attend meetings of the Board. At the Board's discretion, a manager's failure to attend three consecutive regular meetings of the District may be reported to that manager's county board of commissioners.
- III. **Officers.** The Board annually, at its January meeting, will elect from among its members the following officers: president, vice president, secretary and treasurer. If

¹ All references in these bylaws to statutes are to the section or sections as they may be amended.

any officer cannot complete his or her term of office, the Board immediately will elect from among its members an individual to complete the unexpired term. An officer's term as officer continues until a successor is elected or the officer resigns. The Board, by action at an official meeting, may appoint a manager as an officer *pro tem* in the event an officer is absent or unable to act, and action by that officer is required.

- a. *President.* The president will:
 - i. preside at all meetings as chair of the Board.
 - ii. sign and deliver in the name of the District contracts, deeds, correspondence or other instruments pertaining to the business of the District;
 - iii. be a signatory to the District accounts;
 - iv. be a signatory to District documents if the treasurer or secretary is absent or disabled, to the same extent as the treasurer or secretary.
- b. *Vice President.* The vice president will:
 - i. preside at meetings as chair in the absence of the president;
 - ii. be a signatory to the District accounts;
 - iii. be a signatory to District instruments and accounts if the president is absent or disabled, to the same extent as the president.
- c. *Secretary.* The secretary will:
 - i. be a signatory to resolutions and other documents certifying and memorializing the proceedings of the District;
 - ii. be a signatory to the District accounts;
 - iii. maintain the records of the District;
 - iv. make the required public and Board notice of all meetings in accordance with Minnesota Statutes chapter 13D and other applicable laws;
 - v. ensure that minutes of all Board meetings are recorded and made available to the Board in a timely manner and maintain a file of all approved minutes;
 - vi. keep a record book in which is noted the proceedings at all meetings.
- d. *Treasurer.* The treasurer will:
 - i. be a signatory to the District accounts and financial records;
 - ii. present a report at the monthly meeting of the Board that includes a current check register and tracks each of the watershed district's funds and account balances;

- iii. provide such other records as are necessary to inform the Board of the financial condition of the District.

IV. **Committees.** All standing and special committees of the Board will be appointed by majority vote of the managers. [Membership on standing committees of the Board \(e.g. Governance, Personnel\) will be determined in January of each year.](#) Other special committees may include persons who are not managers, but no member of a committee who is not a manager may offer a motion or vote on a matter put before the committee. It is the duty of a committee to act promptly and faithfully in all matters referred to it and to make reports as directed on the date established by the chair or Board. A complete and accurate copy of written reports will be made by the secretary and filed and recorded in the office of the Board.

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- a. *Citizens Advisory Committee.* In accordance with Minnesota Statutes section 103D.331, there is established a District citizens' advisory committee. The committee is known as the Citizens Advisory Committee (CAC). The CAC advises the Board on water resource-related community concerns and issues, and assists to develop and implement the education and outreach activities of the District. The CAC will meet according to a schedule set by its members each year and at such other times as the members of the CAC may determine. All meetings of the CAC are open to the public.
- b. *Technical Advisory Committee.* In accordance with Minnesota Statutes section 103D.337, there is established a technical advisory committee (TAC) to the Board. The TAC is convened as necessary and appropriate to advise the Board on regulatory, watershed planning and other technical matters.
- c. The Board may not delegate supervision of the District administrator or any District employee to a committee.

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V. **Meetings.** In January each year the Board will set a schedule of regular meetings for the coming year. Adjourned and special sessions may be held at such times as the Board deems necessary and proper.

- a. Special meetings and emergency meetings may be called by the chair or any manager. Notice of a special or emergency meeting will be made by the secretary in accordance with the Open Meeting Law, Minnesota Statutes chapter 13D.
- b. All meetings of the Board will be open to the public, except that a meeting or portion of a meeting may be closed in accordance with the Open Meeting Law.
- c. At all meetings of the Board, a majority of the members appointed will constitute a quorum necessary to do business, but a minority may adjourn from day to day.
- d. *Conduct of meetings.* At the time appointed for a meeting, the members will be called to order by the president as chair or, in his or her absence, the

temporary chair. On determination of a quorum, the Board will proceed to do business in accordance with the agenda, as may be amended and approved by the Board.

- i. The chair will preserve order and decide questions of order, subject to an appeal by any member. The chair may make motions, second motions, or speak on any question. The chair will be entitled to vote in the same manner as other members of the Board.
 - ii. The order of business for a meeting may be varied by the chair, but no public hearing convened by the Board will be closed before the time specified for the hearing in the notice.
 - iii. Every member before speaking will address the chair and will not proceed until recognized by the chair. A member called to order will immediately suspend his or her remarks until the point of order is decided by the chair.
 - iv. Any person may address the Board on a matter properly before the Board. The chair may limit the time allowed for a manager or other person addressing the Board to speak.
 - v. Any person may request that a matter be heard by the Board. The Board will consider such request and determine whether and, if approved, when to take up the matter or to defer the matter pending receipt of additional information thereon and direct the administrator to obtain such information.
 - vi. Every member will act with courtesy, civility and respect in all interactions as a member of the Board of Managers, maintaining an open mind, and participating in open communication; members should refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members, staff or any member of the public.
- e. *Appeal of a chair ruling.* A manager may appeal to the Board from a ruling of the chair. If the appeal is seconded, the manager may speak once solely on the question involved and the chair may explain his or her ruling, but no other manager will participate in the discussion. The appeal will be sustained if it is approved by a majority of the managers present, exclusive of the chair.
- f. *Meeting rules.* In all points not covered by these rules, the conduct of a meeting of the Board will be governed by the current edition of *Robert's Rules of Order*. *Robert's Rules* may be temporarily suspended by consent of a majority of the managers.
- g. *Resolutions.* A resolution will be presented in writing at a meeting or the Board may order that staff prepare a resolution reflecting action taken by the Board. The material terms of a resolution must be stated in the motion to

adopt. Each resolution passed by the Board will be signed by the secretary and filed in the official actions of the District maintained at the District office.

- h. *Minutes and Records.* Minutes of all meetings of the Board and committees will be made by the secretary or, with respect to a committee meeting, the Board member responsible for making the minutes. When signed, the minutes will constitute ~~the official record and journal~~ of the Board proceedings. Except in extenuating circumstances, at the regular meeting of the Board, draft minutes of the preceding Board meeting will be reviewed by the Board and adopted as may be amended. Adopted minutes will be kept at the District offices. All written communications addressed to the Board, other materials included in a Board meeting packet, and all documents and materials submitted to the record in the course of a Board meeting will be filed in the District office with the minutes of the meeting.
- i. *Voting.* When the chair puts a question to the Board, every manager present will vote, except as a manager elects to abstain. The manner of voting on any business coming before the Board may be by voice vote. An affirmative or negative vote by any member will be entered in the minutes on his or her request. Affirmative and negative votes will be recorded on any motion at the request of a manager and the results entered in the minutes. Unless provided otherwise by law, any vote or ballot completed by a manager, whether binding or not, will be disclosed at the meeting at which it is taken; a survey of managers shall be presented at the next scheduled meeting at which the relevant item of business is considered, including the vote results and vote of each member.

VI. **Conflict of Interest.** The Board seeks to operate in accordance with high ethical standards and wishes to establish clear guidelines for the ethical conduct of District business. Ensuring that conflicts of interest do not affect District proceedings is an essential element of maintaining high ethical standards. Therefore, to specify and supplement its commitment to compliance with the Ethics in Government Act, Minnesota Statutes section 10A.07, the Board adopts the following conflict of interest policy:

- a. *Disclosure of conflicts.* A manager who has a personal financial interest, or other private interest or relationship that limits the manager's ability objectively to consider, deliberate or vote, in a matter scheduled to come before the Board must prepare a written statement describing the matter requiring action and the nature of the potential conflict. The manager affected will deliver the statement to the president of the Board before the Board considers or takes action on the matter. If a potential conflict arises and a manager does not have sufficient time to prepare a written statement, the manager must orally inform the Board before the matter is discussed.

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- b. *Abstention.* A manager must abstain from chairing any meeting, participating in any vote, offering any motion, or participating in any discussion on any matter that may substantially affect the manager’s financial interests or those of an associated business or family member, unless the effect on the manager is no more than on any other member of the manager’s business classification, profession or occupation. A manager also must abstain from chairing any meeting, participating in any discussion, offering any motion, or voting on any matter in which a private interest or relationship of the manager limits the manager’s ability objectively to consider, deliberate or vote. The manager’s nonparticipation in the matter will be recorded in the minutes.

VII. **Bylaws compliance, suspension and amendment.** These bylaws are adopted to facilitate the transaction of Board business. They should not be permitted to divert or hinder the expressed intent and desire of the Board. Informal compliance and substantial performance will be sufficient under the foregoing provisions in the absence of an objection seasonably taken. An objection will be deemed not seasonably taken as to any procedural matter provided for herein if a manager present at the meeting fails to object and request compliance with these bylaws during the meeting. To be seasonably taken by an absent member, an objection must be taken at the next regular meeting of the Board.

- a. Any provision of these bylaws may be suspended temporarily by a majority vote of the Board, except a provision that preserves the right of an absent manager.
- b. These bylaws may be amended by a majority of the Board on 30 days written notice of the proposed change(s), unless such notice is waived by all managers. Notice of any amendment is to be contained in the notice of the meeting at which the proposed amendment is to be considered. An amendment to these bylaws must be approved by a four-fifths majority of the Board.
- c. Interpretation of the bylaws and any amendment thereto will rest with the Board. The bylaws are to be interpreted as consistent with the state watershed laws, Minnesota Statutes chapters 103B and 103D, and other governing laws. In the event of a conflict, the governing laws control.
- d. These bylaws will be reviewed by the Board at least once every ~~three~~ years.
- e. These bylaws govern internal conduct of the business of the District and neither create nor elucidate any right in any third party.

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I, _____, secretary of the Riley-Purgatory-Bluff Creek Watershed District Board of Managers, certify that the attached are true and correct copies of the bylaws of the Riley-Purgatory-Bluff Creek Watershed District, which were properly adopted by the Board of Managers [January 8, 2020].

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| David Ziegler, Secretary

Date: _____

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Riley-Purgatory-Bluff Creek Watershed District

Code of Conduct Policy

Adopted January 8, 2020

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A. DECLARATION OF POLICY

The proper operation of democratic government requires that the public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

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In recognition of these goals, the Board of Managers has established this Code of Conduct for all public officials and employees of the District.

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Public officials hold office on behalf of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Minnesota. Public officials must carry out impartially the laws of the nation, state and District in fostering respect for all government and otherwise faithfully discharge the duties of their office.

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Public officials shall be dedicated to fulfilling their responsibilities of office. They shall be dedicated to the public purpose and all programs developed by them shall be in the community interest. Public officials shall not exceed their authority or breach the law or ask others to do so. They shall work in full cooperation with other public officials and employees unless prohibited from doing so by the law.

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B. BOARD OF MANAGERS CONDUCT WITH DISTRICT STAFF

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1. Board authority. The Board of Managers member's statutory duties are generally to be performed by the Board of Managers as a whole. The Board of Managers, and not individual members, supervises the administrator, and the administrator supervises staff. As individuals, Board of Managers members have no administrative authority. They cannot give orders or otherwise supervise District employees, unless specifically directed to do so by the Board of Managers. The full Board of Managers, however, holds the ultimate authority over all administrative affairs in the District.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not accepted.

2. Limitations on contact with District staff.

(a) Questions of District staff and requests for information shall be directed to the administrator. Materials supplied to a Board of Managers member in response to a request will be made available to all members of the Board of Managers.

(b) Board of Managers members shall not express concerns about the performance of a District employee in public, to the employee directly, or to the employee's supervisor. Comments about staff performance shall be made solely to the administrator through private correspondence or conversation.

(c) Individual Board of Managers members must not attempt to influence staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development

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applications, or granting District permits outside of Board action at a Board meeting.

- (d) Request by a manager for staff support, even in high priority or emergency situations, shall be made to the administrator who is responsible for allocating District staff resources in order to maintain a professional, well-run organization.

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C. MANAGERS CONDUCT WITH THE PUBLIC

- 1. No signs of partiality, prejudice, or disrespect will be tolerated on the part of individual Board of Managers members toward an individual participating in a public forum.
- 2. The ~~President~~ (or ~~Vice-President~~ in the ~~President's~~ absence) will determine and announce limits on speakers at the start of the public meeting. Generally, each speaker will be allocated three (3) minutes. If many speakers are anticipated, the ~~President~~ may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless exhibiting inappropriate behavior.
- 3. Only the ~~President~~ (or ~~Vice-President~~ in the ~~President's~~ absence), and not individual Board of Managers members, can interrupt a speaker during a presentation. Questions by the Board of Managers members of the public shall seek to clarify or expend information. It is never appropriate to belligerently challenge or belittle the speaker. Board of Managers member's personal opinions or inclinations about upcoming votes shall not be revealed.
- 4. The District attorney serves as advisory parliamentarian for the District and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the ~~President~~, subject to the appeal of the full Board of Managers.

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D. MANAGERS CONDUCT IN UNOFFICIAL SETTINGS

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1. It is appropriate for Board of Managers members to give a brief overview of the District policy when asked about a specific issue by constituents and to refer individuals to District staff for further information. It is inappropriate to overtly or implicitly promise Board of Managers action, or to promise that District staff will perform or expedite a specific service or function (monitor lake, rush a permit etc.).
 2. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about District staff, other Board of Managers members, their opinions and actions.
 3. Board of Managers members are constantly being observed by the community every day that they serve in office. Their behaviors serve as models for proper behavior in the District. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Board of Managers members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

E. USE OF CONFIDENTIAL INFORMATION

A public official or employee of the District shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.

F. USE OF PROPERTY

A public official or an employee shall not use or allow the use of District time, supplies, or District owned or leased property and equipment for the employee's private interest or any other use not in the interest of the District, except as provided by law and with prior administrator approval for such use and the use is of minimal value.

Riley-Purgatory-Bluff Creek Watershed District Policies and Procedures for Public Access to Documents

Adopted as amended [January 8, 2020](#)

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Public access to the data of public bodies is governed by the Data Practices Act (DPA), Minnesota Statutes Chapter 13. The DPA states that data of public bodies are to be available to the public unless specifically protected by law where individual privacy would be violated or where other valid concerns outweigh the interest in public availability. The Riley-Purgatory-Bluff Creek Watershed District (District) recognizes the public interest in open access to its data as well as the public interest that requires that certain types of data not be publicly available. It is the intent of the District to comply fully with the DPA and, where the DPA allows for the exercise of judgment, to exercise that judgment consistent with the public interests underlying the law.

This policy is adopted pursuant to sections 13.025, subdivision 2, and 13.03, subdivision 2, of the DPA, which state that every public body shall establish procedures to implement the DPA. In addition, the District has adopted and maintains a Records Retention Schedule, which is an index of the records and data maintained by the District and describes private or confidential data on individuals collected by the District, in compliance with section 13.025, subdivision 1. This policy also is accompanied by a set of procedures to ensure that data on individuals are accurate and complete and to safeguard the data's security, consistent with section 13.05, subdivision 5, as well as an Inventory of Not-Public Data on Individuals to ensure that access to private and confidential data on individuals is limited to District personnel whose work or management assignments require access. The District also maintains a document setting forth the rights of data subjects under the DPA and procedures to guarantee the rights of data subjects in compliance with section 13.025, subdivision 3, and a document setting forth the rights of data subjects under the DPA.

Procedure for Review of District Documents

All requests to inspect or receive copies of District data, and all other inquiries regarding the DPA, must be [submitted on a form provided by the District](#) and delivered to the "Data Practices Compliance Official," at the following address:

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Riley-Purgatory-Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55346

The [Administrative Assistant](#) is designated as the Data Practices Compliance Official and Responsible Authority.

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Requests to inspect or obtain copies of District data must be in writing to ensure that the District's response is timely and complete. The District is able to most efficiently and completely respond to requests that are specific and detailed. The Data Practices Compliance Official will help to ensure that documents of interest have been gathered, that documents not subject to

inspection pursuant to the DPA have been segregated, and assistance is available to the requesting party. The District will provide requested data for inspection at the District office, or other location to be specified by the Data Practices Compliance Official. District files may not be removed from the District office.

The DPA requires that individuals be permitted to inspect or copy data within a reasonable time after a request. The District will attempt to respond to requests as quickly as possible. The response time will vary depending on the breadth of the request and the completeness and accuracy of the request.

If the District determines that certain data cannot be made available for inspection or copying, it will inform the individual of the classification of the data in question under the DPA and of the legal basis for denial of access.

The District may provide requested copies of data immediately or may advise that the copies will be provided as soon as reasonably possible thereafter. The ability to provide copies immediately depends on the number of copies requested, staff workload and the need to deliver the data elsewhere for copies to be made (e.g., oversize documents, tapes, electronic data).

Costs

There is no cost to inspect documents. If document copies are requested, the requesting individual will be charged 25 cents per page for up to 100 letter- or legal-sized black-and-white printed copies, except that there is no charge for delivery by email of less than 100 pages or the equivalent (as determined by the District) of data. Standard charges will apply for re-delivery of data in the event of failure of email delivery resulting from incapacity of the recipient's email system. Copies of documents will not be certified as true and correct copies unless certification is specifically requested. The fee for certification is \$1 per document.

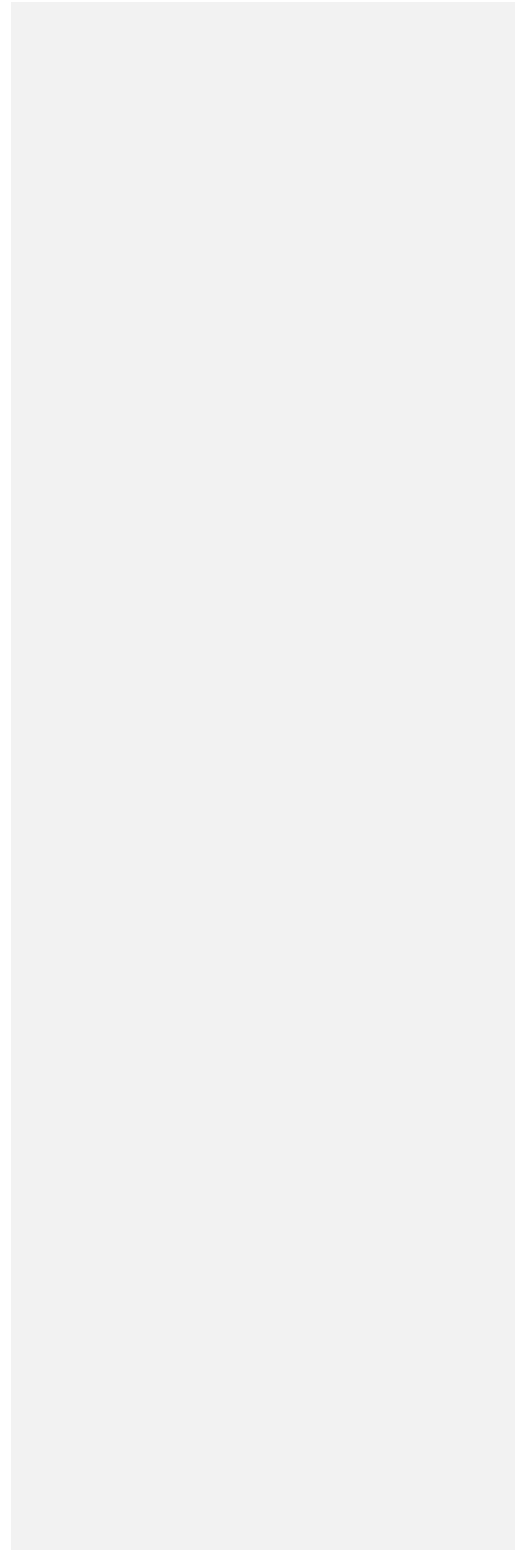
With respect to oversize copies, tapes, electronic data, photographs, slides and other unusual formats, the requesting individual will be responsible for the actual cost incurred by the District to make the copy itself or to use a vendor, except that there is no charge for electronic delivery of less than 100 pages of data or the equivalent (as determined by the District).

An individual requesting copies or the electronic transmittal of more than 100 pages of data is responsible to pay the District the actual cost, including the cost of staff time to search for and retrieve data and to make, certify, compile and transmit copies. Staff-time cost will be assessed based on established hourly rates. The District will not charge for staff time needed to separate public from protected data.

If an individual so asks, before copies are made the District will advise of the approximate number of pages of documents responsive to a request or the likely cost of responding to a request. Payment may not be made in cash (checks are accepted). The District may, at its discretion, require payment in advance.

When an individual asks for a copy of data that have commercial value and were developed with a significant expenditure of public funds by the District, the District may charge a reasonable fee

that relates to the actual cost of developing the data. As a condition of making certain commercially valuable data available, the District may require execution of a license agreement defining allowable use or further distribution.



Riley-Purgatory-Bluff Creek Watershed District Security and Protection of Not-Public Data on Individuals

The Riley-Purgatory-Bluff Creek Watershed District establishes the following protocols pursuant to and in satisfaction of the requirement in Minnesota Statutes section 13.05, subdivision 5, that the District establish procedures ensuring appropriate access to not-public data on individuals. By incorporating employee access to not-public data in the District's Inventory of Data on Individuals, in the individual employee's position description, or both, the District limits access to not-public data to employees whose work assignment reasonably requires access.

Implementing Procedures

Data inventory

Pursuant to Minnesota Statutes section 13.025, subdivision 1, the District has prepared a data inventory that identifies and describes all not-public data on individuals it maintains. To comply with the requirement in section 13.05, subdivision 5, the District has included indication of the managers and employees who have access to not-public data. (*See Appendix A: Inventory of Not-Public Data on Individuals.*)

In the event of a temporary duty as assigned by the administrator or a department director, an employee may access certain not-public data for as long as the work is assigned to the employee.

In addition to the employees listed in the data inventory, managers, the Responsible Authority/Data Practices Compliance Official and counsel may have access to *all* not-public data maintained by the District if necessary for specified duties. Any access to not-public data will be strictly limited to the data necessary to complete the work assignment.

Employee position descriptions

Position descriptions may contain provisions identifying any not-public data accessible to the employee when a work assignment reasonably requires access.

Data sharing with authorized entities or individuals

State or federal law may authorize the sharing of not-public data in specific circumstances. Not-public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in an applicable Tennessee warning or the District will obtain the individual's informed consent. Any sharing of not-public data will be strictly limited to the data necessary or required to comply with the applicable law.

To ensure appropriate access, the District will:

- Assign appropriate security roles, limit access to appropriate shared network drives and implement password protections for not-public electronic data;
- Password protect employee computers and lock computers before leaving workstations;
- Secure not-public data within locked work spaces and in locked file cabinets
- Shred not-public documents before disposing of them.

Penalties for unlawfully accessing not-public data

The District may utilize the penalties for unlawful access to not-public data as provided for in Minnesota Statutes, section 13.09. Possible penalties include suspension, dismissal or referring the matter to the appropriate prosecutorial authority who may pursue a criminal misdemeanor charge.

Protection of Private and Confidential Data on Individuals

Accuracy and Currency of Data

Employees of the District are requested, and given appropriate forms, to annually provide updated personal information for the District as necessary for District recordkeeping, tax, insurance, emergency notification and other personnel purposes. Other individuals who provide private or confidential information (e.g., managers) are also encouraged to provide updated information when appropriate.

Data Safeguards

Private and confidential information is stored in secure files and databases that are not accessible to individuals who do not have authorized access. Private and confidential data on individuals is accessed only by individuals who are both authorized and have a need to access such information for District purposes. (An individual who is the subject of data classified as private may access such data for any reason.)

The District administrator, as Responsible Authority, reviews forms used by the District to collect data on individuals and ensures that the District collects private or confidential data only as necessary for authorized District purposes.

Only managers and employees of the District whose work for the District requires that they have access to private or confidential data may access files and records containing such information. Employees' and managers' access is further governed by the following requirements:

- Private or confidential data may be released only to persons authorized by law to access such data;
- Private or confidential data must be secured at all times and not left in a location where they may be accessed by unauthorized persons;
- Private or confidential data must be shredded before it is disposed of [pursuant to the District's records retention policy](#).

When a contract with an outside entity requires access to private or confidential information retained by the District, the contracting entity is required by the terms of its agreement with the District to use and disseminate such information in a manner consistent with the DPA and the District's Policies and Procedures for Public Access to Documents.

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Riley-Purgatory-Bluff Creek Watershed District
Private and Confidential Data – Rights of Data Subjects

In accordance with the Minnesota Data Practices Act, Minnesota Statutes chapter 13 (DPA), the following protocols and information are established by the Riley-Purgatory-Bluff Watershed District (District). This information is provided to you, as the subject of private or confidential data collected by the District to explain how (1) the District assures that all data on individuals collected by the District are accurate, complete and current for the purposes for which they were collected, and (2) to explain the security safeguards in place for District records containing data on individuals.

Rights to Access Government Data

Minnesota law gives you, as the subject of private or confidential data collected by the District, and all members of the public the right to see data collected and maintained by the District, unless state or federal law classifies the data as not public. In addition, the DPA gives you and all members of the public the right to have access to or, if you wish, to copy any public data for any reason, as long as the data are not classified as not-public or copyrighted.

You have the right to:

- be informed, upon request, as to whether you are a subject of District data and how that data is classified;
- know what the District’s procedures are for requesting government data;
- inspect any public data that the District collects and maintains at no charge;
- see public data that the District collects and maintains without telling the District who you are or why you want the data;
- have public data that the District collects and maintains explained to you;
- obtain copies of any public District data at a reasonable cost to you;
- be informed by the District in writing as to why you cannot see or have copies of not-public District data, including reference to the specific law that makes the data not-public;
- receive a response from the District to a data request in a reasonable time.
- contest the accuracy and completeness of public or private data the District has on you and appeal a determination by the District as to whether the data are accurate and complete;
- to ask the District, if you are under 18 years old, to withhold information about you from your parents or guardian;
- consent or revoke consent to the release of information the District has on you;
- release all, part or none of the private data the District has on you.

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Security of Private and Confidential Data

State law protects your privacy rights with regard to the information the District collects, uses and disseminates about you. The data the District collects about you may be classified as:

- Public – anyone can see the information;
- Private – only you and authorized District staff can see the information;
- Confidential – only authorized District staff can see the information.

When the District asks to you provide data about yourself that are private, the District will give you a notice called a Tennessee warning notice. This notice determines what the District can do with the data collected from you and the circumstances under which the District can release the data. The District will ask for your written permission before using private data about you in a way that is different from what is stated in the Tennessee notice you receive. The District also will ask for your written permission before releasing private data about you to someone other than those identified in the notice.

State law requires that the District protect private and confidential data about you. The District has established appropriate safeguards to ensure that your data are not inadvertently released or wrongfully accessed. The District disposes of private, confidential and other not-public data in accordance with its Records Retention Schedule, adopted July 2, 2014. Printed data are disposed of by shredding or other method sufficient to prevent the data from being ascertainable. Electronic data are destroyed or erased from media in a manner that prevents the data from being accessed or read. Data-storage systems in District computers are erased in the process of recycling.

Commented [LS3]: "Confidential data" are inaccessible to the individual subject of that data. Performance reviews are private personnel data.

Commented [CB4]: Can you define what the difference is – what are those situation. Performance review are confidential.

**Riley-Purgatory-Bluff Creek Watershed District
Data Practices Advisory / Tennessean Warning**

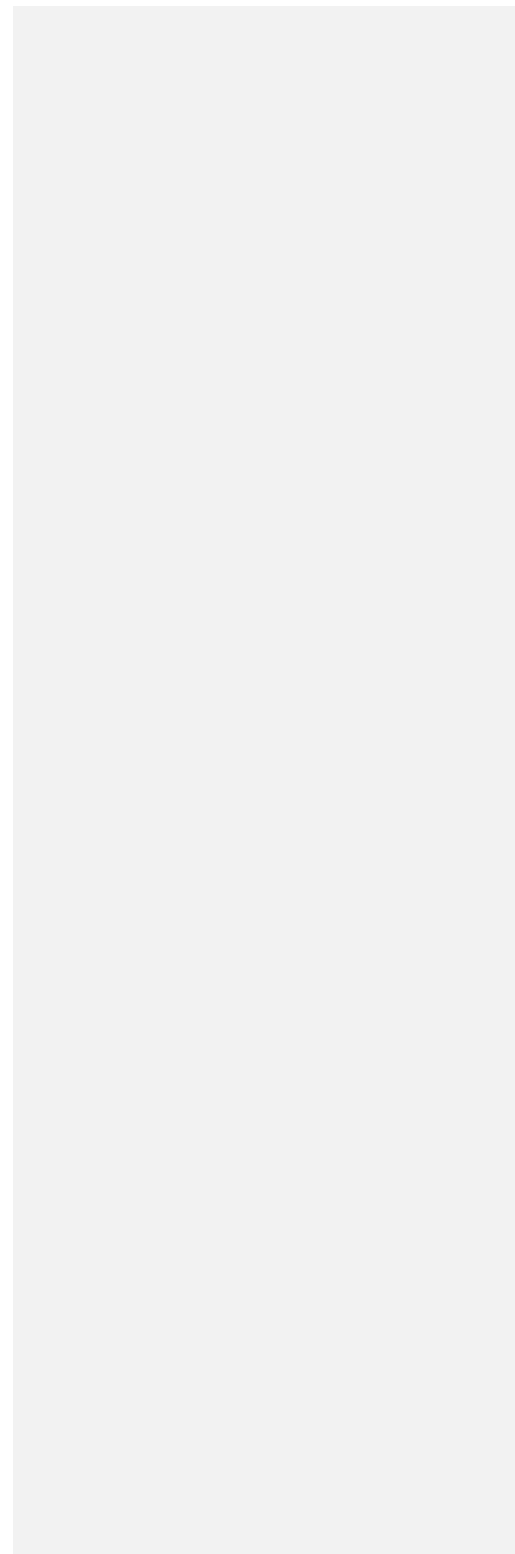
Some or all of the information you are being asked to provide on the attached form is classified by state law as either private or confidential data. Private data is information that generally cannot be given to the public, but can be given to the subject of the data. Confidential data is information that generally cannot be given to either the public or the subject of the data.

The Riley-Purgatory-Bluff Creek Watershed District's purpose and intended use of the information is:

You are / are not legally required to provide the information.

Your failure or refusal to supply the information will have the following consequences:

Other persons or entities who are authorized to receive the information include:



Riley-Purgatory-Bluff Creek Watershed District
Consent to Release – Request from an Individual

Explanation of Your Rights

If you have a question about anything on this form, or would like more explanation, please talk to the Riley-Purgatory-Bluff Creek Watershed District administrator before you sign it.

I, [*name of individual data subject*], give my permission for the Riley-Purgatory-Bluff Creek Watershed District to release data about me to [*name of other entity or person*] as described on this form.

1. The specific data I want the Riley-Purgatory-Bluff Creek Watershed District to release are [*explanation of data*].
2. I have asked Riley-Purgatory-Bluff Creek Watershed District to release the data.
3. I understand that although the data are classified as private while in the possession of the Riley-Purgatory-Bluff Creek Watershed District, the classification/treatment of the data at [*name of other entity or person*] depends on laws or policies that apply to [*name of other entity or person*].

This authorization to release expires [*date/time of expiration*].

Individual data subject's signature _____
Date _____

Parent/guardian's signature [*if needed*] _____
Date _____

Riley-Purgatory-Bluff Creek Watershed District
Consent to Release – Request from a Government Entity

Explanation of Your Rights

You have the right to choose what data we release. This means you can let us release all of the data, some of the data, or none of the data listed on this form. Before you give us permission to release the data, we encourage you to review the data listed and described here.

You have the right to let us release the data to all, some, or none of the persons or entities listed on this form. This means you can choose which entities or persons may receive the data and what data they may receive.

You have the right to ask us to explain the consequences for giving your permission to release the data.

You may withdraw your permission at any time. Withdrawing your permission will not affect the data that we have already released because we had your permission to release the data.

If you have a question about anything on this form, or would like more explanation, please talk to the District administrator before you sign it.

I, [*name of individual data subject*], give my permission for the Riley-Purgatory-Bluff Creek Watershed District to release data about me to [*name of other entity or person*] as described on this form. I understand that my decision to allow release of the data to [*name of other entity or person*] is voluntary.

1. The specific data that the Riley-Purgatory-Bluff Creek Watershed District may release to [*name of other entity or person*] are: [*description, explanation of data*].

2. I understand the Riley-Purgatory-Bluff Creek Watershed District would release the data [*explanation of reason for the release*].

3. I understand that although the data are classified as private at the Riley-Purgatory-Bluff Creek Watershed District, the classification/treatment of the data at [*name of other entity or person*] depends on laws or policies that apply to [*name of other entity or person*]. [*Include other known consequences.*]

This authorization to release the data expires [*date/time of expiration*].

Individual data subject's signature _____

Date _____

Parent/guardian's signature (*if data subject is a minor*) _____

Date _____

**Riley-Purgatory-Bluff Creek Watershed District
Records Retention Schedule**

Adopted February 1, 2017

All District records are created and retained in electronic forms, except that record series shaded below may be created and/or retained in hard copy form.

Administration

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Advisory and technical committees – agendas, minutes, reports, related documents	Retain 10 years, then may be transferred to state archives	Public	
Affidavits of publication a. General notices, including project public hearings b. Rules	a. Retain 6 yrs b. Retain permanently	a. Public b. Public	
Agenda, board meetings and workshops	Retain 10 years, then may be transferred to state archives	Public	
Agreements and contracts, not otherwise scheduled herein	Retain 10 yrs after paid and audited	Public	
Annual reports	Retain 10 yrs, then transfer to state archives	Public	
Attorneys' opinions a. Opinions of District attorney and correspondence relating thereto b. Official interpretation regarding questions of legal rights or liabilities affecting District	a. Retain permanently or transfer to state archives when no longer needed b. Retain 10 yrs, then transfer to state archives	a. Public b. Public/Private-nonpublic	a. b. 13.393 13.39
Authority to dispose of records	Retain permanently	Public	

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Bids and Quotations a. Accepted, noncapital projects b. Rejected, noncapital projects	a. Retain 10 yrs after completion of project b. Retain 6 yrs	a. Public/nonpublic b. Public/protected nonpublic until all bids opened	a. 13.37 b.
Budgets – record copy	Retain permanently or transfer to state archives	Public	
Consultant Contracts	Retain 10 yrs	Public	
Correspondence a. Constituents b. Municipalities/State Agencies c. Engineer d. Financial e. Transitory, such as electronic mail not in one of the above categories	a. Retain 6 yrs, then archive if documents historical b. Retain 6 years, then archive if historical c. Retain 10 yrs, then transfer to state archives d. Retain 5 yrs then transfer to state archives e. Retain until read	Private/public	13.37; 13.44
Drafts, duplicates, notes and other documents that have not become part of an official transaction, not otherwise scheduled herein	Retain 2 yrs	Public	
Governance a. Bylaws b. Policies	a. Retain permanently b. Retained only until superseded	a. Public b. Public	
Historical data and photographs	Retain permanently or transfer to state archives	Public	
Inventories – equipment supplies, etc.	Retain 10 yrs	Public	

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Lawsuits a. General b. Civil Lawsuits c. Criminal Lawsuits d. Attorneys' opinions, attorneys' briefs, testimony, depositions, correspondence, etc	a. Retain 10 yrs after settlement or resolution by court, administrative order and then transfer to state archives b. Retain 20 years after last activity c. Retain 2 years after last activity d. Retain 10 yrs, then archive	a. Public/private b. c. d. Public/private/ and non-public	a. 13.30, 13.39 b. c. d. 13.393, 13.39
Leases	Retain 10 yrs after expiration of lease	Public	
Levy (tax) files – tax levies, related correspondence	Retain 5 yrs then transfer to state archives	Public	
Membership association documents (MAWD, Metro MAWD, etc.)	Retain 3 yrs	Public	
Minutes – Board meetings and workshops	Retain permanently	Public	
Newsletters, press releases generated by the District	Retain 10 yrs	Public	
Notices – official District meetings	Retain 6 yrs	Public	
Public hearings records	Retain 6 yrs or until recorded in minutes, do not archive	Public	

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
<p>Recordings</p> <ul style="list-style-type: none"> a. Board meetings and workshops – audio recordings, closed meetings b. Board meetings and workshops – open 	<ul style="list-style-type: none"> a. Tapes and other recordings may be discarded 3 yrs after meeting; 8 yrs or until purchase or sale is completed or abandoned for real estate negotiations. b. Tapes and other recordings may be reused or discarded 1 yr after formal approval of written minutes by board 	<ul style="list-style-type: none"> a. Nonpublic/public b. Public 	<ul style="list-style-type: none"> a. 13D.05, subd. 3; 13.37
<p>Technical Information</p> <ul style="list-style-type: none"> a. Printed material regarding the District b. Printed material not regarding the District 	<ul style="list-style-type: none"> a. Retain 10 yrs, then transfer to state archives b. Discard when no longer needed 	<ul style="list-style-type: none"> a. Public b. Public 	

Real Estate

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Deeds	Retained until property is sold, then transfer to new owner; maintain copy permanently	Public	
Ditch records	Retain permanently	Public	
Easements a. Originals b. Temporary easements	a. Retained permanently and do not archive b. Discard after project completion or when no longer needed, whichever is later	a. Public b. Public	
Hazardous materials reports – phase I and II reports, leaking underground storage tank reports	Retain permanently	Public	
Property records (well records, building inspections, etc.)	Retain 20 yrs after sale of property	Public	
Property surveys	Retain permanently	Public	
Transaction records	Retain 10 yrs after sale of property	Public/ Confidential/ Protected Non-public	13.44; 13.585

Bonds

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Contractor license bonds, certificates of insurance, etc.	Retain 6 yrs after completion of contract	Public	
Fidelity bonds – managers	Retain 6 yrs after completion of service by manager	Public	
Performance and payment bonds	Retain 6 yrs after completion of contract	Public	
Permit financial assurances – bonds, letters of credit	Retain 6 yrs after permit closure ²	Public	

² Retain copy if original returned to provider.

Financial/Accounting

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Assessment rolls – copies of assessment rolls received from county auditor	Retained 6 yrs after final payment	Public	
Audit reports	Retain permanently	Public	
Billing statements	Retain 6 yrs	Public	
Bank statements – slips, bonds and reconciliations	Retain 6 yrs	Public	
Budget expenditure reports	Retain permanently	Public	
Checks – paid and returned a. Accounts payable b. Payroll	a. Retain 6 yrs b. Retain 6 yrs	a. Public b. Public/private	
Receipt registers	Retain permanently, and not archived	Public	
Deposit slips	Retain 6 yrs	Public	
General ledger – general, month-end	Retain permanently and do not archive	Public	
Investment documents – amounts invested and interest earned	Retain 4 yrs after maturity	Public	
Payroll	Retain permanently	Public/private	13.43
Pension and retirement plan	Retain permanently	Public or private	
Purged accounts	Retain 6 yrs (irrespective of audit)	Public	
Receipts and receipt books	Retain 6 yrs and do not archive	Public	
Staffing lists	Retain 6 yrs	Public	
Time sheets	Retain 6 yrs	Public/Private	13.43
W-2 statements	Retain 6 yrs	Public/Private	13.43
W-4 statements	Retain until replaced		
Workers’ compensation reports	Retain 20 years	Public/Private	176.231
1099 statements	Retain 6 yrs	Public/Private	13.43

Insurance

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Insurance – automobile, fire or other perils, property, public officials, general liability, umbrella liability	Retain 6 yrs after expiration	Public	
Workers’ compensation a. Claim register b. Policies	a. Retain permanently b. Retain 6 yrs after expiration	a. Public b. Public	a. 176.231

Permits

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Applications – permits	Retain 10 yrs, then transfer to state archives	Public	
Correspondence – relating to permits	Retain 10 yrs, then transfer to state archives	Public	
Engineer’s reports	Retain 10 yrs, then transfer to state archives	Public	
Inspectors’ reports – includes reports, inspectors’ documents relating to permit inspections	Retain 10 yrs, then transfer to state archives	Public	
Permit financial assurances – bonds, letters of credit	Retain 6 yrs after permit closure	Public	
Permits	Retain permanently	Public	
Plans	Retain permanently	Public	

Personnel

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Affidavit of publication for job opening	Retain 2 yrs	Public	13.43
Affirmative action files	Retain permanently	Public/Private	13.39, 13.43
Applications for employment – not hired	Retain 1 yr	Public	
Personnel policies and procedures, administrative policies	Retain permanently	Public	
Employment contracts	Retain 5 yrs after expiration	Public	
Equal employment opportunity reports, summary date	Retain 3 yrs	Public	
Examination file – completed examinations	Retain 2 yrs	Private	13.43
Employee medical records	Retain 5 yrs after separation from District	Public/private	13.43
Family Medical Leave Act documents	Retain 3 yrs in medical file, not in employee personnel file	Private	13.43
Grievance file	Retain 5 yrs after separation, not in employee personnel file	Public/private	13.43
Job descriptions	Retain until superseded	Public	
Personnel files – applications, accident reports, background check results, citations, personal history, employee references, attendance, disciplinary actions, performance evaluations, letters of appointments or promotion, termination or resignation	Retain 5 yrs after separation	Public/private	13.43
Payroll record – master copy	Retain permanently	Public/private	13.43
Unemployment claims, compensation	Retain 6 yrs	Public/private	13.43
Background check results – not hired	Retain 30 days	Nonpublic	13.87

Projects

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Board documents – resolutions, findings, conclusions	Retain 10 yrs, then transfer to archives	Public	
Contracts a. Petitioned projects b. Nonpetitioned projects	a. Retain permanently b. Retain 10 yrs, then transfer to state archives	Public	
Correspondence	Retain 10 yrs, then transfer to state archives	Public	
Engineer’s reports and related documents	Retain 10 yrs, then transfer to state archives	Public	
Petitions (for projects)	Retain 10 years, then transfer to state archives	Public	
Property surveys	Retain permanently	Public	
Public hearing documents – non-petitioned projects	Retain 10 yrs, then transfer to state archives	Public	
Public hearing documents – petitioned projects a. notices, written testimony, audio b. Related public hearing documents	a. Retain 6 yrs or until recorded in minutes; do not archive b. Retain 10 years and do not archive	a. Public b. Public	

Programs

<i>Name – Description</i>	<i>Retention, Archiving Instructions</i>	<i>Classification</i>	<i>State Statutory Reference</i>
Water quality, lake elevation, stream-flow a. Field notes and raw data b. Final reports	a. Retain until final report completed b. Retain permanently or transfer to state archives	Public	
Public opinion surveys	Retain permanently or transfer to state archives	Public	
Plans a. Watershed management plans b. Local water management plans c. Program plans and work plans – approved by Board	a. Retain permanently or transfer to state archives b. Retain until updated c. Retain 6 yrs and do not archive	a. Public b. Public c. Public	
Rules – District approved	Retain permanently	Public	

Riley-Purgatory-Bluff Creek Watershed District

Policy for Management of Permit Fees, Financial Assurances and Abandoned Property

Adopted July 2, 2014

As provided by state law, the Riley-Purgatory-Bluff Creek Watershed District (District) receives fees from applicants to reimburse the District for the costs of processing and administering permits required by the District rules. The District also receives bonds, letters of credit and cash deposits (checks) as financial assurances to secure the performance of permittees in compliance with permit terms and conditions. To ensure that such assets are managed in accordance with sound financial practices and state law governing local government financial practices and management of abandoned property, the District establishes the following policy and protocols for the management of financial instruments, permit fees, and cash escrows.

1. **Permit fee payments.** The District will accept, process and maintain permit fees in accordance with District rules and the following protocols.
 - a. The District will not accept cash in payment of permit fees.
 - b. Checks received by the District in payment of permit fees will be deposited within ~~5~~ business days of receipt.
2. **Financial assurance deposits.** The District will catalogue and maintain financial assurances and cash escrows in accordance with the following protocols:
 - a. Financial assurance instruments (bonds, letters of credit and checks) received by the District to secure performance of permit conditions will be logged in the Financial Assurance Log created for such purposes, then copied. A copy will be filed at the District offices. The Financial Assurance Log will include, at a minimum, the following information:
 - i. Permit number for which the financial assurance instrument is provided;
 - ii. Name of the permittee/escrow provider;
 - iii. Name, for bonds and letters of credit, of the surety;
 - iv. Amount(s) of the financial assurances provided;
 - v. Expiration date, if any, of the financial assurance;
 - vi. Location of the financial assurance instrument or deposit.
 - b. Original bonds and letters of credit will be deposited for safekeeping at a location to be designated annually by the District Board of Managers.
 - c. Submittal of checks to satisfy financial assurance requirements is disfavored by the District. But when, in the judgment of the District administrator, it is not reasonable to require a permit applicant to obtain a bond or letter of credit, the applicant may submit a check for deposit by the District to serve as the permit financial assurance. In such circumstances, the permittee/escrow provider will be required as a condition of permit issuance, transfer or renewal to enter into a cash escrow agreement with the District that specifies the terms and conditions under which the District accepts and holds the escrow, as well as the circumstances under which the District may use the escrowed funds.
 - i. The District, with the advice of counsel, will maintain a cash escrow agreement template for use by permittees/escrow providers.

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- ii. The District will accept only certified checks or other bank drafts in payment of cash escrows.
 - iii. Permit approval may be revoked for failure to comply with this requirement.
 - d. No check will be accepted by the District to serve as a financial assurance to secure performance of permit conditions until District staff has verified receipt of an associated executed escrow agreement, specifying the required deposit amount and permit to be secured by the escrow. The check must be in the amount specified in the associated escrow agreement and must bear the number of the District permit(s) to be secured.
 - e. Checks received by the District as financial assurances will be deposited within 10 business days of receipt in an account designated by the administrator exclusively for permit escrows. The account will be at a board-designated depository institution.
3. **Maintenance of valid financial assurances.** To ensure that the District has the capacity to assure compliance with its rules and protect the District’s water resources in the event of noncompliance with permit conditions and/or rules, District staff will follow the protocols below to ensure that financial assurances of permit performance remain valid and enforceable:
- a. District compliance with the protocols in this section will be the responsibility of the District administrator.
 - b. The administrator will maintain the Financial Assurance Log.
 - c. The administrator will review the Financial Assurance Log monthly to ensure the continuing validity of financial assurances provided for active permits by identifying bonds and letters of credit that will expire within the ensuing 90 days.
 - d. The administrator will determine – in the course of his or her monthly review of the Financial Assurance Log – whether replacement of the financial assurance is needed for a particular project, and, if so, alert the permittee to the need to provide a replacement instrument at least 60 days prior to the expiration of the existing instrument.
 - e. If deemed necessary in response to a permittee’s unwillingness or inability to provide a replacement financial assurance, the administrator will contact counsel at least 30 days prior to the expiration of the financial assurance to initiate procedures to draw on the existing financial assurance.
 - i. The administrator will ensure that proper authorization for a financial assurance draw is secured in a timely manner, with a priority on the protection of District water resources.
4. **Return of financial permit assurances.** Financial assurance instruments will be returned in accordance with applicable District rules, including sections 5.5 and 12.4.
- a. The administrator will monthly designate financial assurances that may be returned in whole or in part to the surety (with notice to the principal/permittee) and, upon receipt of required documentation, take the steps necessary to return such instruments and/or funds.
 - b. The administrator will maintain record of returned financial assurances in the Financial Assurance Log and retain a copy of original financial assurance documents in compliance with the District records retention schedule.

5. **Abandoned property procedures.** State law imposes requirements applicable to any intangible asset in the District's possession that remains unclaimed for three years or more after the asset is no longer needed for District purposes (e.g., three years after a permitted project is completed and the associated financial assurance becomes eligible for release in accordance with District rules). To ensure compliance with abandoned-property requirements, the District establishes the following protocols.
- a. The District will annually assess whether cash escrows remain on deposit after completion of the applicable permitted work and attempt to return them. For cash escrows that have been in the District's possession for three years or more, unclaimed by the owner, staff will commence unclaimed property return procedures as follows.
 - i. By July 1 of each year, District staff will take reasonable steps to notify owners by mail of unclaimed property. A letter should be sent to all known addresses on file for the owner, notifying owner of the amount still held by the District and describing steps necessary to claim the property. Staff need not send such a letter if documentation in the District's possession indicates that the address(es) it has for the owner are inaccurate.
 - ii. If the owner cannot be found, the assets are deemed legally abandoned and the District will remit them to the state Commissioner of Commerce, along with the report required by Minnesota Statutes section 345.41, as may be amended, containing information on the identity of the owner of the unclaimed assets in the District's possession, a description of the assets, the date the assets became payable or returnable to the owner and any other information that may be required by the commissioner. Formatting and filing of the report will be in compliance with Department of Commerce guidance.
 - iii. By October 31 each year, the required report, verified by the administrator, should be filed with the commissioner and all assets unclaimed as of the preceding June 30 should be remitted to the commissioner.
 - iv. The District may deduct a service charge from the unclaimed assets remitted to cover costs of attempting to locate an owner and, if necessary, reporting and paying the unclaimed funds to the commissioner only if the escrow provider has agreed to the deduction of such charges.

ESCROW AGREEMENT

**Between the Riley Purgatory Bluff Creek Watershed District
and _____**

This agreement is made by and between the Riley Purgatory Bluff Creek Watershed District, a watershed district under Minnesota Statutes chapters 103B and 103D (RPBCWD), and _____, a _____ (Permittee), to establish a cash escrow in fulfillment of financial assurance requirements under RPBCWD permit no. _____.

Recitals

- A. Pursuant to Minnesota Statutes section 103D.345, the RPBCWD has adopted and implements rules governing development and other activity within the boundaries of the RPBCWD that may have an impact on water resources.

- B. RPBCWD rules require that as a condition of permit approval a permittee must provide and maintain a financial assurance in the form of a bond, letter of credit or cash escrow for the purpose of covering costs the RPBCWD may incur in monitoring and inspecting activity under the permit and in responding, if necessary, to violations of a watershed statute or RPBCWD rule, permit or order.

- C. This agreement documents that a cash escrow has been submitted by Permittee or on Permittee's behalf to fulfill a financial assurance obligation under permit no. _____ and specifies the conditions and procedures under which the RPBCWD will hold and may draw on the escrow. Permittee and the RPBCWD, in executing this agreement, concur that it is legally binding.

Agreement

1. Permittee has submitted a cash escrow in the amount of \$ _____. The RPBCWD will hold the escrow in an escrow account where it may be commingled with escrow funds held by the RPBCWD on behalf of parties other than Permittee. The RPBCWD need not hold the funds in an interest-bearing account and Permittee will not be entitled to interest on the escrow. If the escrow is submitted in a form other than cash and the escrow amount is not credited promptly to the RPBCWD account, the RPBCWD may declare this agreement null and void by written notice to Permittee.

2. Unused escrowed funds will be released to Permittee and additional escrow funds will be submitted by Permittee or on Permittee's behalf in accordance with the RPBCWD rules and duly adopted resolutions and policies of the RPBCWD Board of Managers.

3. Escrow funds will become the sole property of the RPBCWD, and Permittee agrees to relinquish all legal and equitable interest therein, as follows:

a. The RPBCWD may invoice Permittee for permit review, compliance monitoring and other eligible costs in accordance with duly established RPBCWD procedures.

b. If after notice and opportunity to be heard the RPBCWD finds violation of a watershed statute or RPBCWD rule, permit or order, the RPBCWD may give written notice to Permittee. The notice will describe the violation and the action required to correct it. If within twenty (20) days of notice delivery the violation has not been corrected and arrangements acceptable to the RPBCWD have not been made, without further notice the RPBCWD may take steps it deems reasonable to correct the violation, and may have access to the property during reasonable times for that purpose, provided that the RPBCWD will give 24 hours' notice before entry and exercise due care to avoid unnecessary disturbance or damage to the property. If the RPBCWD finds that entry is required to address an occurring or imminent threat to water resources, it may enter and correct without prior hearing or opportunity to cure, but only to the extent reasonably necessary to address the threat.

c. The RPBCWD may invoice Permittee for reasonable costs incurred for activity under paragraph 3b. If payment is not made within 30 days, the RPBCWD may transfer funds from the escrow account into RPBCWD accounts and credit Permittee accordingly.

4. Escrow funds submitted hereunder are submitted to secure the performance of Permittee under permit no. _____. If the permit is issued, and if the Permittee and any agent, employee or contractor well and faithfully performs all activities and things undertaken and authorized by permit no. _____ in compliance with all applicable laws, including applicable statutes, rules, permit conditions, orders, agreements and stipulations of the RPBCWD, and pays, when due, all fees or other charges required by law, including all costs to the RPBCWD of administering and enforcing the terms of the above-stated permit and this agreement, including reasonable attorneys' fees, then on written notification to the RPBCWD of same and the

RPBCWD's confirmation thereof, the RPBCWD will release the escrowed funds to Permittee.

5. All obligations of the RPBCWD under this agreement in holding and using the escrow funds are to Permittee only. Nothing in this agreement creates any right in any third party as against the RPBCWD or in any way waives or abridges any immunity, defense or liability limit of the RPBCWD. Permittee indemnifies the RPBCWD for any claim, liability or cost the RPBCWD incurs as a result of a party other than Permittee asserting ownership in or a right to the escrow funds or any party thereof. Permittee will not assign or purport to assign any interest in the escrow funds or this agreement to any third party, except in conjunction with a transfer of Permittee's permit approved in writing by the RPBCWD.

6. Nothing in this agreement affects Permittee's legal right, if any, to appeal a finding of violation or seek a legal determination of the purposes to which the RPBCWD may use the escrow funds.

7. The Permittee agrees that, should the escrow funds submitted hereunder remain unclaimed by the Permittee or his successor in interest so as to become "abandoned property" as that term is defined in Minnesota law, the RPBCWD may assess a service charge from the unclaimed assets to cover costs of attempting to locate the Permittee or his successor in interest and, if necessary, reporting and paying the unclaimed funds as required by law.

8. This agreement is effective on the signature of the parties and terminates when the RPBCWD releases the escrow or declares the agreement null and void under paragraph 1, above. The agreement may be amended only in a writing signed by the parties. An increase or decrease in the amount of escrow funds held by the RPBCWD for permit no. _____ does not constitute an amendment.

9. Notice to Permittee under this agreement is effective when sent by certified mail to Permittee's address as stated in the permit application or such other address as Permittee subsequently has notified the RPBCWD in writing. The laws of the State of Minnesota will govern any legal proceeding concerning this agreement. Venue for any such proceeding will be in the county where the real property that is the subject of this agreement is located. The recitals are incorporated as a part of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement.

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

By _____ Date:
Administrator

PERMITTEE

By: _____ Date:
[print name here]
as _____ of _____.

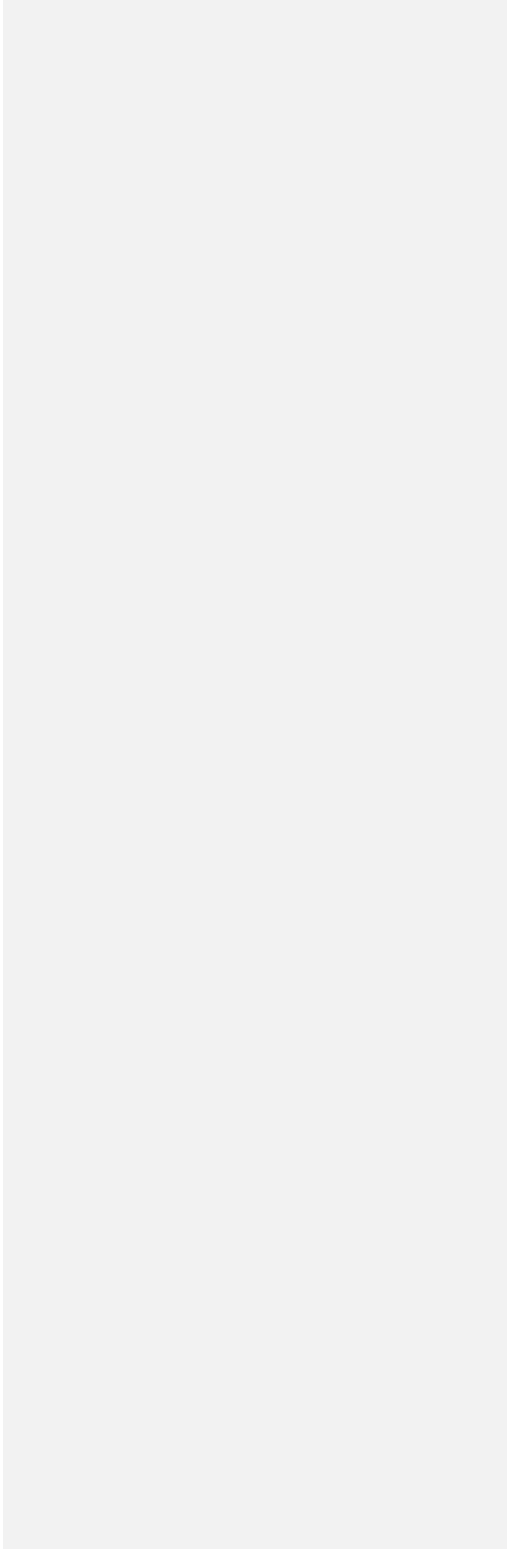
State of Minnesota
County of :

This instrument was acknowledged before me on _____,
by _____, as _____
of _____.

_____ (Signature of notarial officer)

(Stamp)

Notary Public
My commission
expires:



ESCROW PROVIDER ACKNOWLEDGEMENT & RELEASE

The undersigned acknowledges having received and understood the agreement to which this acknowledgement is attached. By signing, the undersigned agrees to hold the Riley Purgatory Bluff Creek Watershed District (RPBCWD) harmless from and releases any and all claims the undersigned may have to the funds or any part thereof provided to the RPBCWD for the purposes described in and under the terms of the agreement.

Acknowledged, intending to be legally bound:

_____ Date:
By: *[print name]*
Title _____
Company _____

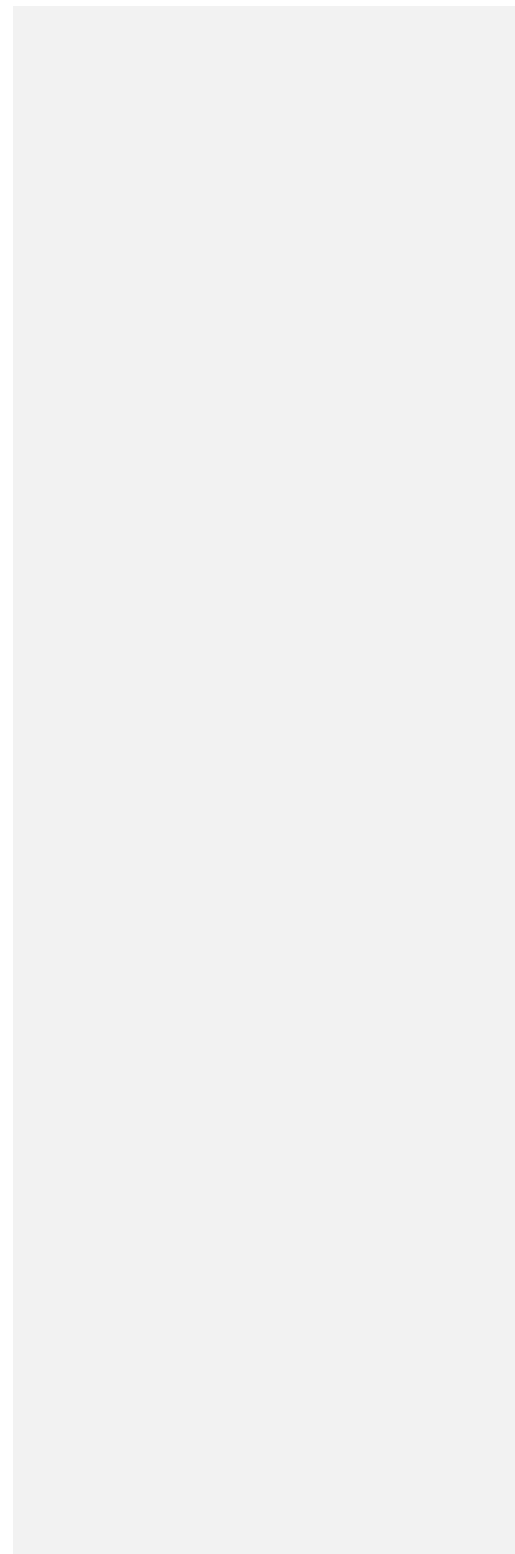
State of Minnesota
County of :

This instrument was acknowledged before me on _____,
by _____, as _____
of _____.

_____ (Signature of notarial officer)

(Stamp)

Notary Public
My commission expires:



Riley-Purgatory-Bluff Creek Watershed District
Public Purposes Expenditures Policy

Adopted as amended June 29, 2015

Minnesota law mandates that governmental entities make expenditures only for public purposes and only as authorized to accomplish the purposes for which the entity was created. The Riley-Purgatory-Bluff Creek Watershed District (District) establishes the following policy and protocols to ensure that District expenditures serve clear, documented watershed district purposes. The District administrator will be responsible for the implementation of this policy and associated protocols.

1. **Travel.** The District may pay reasonable and necessary expenses for travel, lodging, meals and appropriate incidental expenses related to the performance of official District functions. Expenditures must be approved in advance by the administrator (for employees) or Board of Managers (for managers and the administrator) and must be directly related to the performance of District functions.
 - a. An employee or manager will be reimbursed for mileage expenses incurred when using the employee's or manager's personal vehicle to conduct District business. Mileage will be reimbursed at the tax-deductible mileage rate set by the federal Internal Revenue Service. Mileage expenses need not be approved in advance, but mileage expenses will be reimbursed only when accompanied by documentation of the date, number of miles traveled, purpose and destination(s). Mileage for employee commuting to and from the District offices will not be reimbursed.
 - b. *Overnight in-state travel.* Expenses eligible for reimbursement include:
 - i. Registration for workshops, conferences, seminars and other events pertaining to District business;
 - ii. Mileage and parking – use of personal vehicle (only) will be reimbursed at the tax-deductible mileage rate set by the federal Internal Revenue Service;
 - iii. Meals;
 - iv. Gratuities (15 percent of expenses incurred);
 - v. Lodging;
 - vi. Other actual expenses.
 - c. *Overnight out-of-state travel.* For out-of-state travel, the Board of Managers when applicable must approve all expenditures in advance. In determining whether to approve out-of-state travel, the Board of Managers will give particular consideration to whether representation from the District has been requested by a state or federal governmental office or other host entity whose purpose or work particularly relates to the District's purposes, projects or programs. The District will reimburse airfare at the coach or lesser-cost rate; mileage will be reimbursed at the IRS rate. If two or more managers or staff travel together by car, only the driver will receive reimbursement. Lodging and meal costs are limited to those which are reasonable and necessary. Receipts are required for lodging, airfare and meals. Expenses eligible for reimbursement include:

- i. Round-trip coach-class (or lesser-cost) airfare;
 - ii. Registration for conferences, seminars and other events pertaining to District business;
 - iii. Mileage and parking – use of personal vehicle (only) will be reimbursed at the tax-deductible mileage rate set by the federal Internal Revenue Service and the cost of renting an automobile will be reimbursed only if necessary to conduct District business (reimbursed to airport and back using personal vehicle);
 - iv. Meals;
 - v. Gratuities (15 percent of expenses incurred);
 - vi. Lodging;
 - vii. Other actual expenses.
2. **Employee and manager training.** The District may pay reasonable registration, tuition, travel and incidental expenses (including lodging and meals) for education, development and training when expenditures are directly related to the performance of duties. Expenditures must be approved in advance by the administrator (for employees) or Board (for managers and the administrator).
 3. **Safety and health programs.** The District may pay for safety and health programs that promote healthier and more productive employees and reduce costs to watershed taxpayers, including costs associated with workers' compensation and disability benefits claims, insurance premiums and lost time resulting from employee absences.
 4. **Manager and employee recognition and appreciation.** The District may pay for programs that recognize managers and employees for significant contributions to the District's performance and demonstrated commitment to the District's effective and efficient fulfillment of its purposes in accordance with an annual plan and budget for such events, approved by the Board. The District may pay for occasional manager and employee appreciation events or activities conducted in accordance with an annual plan and budget for such events, approved by the Board. No expenditure for manager or employee recognition will be made under this policy unless and until the structure, purposes and criteria for recognition are approved by the Board.
 - a. The District will not pay employees direct non-salary payments (i.e., bonuses) except as conditioned on achievement of performance goals specified in a written employment agreement.
 5. **Food and beverages.** The District may pay for food and beverages when necessary to ensure meaningful, efficient and effective participation of employees, managers or the public in activities, events and functions directly related to District purposes. Circumstances under which District expenditures for food and beverages will be allowed include:
 - a. Food and/or beverages provided as part of a structured agenda of a conference, workshop, work session, outreach meeting or seminar, when the topic or subject of which relates to the official business of the District and the majority of the participants are not District employees or managers;
 - b. Food and/or beverages may be provided as part of a workshop or formal meeting primarily for District employees or managers where food and/or beverages are necessary to facilitate the conduct of the meeting, to ensure continuity and support the participation of employees, managers and other participants. Examples of potential qualifying events include:

- i. An extended planning or operational analysis meeting;
 - ii. An extended meeting to develop long-term strategic plans;
 - iii. A structured training session for employees generally; or
 - iv. Official meetings of the District Board, a committee, task force or advisory group.
- c. Food and/or beverages may be provided for occasional employee or manager recognition and appreciation events and activities, when approved by the Board in accordance with a District employee recognition and appreciation plan and budget.
 - d. The District may pay for food and/or beverage expenses incurred in connection with a meeting or event attended by employees and/or managers, the primary purpose of which is to discuss, negotiate or evaluate a plan, program, project or other endeavor directly related to District purposes.
 - e. District meetings, workshops and training sessions will be scheduled to avoid the need to provide food whenever possible.
6. **Outreach and stakeholder involvement.** The District may pay for community and stakeholder outreach and involvement programs to ensure that efficient and effective District programs, projects and meetings are conducted to gather public and intergovernmental input and participation in District planning, research, rulemaking and program or project design.
7. **Membership, donations.** The District may pay for membership in the Minnesota Association of Watershed Districts in accordance with Minnesota Statutes section 103D.335, subdivision 20. District funds may be expended for membership in other professional organizations if the organization is an association of a civic, educational or governmental nature and its activities are directly related to District purposes or the improvement of District operations. District funds may not be donated to any professional, technical or charitable organization, person or private institution. The District may contract for services rendered by such organizations.
8. **Protocols.** The following protocols are established to ensure compliance with above policies:
- a. For employees other than the administrator, the written approval of the administrator must be secured prior to an event or activity to qualify as a District expenditure.
 - b. All invoices or reimbursement requests must include or be accompanied by a copy of the administrator's written approval and must include itemized receipts or other appropriate documentation of expenses incurred. Documentation also must include the date the expense(s) were incurred, location, purpose, participating or attending individuals and relevant affiliation, explanation of the need for food and/or beverage for the meeting, event or activity, and any other relevant information.
 - c. Copies of all documentation specified herein will be recorded and maintained in accordance with the District records retention policy.
9. **Use of District property**
- a. District property, including but not limited to computers, phones, fax machines and other office equipment, will be used exclusively for District business, except

for incidental personal use by District staff that does not interfere with or impede the conduct of District business to any substantial degree.

- b. District property must be used for only its intended purposes.
- c. The administrator may not dispose of any District property with a value of more than \$1,000 without prior authorization of the Board of Managers.

10. **Miscellaneous.**

- a. The District administrator will secure an approval described above for expenses he or she will incur from the president of the Board of Managers, except that the administrator may approve or pay expenses for District-conducted programs, events and activities.
- b. The District will not pay for alcoholic beverages under any circumstances.

**Riley-Purgatory-Bluff Creek Watershed District
Fund Balance Policy**

Adopted as amended February 1, 2017

[DRAFT Amendment, January 8, 2020](#)

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I. Purpose

Pursuant to Statement No. 54 of the Governmental Accounting Standards Board concerning fund balance reporting and governmental-fund type definitions, and the recommendation of its auditor, the Riley-Purgatory-Bluff Creek Watershed District establishes specific guidelines the District will use to maintain an adequate fund balance to provide for cash-flow requirements and contingency needs because major revenue, most notably half of the District's annual levy, is received in the second half of the District's fiscal year.

The policy also establishes specific guidelines the District will use to classify fund balances into categories based primarily on the extent to which the District is legally required to expend funds only for certain specific purposes.

II. Classification of Fund Balances, Procedures

1. Nonspendable

- This category includes funds that cannot be spent because they either (i) are not in spendable form or (ii) are legally or contractually required to be maintained intact. Examples include inventories and prepaid amounts.

2. Restricted

- Fund balances are classified as restricted when constraints placed on those resources are either (i) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or (ii) imposed by law through constitutional provisions or enabling legislation.

3. Committed

- Fund balances that can only be used for specific purposes pursuant to constraints imposed by action of the District Board of Managers. The committed amounts cannot be used for any other purpose unless the District removes or changes the specified use by taking the same type of action it employed to commit those amounts.
- The Board of Managers will annually or as deemed necessary commit specific revenue sources for specified purposes by resolution. This action must occur prior to the end of the reporting period, but the amount to be subject to the constraint may be determined in the subsequent period.

- The Board of Managers may remove a constraint on specified use of committed resources by resolution.

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4. Assigned

- Amounts for which a specified purpose has been stated, but are neither restricted nor committed. Assigned fund balances include amounts that are intended to be used for specific purposes.
- Only the District board of managers has the authority to assign and remove assignments of fund balance amounts for specified purposes.

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5. Unassigned

- A residual classification that includes amounts that have not been assigned to other funds and that have not been restricted, committed, or assigned to specific purposes.

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6. Other Principles and Procedures

- *Working capital.* The District will endeavor to maintain an unassigned fund balance of an amount not less than 50 percent of the next year's budgeted expenditures for working capital. This will assist in maintaining an adequate level of fund balance to provide for cash-flow requirements and contingency needs because major revenues, including property taxes and other government aids are received in the second half of the District's fiscal year.
- A negative residual amount may not be reported for restricted, committed, or assigned fund balances.

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III. Monitoring and Reporting

The District administrator will annually prepare a report on the status of fund balances in relation to this policy and present the report to the District managers in conjunction with the annual audit report to the State of Minnesota.

When both restricted and unrestricted resources are available for use, it is the District's general policy to first use restricted resources, then use unrestricted resources as needed. When committed, assigned or unassigned resources are available for use, it is the District's general policy to use resources in the following order; 1) committed 2) assigned and 3) unassigned.

Riley-Purgatory-Bluff Creek Watershed District
Internal Controls and Procedures for Financial Management

Adopted July 2, 2014

~~as amended January 8, 2020~~

This policy is adopted to provide the Riley-Purgatory-Bluff Creek Watershed District (District) with written internal controls and procedures for financial management. Adherence to this policy and procedures will ensure that the District's finances are managed in accordance with generally accepted accounting principles and best practices, and will minimize District administrative costs.

- I. **Annual budget.** The administrator annually develops a proposed budget for presentation to the Board of Managers for review. After adjustments as directed by the Board, the District schedules and issues appropriate notice for a public hearing on the proposed budget. Following the public hearing but before September 15 each year, the Board of Managers adopts the annual budget and certifies it to the Hennepin County auditor.
 - a. Amounts in any approved budget category may not be reallocated or exceeded by more than 10 percent of the total program/project amount without approval of the Board of Managers.
 - b. Actual expenditures may not materially deviate from the amount in an approved budget category.
- II. **Annual financial statements.** Annual financial statements are accepted by the Board of Managers, then submitted to the Board of Water and Soil Resources and the Office of the State Auditor within 180 days of the end of each fiscal year.
 - a. In preparation for the annual audit of the District finances, the administrator prepares the following documents:
 - i. Copies of approved budgets and all budget amendments;
 - ii. Detailed general ledger (through year-end);
 - iii. Bank reconciliation and bank statements;
 - iv. Copies of disbursements and receipts;
 - v. Copy of tax (levy) settlements from Hennepin County;
 - vi. Copy of certification levy;
 - vii. Listing of accounts payable and copies of signed checks;
 - viii. Grant and other funding agreements;
 - ix. List of capital assets, showing all deletions and additions;
 - x. Copies of invoices;
 - xi. Approved minutes.
 - b. The administrator annually presents the audit for acceptance to the Board of Managers at a monthly meeting.
- III. **Monthly financial management protocols.**
 - a. The District contracts with a certified public accountant to manage the checking accounts and investment funds of the District.
 - b. The administrator receives monthly bills and invoices at the District office.

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- c. [The administrator is responsible for deposit of checks or cash received at the District.](#)
 - d. [The administrator creates an Excel spreadsheet listing vendor, invoice number, invoice amount and general ledger coding; a list of deposits with coding and a list of credit card charges with coding, and emails this information to the accountant.](#)
 - e. The accountant prepares checks pursuant to these recommendations to pay the monthly bills.
 - f. [Payroll is processed through a third party payroll service. The administrator submits employee hours to the payroll service for each pay period. The payroll service prepares payroll on a semi-monthly basis by direct deposit and is responsible for all tax filing requirements, tax forms, and PERA payments or filing requirements.](#)
 - g. The accountant prepares a monthly treasurer's report that includes a listing of bills to be paid and tracks account balances. [The accountant also prepares an internal report for the treasurer.](#)
 - h. The administrator reviews the treasurer's report and distributes the report to the Board of Managers for the review prior to the Board's monthly meeting.
 - i. The treasurer also reviews the bills to determine whether to recommend payment. All bills are available for review by any member of the Board of Managers on request.
 - j. [The treasurer reviews the treasurer's report for accuracy prior to presentation to the Board of Managers.](#)
 - k. At the monthly Board meeting, the treasurer presents the treasurer's report. The Board of Managers receives and discusses, as necessary, the treasurer's report, then authorizes payment of the monthly bills as presented in the check register.
 - l. Following Board authorization to pay the bills, the administrator mails payment to vendors as authorized.
- IV. **Spending Authority.** All expenditures by the District must be approved in advance by the Board, except that the Board by resolution may delegate to the administrator the authority to bind the District, with or without countersignature, to a purchase of goods or services, or to enter into a contract for same, when the cost thereof does not exceed \$10,000 or under other specified conditions.
- a. The Board has authorized the administrator to expend up to \$5,000 on a single purchase without prior Board approval and affirms that authority in adopting this policy.
 - b. The administrator may not purchase any real estate or easements on real estate without prior authorization for the Board of Managers.
- V. **Banking**
- a. The District maintains a current signature card at the depository bank.
 - b. The administrator and treasurer may transfer funds between District accounts and may deposit funds into District accounts.
 - c. Cash withdrawals from District accounts are prohibited.

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- d. The administrator, in consultation with the treasurer, is authorized to invest District funds in accordance with Minnesota Statutes chapter 118A.
 - e. All deposits to District accounts must be made intact, and the District's bank is instructed not to return cash from a deposit to a District account.
- VI. **Checking**
- a. The administrator is not an authorized signatory of District checks.
 - b. All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the District shall not be valid unless signed by two managers, except that a check, draft or other order for payment of less than \$100 is valid with one manager's signature.
- VII. **Credit card use.** The administrator is authorized to incur charges to the District credit card, with a maximum single charge of \$5,000 and allowable billing-period maximum charges totaling \$10,000.
- a. A receipt must be obtained for all District credit card purchases. Credit card purchases for which a detailed receipt is not provided must be reimbursed by the individual making the purchase.
- VIII. **Reporting**
- a. All expenditures and investments, receipts and disbursements made must be compiled for presentation to the Board of Managers by the treasurer in a timely manner.
 - b. The annual audit will be filed with the Board of Water and Soil Resources and the Office of the State Auditor within 120 days of the end of the District's fiscal year (January 1 – December 31).
 - c. The administrator and treasurer will regularly review relevant records and documents for any of the following, and report to the treasurer (for the administrator) or the Board of Managers (for the treasurer) any of the following if found:
 - i. Unusual or unexplained discrepancy between actual performance and anticipated results (costs in a general expense categories well beyond the budgeted amount);
 - ii. Receipts that do not match deposit slips;
 - iii. Disbursements to unknown and/or unapproved vendors;
 - iv. A single signature on a check or pre-signed blank checks;
 - v. Gaps in receipt or check numbers;
 - vi. Late financial reports;
 - vii. Disregard of internal control policies and procedures.
- IX. **Depositories and collateralization.** In accordance with state law, the District names an official depository or depositories at its January meeting each year (depository bank(s)). In the event the Board of Managers does not designate a depository in any particular year, the last-designated depository will continue in that capacity. Each depository bank provides the District with a proof of collateralization in accordance with state law (Minnesota Statutes section 118.03) for an amount equal to the amount on deposit at the close of the depository bank's banking day beyond the amount covered by federal insurance, if any. The collateral provided by each depository bank will be maintained in an account in the trust department of a bank or other financial institution not owned or

controlled by the same (depository) bank or in a restricted account at a federal reserve bank. [District funds are managed pursuant to the Investment and Depository Policy, adopted \[January 8, 2020\].](#)

X. **Financial Assurances and Abandoned Property.** See District Policy for Management of Financial Assurances and Abandoned Property, adopted November 21, 2012.

XI. **Miscellaneous**

- a. The District will not maintain a petty cash fund.
- b. The District will not accept cash (currency) in payment of permit fees or financial assurances.
- c. The District will not cash personal or third-party checks.
- d. The administrator must not fail to insure District property against theft and casualty loss.

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RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT

INVESTMENT AND DEPOSITORY POLICY

DRAFT January 8, 2020

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1. PURPOSE

The purpose of this policy is to establish the Riley Purgatory Bluff Creek Watershed District’s investment objectives, establish specific guidelines that the District will use in the investment of funds, and establish District depository policy. It will be the responsibility of the District administrator to invest District funds in order to attain a market rate of return while preserving and protecting the capital of the overall portfolio and to ensure compliance with District policy and with statutory requirements applicable to the District’s designation a depository financial institution. Investments will be made in compliance with statutory constraints and in safe, low-risk instruments that are approved by the RPBCWD Board of Managers.

2. SCOPE

This policy applies to all financial assets of the District.

3. SPECIFIC REVENUE SOURCES AND POOLING OF FUNDS

The District will report proceeds of specific revenue sources as restricted, committed or assigned for specific purposes, as applicable, and maintain its budget and accounts in a manner consistent with these designations. Except for cash in these certain restricted, committed and assigned funds, the District will consolidate cash and reserve balances from all funds to maximize investment earnings and increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

4. DESIGNATION OF DEPOSITORY AND COLLATERALIZATION

The District Board of Managers annually will designate a financial institution or institutions in the State of Minnesota as the depository of District funds. In the event the Board of Managers does not designate a depository in any particular year, the last-designated depository will continue in that capacity. Each depository will furnish collateral, as necessary, in the manner and to the extent required by Minnesota Statutes Section 118A.03, as it may be amended, and other applicable law. Collateral will be held in safekeeping in compliance with Section 118A.03, as it may be amended.

5. DELEGATION OF AUTHORITY

Minnesota Statutes Section 118A.02 provides that the governing body may authorize the treasurer or chief financial officer to make investments of funds under Sections 118A.01 to 118A.06 or other applicable law. Pursuant to Article VI of the District Bylaws and Governance Policies: Executive Limitations Policy 6, Asset Protection, the Board of Managers authorizes the District administrator to invest District funds pursuant to this policy and state law for the District.

The District administrator shall assure compliance with this policy and further develop and maintain adequate controls, procedures, and methods assuring security and accurate accounting on a day-to-day basis.

6. OBJECTIVES

At all times investments of the District shall be made and maintained in accordance with Minnesota Statutes Chapter 118A as it may be amended. The primary objectives of the District investment activities shall be in the following order of priority:

A. SECURITY

Security of principal is the foremost objective of the investment portfolio. Preserving capital and protecting investment principal shall be the primary objective of each investment transaction. Specific risks will be managed as follows:

Credit Risk. Credit risk is the risk of loss due to failure of the security issuer or backer. Designated depositories will have insurance through the Federal Deposit Insurance Corporation or the Securities Investor Protection Corporation. To ensure security when considering an investment, the District will cross-check all depositories under consideration against existing investments to make certain that funds in excess of insurance limits are not deposited with the same institution unless collateralized as outlined herein. Furthermore, the Board of Managers will approve all financial institutions, brokers and advisers with which the District will do business.

Concentration of Credit Risk. The District will diversify its investments according to type and maturity. The District portfolio, to the greatest extent feasible, will contain a mixture of short-term (shorter than one year) and long-term (more than one year) investments. The District will attempt to match its investments with anticipated cash-flow requirements. Extended maturities may be utilized to take advantage of higher yields.

Interest Rate Risk. Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. The District will minimize interest rate risk by structuring its investment portfolio to ensure that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

Custodial Risk. The District will minimize deposit custodial risk, which is the risk of loss due to failure of the depository bank (or credit union), by obtaining collateral for all uninsured amounts on deposit, and by obtaining necessary documentation to show compliance. (See section III.)

B. LIQUIDITY

The investment portfolio shall remain sufficiently liquid to meet projected disbursement requirements. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands. Generally, investments will have short terms and/or “laddered” maturities so that funds become available on a regular schedule. Liquid funds will allow the District to meet possible cash emergencies without being significantly penalized on investments.

C. RETURN ON INVESTMENT

The investment portfolio shall be designed to manage the funds to maximize returns consistent with items A and B above and within the requirements set forth in this policy. Subject to the requirements of the investment objectives herein, it is the policy of the District to offer financial institutions and companies within the District the opportunity to bid on investments; the District will seek the best investment yields.

7. PRUDENCE

The “prudent person” standard shall be applied in managing District investments. All investment transactions shall be made in good faith with the degree of judgment and care, under the circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of their own affairs, in accordance with this policy.

8. ELIGIBLE INVESTMENTS

All investments shall be in accordance with Minnesota Statutes section 118A.04.

9. INVESTMENT RESTRICTIONS

In addition to statutory prohibitions, investments specifically prohibited are

derivative products, structured notes, inverse index bonds, repurchase agreements not authorized by statute, and other exotic products.

10. SAFEKEEPING

District investments, contracts and agreements will be held in safekeeping in compliance with Minnesota Statutes Section 118A.06. In addition, before accepting any investment of District funds and annually thereafter, the supervising officer of the financial institution serving as a broker for the District shall submit a certification stating that the officer has reviewed the District Investment and Depository Policy and incorporated statement of investment restrictions, as well as applicable state law, and agrees to act in a manner consistent with the policy and law. The District will annually will provide the policy, as it may be amended. The certification shall also require the supervising officer to disclose potential conflicts of interest or risk to public funds that might arise out of business transactions between the firm and the District. All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving the District funds.

11. CONFLICT OF INTEREST

Any District manager or staff member involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair his/her ability to make impartial investment decisions.

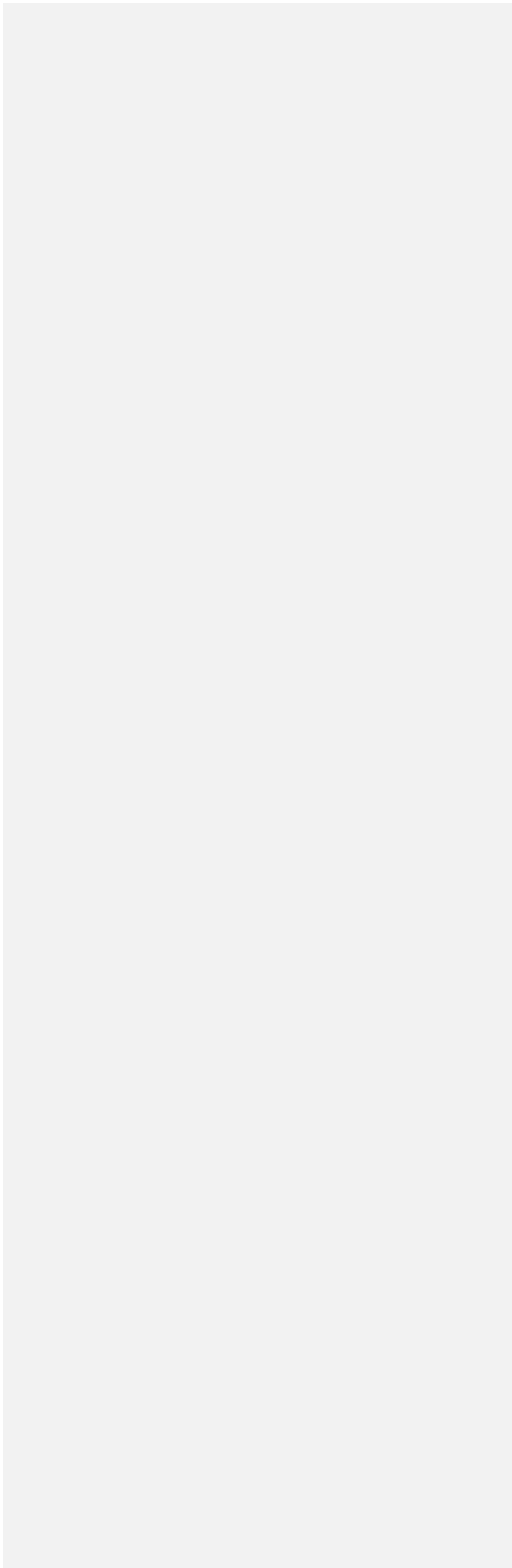
12. INTERNAL CONTROLS AND REPORTING

Internal controls are designed to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions. Before the District invests any surplus funds, competitive quotations shall be obtained. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, quotations will be requested for instruments which meet the maturity requirement. The District will accept the quotation which provides the highest rate of return within the maturity required and within the limits of this policy.

The District administrator shall be limited to investing funds for up to a maximum term of seven years. The District administrator shall request approval from the District Board to authorize investment of funds for terms exceeding seven years.

Monthly, the District administrator shall provide an investments report to the District Board. Investments shall be audited and reported with financial statement annually. It shall be the practice of the District Board to review and amend the investment policy from time to time as needed.

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Riley-Purgatory-Bluff Creek Watershed District
Policy on Permit Fee Reimbursement

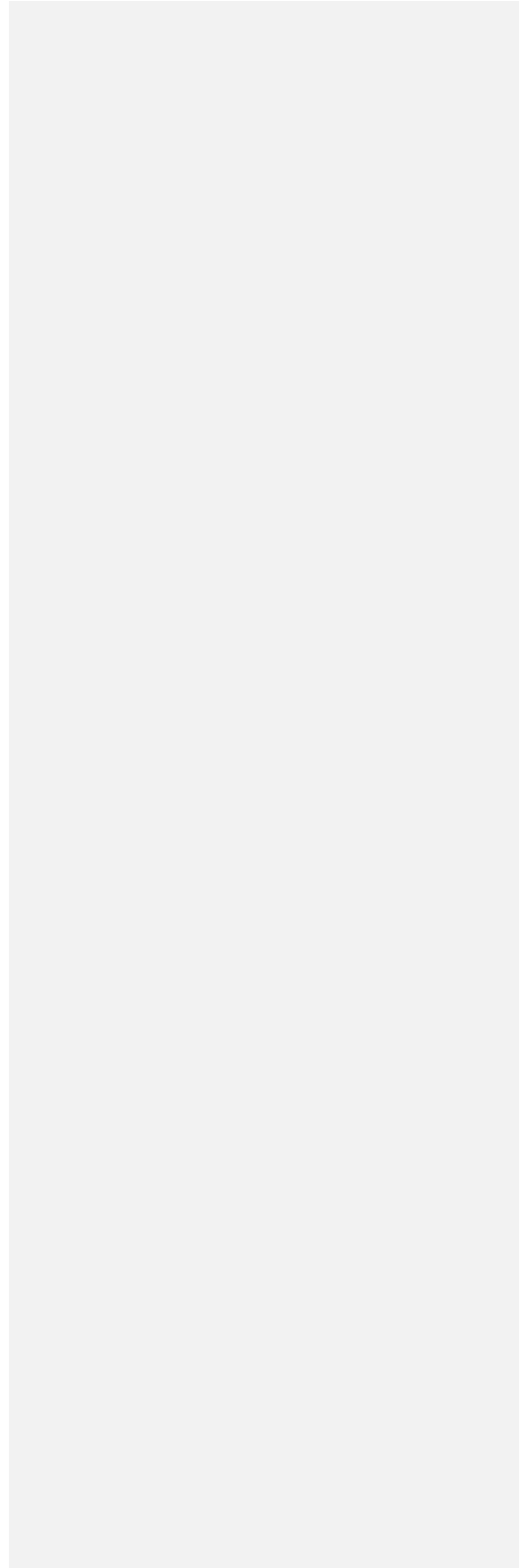
Adopted July 2, 2014

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1. On receipt of written notice of the withdrawal of a permit application with a request for fee refund, the administrator will analyze the permitting record to date and determine the costs the District has incurred, including but not limited to the costs of consultant services, analysis of proposed activities and inspection of property, and the administrator will prepare a written accounting of expenses incurred;
2. When District costs are less than the fee paid by the applicant, the administrator will forward reimbursement of the difference as a payable item at the next regular meeting of the Board of Managers, except that under all circumstances the District will retain the \$10 permit fee authorized by Minnesota Statutes section 103D.345 to cover administrative costs.
3. When District costs exceed the fee paid by the applicant, the administrator will inform the applicant in writing that no reimbursement will be paid and forward to the applicant the accounting that is the basis for this determination, and the administrator will include the notice to the applicant and the accounting that is the basis for this determination to the Board of Managers at its next meeting.
4. Financial assurances provided by an applicant will be released in accordance with District Rule M.

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Appendix A



Riley-Purgatory-Bluff Creek Watershed District
Inventory of Not-Public Data on Individuals
January 2015

This document describes private or confidential data on individuals maintained by the Riley-Purgatory-Bluff Creek Watershed District (see Minn. Stat. 13.05 and Minn. Rules 1205.1200).

This document is also part of the District's procedures for ensuring that not-public data are only accessible to individuals whose work assignment reasonably requires access (see Minn. Stat. 13.05, subd. 5). In addition to the employees listed, the District managers and District legal counsel also will have access to not-public data as needed as part of specific assignments or under certain circumstances.

Please direct all questions about this inventory to the District Data Practices Compliance Official:

Claire Bleser
cbleser@rpbcwd.org
952-607-6512

Name of Record, File, Process, Form or Data Type	Description	Data Classification	Citation for Classification	Employee/Manager Access
Appeal data	Data maintained as a result of processing appeals of determinations about the accuracy and/or completeness of public and private data on individuals	Public Private	MS 13.03, subd. 4	Administrator.
Applicant records	Completed assessments and results, related documentation, and application forms.	Public Private	MS 13.43	Administrator.
Attorney Data	Data related to attorney work product or data protected attorney-client privilege	Private	MS 13.393	Staff on as needed basis as part of specific work assignments.
Citizen Advisory Council member data	Data pertaining to advisory council applicants and appointees.	Public Private Confidential	MS 13.601	Administrator; other staff as needed.
Civil investigative data	Data that are collected in order to start or defend a pending civil legal action, or because a civil legal action is expected	Confidential Public	MS 13.39	Administrator; other staff as needed.

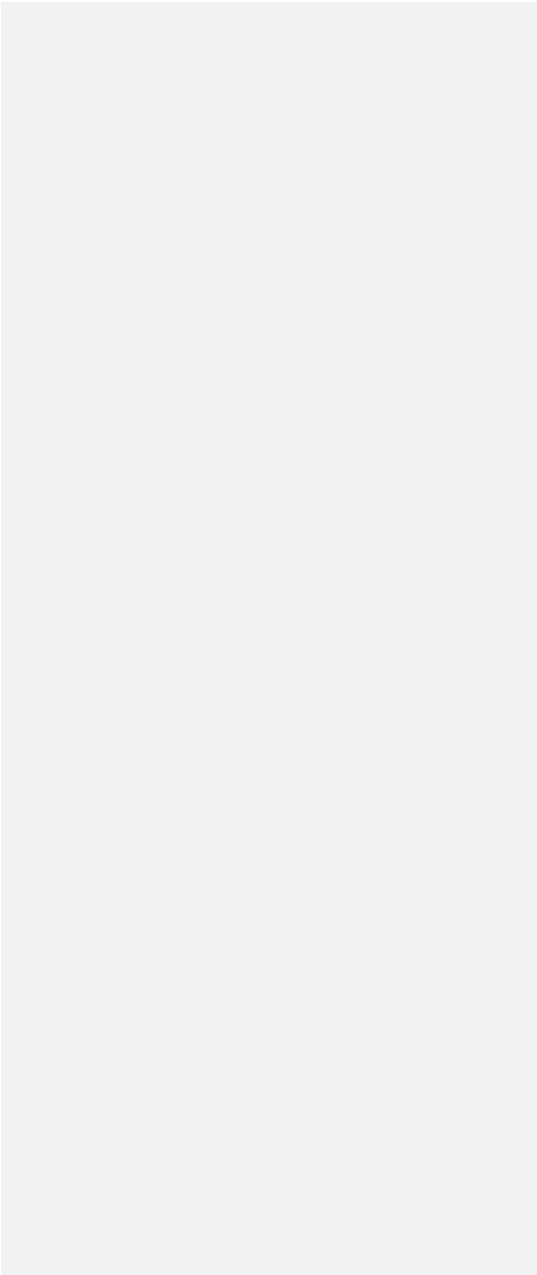
Continuity of Operations	Personal home contact information used to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of operation of a government entity.	Private	MS 13.43, subd. 17	Administrator.
Employee expense reports	Expense reimbursement requests	Public Private	MS 13.43	Administrator.
Employee personnel records	Record of prior and current employment history. Data relating to hiring, assessments, payroll, pension and retirement, promotion, medical, family leave, grievances and discipline and related administrative personnel actions; drug-and-alcohol-testing and background-check results	Public Private	MS 13.43	Administrator.
Motor vehicle data	Information on license plate numbers, owners, and registration status of vehicles.	Private	MS 168.346	Administrator.
Personal contact and online account information	Telephone number, email address and usernames and passwords collected, maintained, or received by the District for notification purposes or as part of a subscription list for an entity's electronic periodic publications as requested by the individual.	Private	MS 13.356	Administrator; consultants as needed for specific projects and programs.

Commented [CB6]: split these out.

Personnel data	Data about employees, applicants, volunteers and independent contractors; data disclosed for the purpose of administration of the workers' compensation program as provided in chapter labor relations information	Public/Private/ Confidential	MS 13.43 179A.03, subd. 4	Administrator.
Response to data requests	Data collected by the District Data Practices Compliance Official in responding to requests for data maintained by the District.	Public Private	Various	Administrator; staff as necessary.
Security information	Data that would substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury, if the data were released to the public	Private	MS 13.37	Administrator.
Social Security numbers	Social Security numbers assigned to individuals	Private	MS 13.355	Administrator.
Unemployment compensation billings	Records of billings for employee unemployment compensation	Private	MS 13.43	Administrator.

Commented [CB7]: Split These out

Workers compensation billings	Records of billings for employees who receive workers compensation benefits	Private	MS 13.43	Administrator.
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MEMORANDUM

DATE: December 23, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: IT systems review and engagement of IT Consultant

I hereby renew my recommendation regarding a review of the District's IT systems in the engagement of an IT consultant.

As I previously stated, given the importance of IT systems in the District's operations and the heightened awareness of the need for security of IT systems in order to protect confidential information of managers, employees, contractors and other who entrust their information to the District, I recommend the district engage an IT consultant to review the District's IT systems and processes, including but not limited to disaster recovery and security.

My concern is heightened by the stated computer glitch that prevented the district administrator from providing, me with the Excel Version of the District's 2020 budget. The district administrator has yet to provide me with an Excel version of the 2020 budget, be at the final or an earlier draft. I cannot help but believe that a proper backup system would have avoided this issue. In any event, the District's systems need to be reviewed.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District's (the "District") inquire of other watershed districts, MAWD, BSWR and other organizations regarding their IT policies and procedures, and consultants and provide the results of such inquiry to the managers.
2. That the district administrator solicit proposals from not less than three notable and recognized ITCs to (a) review the District's IT systems and processes including but not limited to disaster recovery and security and (b) prepare and present not later than 60 days after their engagement, a report to the managers, of results of its review to the managers which report shall at a minimum set forth, (i) a summary of the District's IT systems and process, (ii) recommendations for improvement to the District's IT systems and processes necessary for the District to comply will all applicable laws, rules and best management practices regarding IT systems and processes, and (iii) such other observations and recommendations as they seem necessary or appropriate such that the managers and the District can comply with all applicable laws and best management practices, including but not limited to, recommendations regarding training, evaluations, reviews and equipment.

3. That the district administrator provide the managers with a detailed report of the status of the District's IT systems, the extent to which the District process IT systems comply or fail to comply with applicable state and federal laws and the steps and processes used to protect the District's IT system for discussion and at a closed session of a meeting of the managers.

MEMORANDUM

DATE: December 23, 2019
TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)
FROM: Larry A. Koch, manager RPBCWD
RE: Engagement of Human Resources Consultant

As managers of the RPBCWD it is our responsibility to supervise the operations of the district and ensure that the district's operations comply with the law and best management practices.

It is not possible for us to know all of the details of the operations of the district such as ours and is not possible for us to know every law and best management practices in each case. It is possible, however, for the managers to engage qualified third parties to perform reviews of the district's operations from time to time for the purpose of determining whether the district's operations comply with the law and whether the district's operations comport with best management practices. It is in the interest of the managers, staff and the public that such a review be conducted.

I believe that the district's most valuable "partners" are its employees. I believe it is extremely important that we retain our valued "partners" and treat them fairly and consistently with the best management practices. I believe it is time and it is appropriate for the district to engage a human resources consultant for the purpose of reviewing our practices regarding our valued "partners" with a view toward recommending changes in our practices so that our district utilizes best management practices with respect to its valued partners.

I have previously provided an email from human resources consultant Larry Morgan, who was recommended to me by a business consultant with over 50 years of experience in owning and operating businesses.

Mr. Morgan estimated that a review of the districts HR practices could be performed for approximately \$2,500. He also provided information on various HR and management courses that are available and relatively inexpensive.

Therefore, I moved the adoption of the following resolutions:

1. That the Riley Purgatory Bluff Creek Watershed District's (the "District") engage a human resources consultant (HRC) to (a) review the District's human resources practices, (b) prepare and present a report of results of its review to the managers which report shall at a minimum set forth, (i) all instances of failures to follow applicable laws, rules, etc., (ii) recommendations as to how to remedy any such violations and to avoid a repeat of such violations, (iii) all instances where the HRC believes that the District's human resources operations are not consistent with best

management practices, (iv) recommended changes to the District's human resources practices such that the District's human resources practices will conform with best management practices, and (v) such other observations and recommendations as they seem necessary or appropriate such that the managers and the District can comply with all applicable laws and best management practices, including but not limited to, recommendations regarding training, evaluations, and reviews.

2. That the district's administrator solicit proposals from not less than three notable and recognized HRCs for a presentation to the managers for their selection of an HRC.
3. That such review and report be completed within 60 days of the engagement of the HRC and presented to the managers within 30 days of its completion for consideration at the meeting of the managers next following its presentation to the managers.
4. That the fee for such engagement not exceed \$2,500.
5. That the 2019 budget, be amended to include a separate line item in the amount of \$5000 for expenses to be incurred in connection with such engagement and any training recommended by the HRC.

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Accounting and accounting clerk

It is my understanding that currently the district administrator is spending valuable time each month entering purchasing information into a spreadsheet and assigning accounts and then transmitting to accountant for entry into the books.

I believe that the District administrator's time would be better spent on other district matters, particularly those in which she is well-trained.

I recommend that the district administrator and the district's accountants, along with the district's treasurer him look into hiring an accounting clerk on a part-time basis to take over most of the accounting entry tasks, leaving the district administrator to simply review the entries once inputted. As an alternative, our accountants may have services at a reasonable rate to provide such entry of expenditures and generation of reports for review by the district administrator, rather than having the district administrator create such inputs and entries.

Besides the time savings, an accounting clerk would certainly be less expensive on an hourly basis than our district administrator.¹

Therefore, I recommend that staff investigate the use of purchasing cards by all staff for payment of purchases of equipment and services for the district.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District's (the "District") and the district's Treasurer are hereby authorized and directed to inquire into the use of an accounting clerk or the district's accountants to consume all or part of the ministerial accounting functions of the district and to prepare and provide to the managers, a report of the results of such inquiry.

¹ \$39,522

The average Accounting Clerk I salary in the United States is \$39,522 as of November 25, 2019, but the range typically falls between \$35,240 and \$44,249.

Accounting Clerk I Salary | Salary.com

<https://www.salary.com> › research › salary › benchmark › accounting-clerk-i...

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Credit cards-purchasing cards

It is my understanding that currently the district uses a credit card to make certain purchases. In addition, the staff makes purchases. They submit reimbursements to the district. It is my understanding that such credit card purchases are recorded in the various accounts as visa purchases or reimbursements to staff and that the vendor or item is not recorded in the accounts. Whether or not this is proper accounting practice, it is not a best management practice.

Rather than using credit cards, the district could use what I refer to as “purchasing cards,” which tracked the vendor and items purchased and allows the data to be downloaded directly into the district’s accounting system. Such cards can provide that each employee be issued card and various controls can be placed on the uses of the card to a limit the possibilities of abuse. Information can be found on the NAPCP website (<https://www.napcp.org/>).

Therefore, I recommend that staff investigate the use of purchasing cards by all staff for payment of purchases of equipment and services for the district.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District’s (the “District”) is hereby authorized and directed to inquire into the use of purchasing cards by the district and to prepare and provide to the managers, a report of the results of such inquiry.

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Journal of votes

While attending a seminar put on by the Department of Administration of the state of Minnesota, was brought to my attention that MS Section 13D.01 Subd. 4 states that “[the] votes of the members of the state agency, board, commission, or department; or of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting by this section to be open to the public must be recorded in a journal kept for that purpose.”

I then inquired of the district’s administrator and legal counsel as to whether or not the district had a journal of votes. I was told no and that the minutes of the meeting sufficed.

It was my recollection that at the seminar, the presenters stated that minutes were insufficient substitute for the required Journal of votes. I then emailed the Department of Administration regarding my recollection. In an email, copy of which is attached, it appears that it is the position of the Department of Administration that minutes are insufficient substitute for the Journal of votes and that watershed District is required to maintain a journal of votes.

Therefore, I recommend that the secretary the district with the assist the legal counsel and staff commence the maintenance of the Journal of votes as required by Minnesota law.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the secretary of the Riley Purgatory Bluff Creek Watershed District’s (the “District”) with the assistance of the district’s Administrator and legal counsel create and maintain a journal of votes as required by Minnesota law, MS Section 13D.01 Subd. 4. beginning immediately with this meeting and all future meetings and all past meetings.

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Proposal for survey of erosion of Lakeshore and wetlands

It has come to my attention that there appears to have been a significant increase in the erosion to shorelines and lake bottoms as well as wetlands as a result of certain activities on the lakes within the district. I have been in contact with two residents on Lotus Lake, Donna Burt and Joanne Syverson and, regarding erosion of their shoreline due to enhanced wakes caused by watercraft, including watercraft, which are known as “wake boats.” I have also been informed that such damage may well be occurring on Lake Riley as well.

Therefore, I recommend that staff investigate whether a route erosion to the shorelines and lake bottoms of the lakes within the district.

Therefore, I moved the adoption of the following resolution: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District’s (the “District”) is hereby authorized and directed to develop a plan for determining the amount and cause of erosion occurring to the shorelines and the lake bottoms of the lakes within the district and to prepare and provide such a plan to the managers for its review.

MEMORANDUM

DATE: December 26, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: 2020 Meet and greet for city and county officials

Chanhassen, and possibly other cities and counties within the district have had a change in city officials. Consistent with one of the main tenants of the district's 10-year plan, namely, education and outreach, I recommended that the District host one or more meet and greets with the officials of the various cities and counties for the purposes of establishing optimal relationship with the District's partners.

Therefor, I move the adoption of the following resolutions: BE IT RESOLVED:

1. That the Riley Purgatory Bluff Creek Watershed District's (the "District"), administrator is hereby authorized and directed to arrange for one or more "meet and greet" with the officials of the various cities and counties within the District's boundaries for the purposes of extending its education and outreach to the District's partners, particularly any new councilmembers and county commissioners.
2. That the District administrator is authorized to incur reasonable costs in connection with the such "meet and greet" activities with the cost if any, incurred in connection with the shall be allocated to the education and outreach portion of the District's budget.

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Form of resolutions approving permit application

It is been my experience that the managers often spend unnecessary amount of time fumbling over the wording of resolutions approving a permit application. In order to avoid wasting time fumbling over the recitation of resolutions for approving a permit application, I recommended that the district adopt the form of resolutions set forth below, and that the staff and its consultants use such form of resolutions for each and every permit application.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District's (the "District"), and all consultants assisting in the preparation of staff reports pertaining to the approval of permit applications are hereby directed to use the following form of resolutions in preparing the resolutions for inclusion in the staff report on a permit application.
 - 1.1 Resolved, that after review of and based upon the staff report presented to the managers regarding the application for the issuance of Permit _____ pursuant to the District's rules, said application is hereby approved subject to the terms and conditions set forth in the Recommendations section of the staff report;
 - 1.2 Resolved, that the District Administrator is hereby authorized and directed to prepare a permit pursuant to the District's Rules consistent with the foregoing resolution;
 - 1.3 Resolved that the President of the board of managers and the district's administrator are hereby authorized to execute said permit for and on behalf of the District, and
 - 1.4 Resolved that the District administrator is hereby authorized and directed to release said permit upon the administrator's determination that the applicant has satisfied all conditions to the release of said permit.
2. That the Secretary with the assistance of the district administrator assign a number to such resolutions as adopted for inclusion in the District's Journal of Votes.

3. That the Secretary with the assistance of the district administrator include a copy of the adopted resolutions in the District's Journal of Votes.
4. That the Journal of Votes include language to the effect that "Manager [_____] moved the adoption of the [following resolutions/the proposed Resolutions set forth in the Staff Report for Permit Application [_____] , which motion was seconded by Manager [_____] On voice vote, the motion carried [_____] to [_____] [Manager(s) _____ voted no/nay."

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Form of resolutions approving variance

It is been my experience that the managers often spend unnecessary amount of time fumbling over the wording of resolutions approving a variance. In order to avoid wasting time fumbling over the recitation of resolutions for approving a variance, I recommend that the district adopt the form of resolutions set forth below, and that the staff and its consultants use such form of resolutions for each and every permit application.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District's (the "District"), and all consultants assisting in the preparation of staff reports pertaining to the approval of a request for a variance from the District's rules are hereby directed to use the following form of resolutions in preparing the resolutions for inclusion in the staff report on a request for a variance from the application of the District's rules.
 - 1.1 "Pursuant to Rule K, in order for the district to grant a variance from strict compliance with the requirement of a District Rule, the Board of Managers must finds that, based on demonstration by the applicant, that because of unique conditions inherent to the subject property, which do not apply generally to other land or structures in the Riley-Purgatory-Bluff Creek watershed, strict application of rule provision will impose a practical difficulty on the applicant, not a mere inconvenience.
 - 1.2 For purposes of the Board of Managers' determination of whether a practical difficulty exists, the following factors will be considered:
 - 1.2.1 1.1 how substantial the variation is from the rule provision;
 - 1.2.2 1.2 the effect of the variance on government services;
 - 1.2.3 1.3 whether the variance will substantially change the character of or cause material adverse effect to water resources, flood levels, drainage or the general welfare in the District, or be a substantial detriment to neighboring properties;
 - 1.2.4 1.4 whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance.

- 1.3 Economic hardship alone may not serve as grounds for issuing a variance if any reasonable use of the property exists under the terms of the District rules;
 - 1.4 1.5 how the practical difficulty occurred, including whether the landowner, the landowner's agent or representative, or a contractor, created the need for the variance; and
 - 1.5 1.6 in light of all of the above factors, whether allowing the variance will serve the interests of justice
 - 1.6 NOW THEREFORE, BE IT RESOLVED, THAT THE BOARD, HAVING CONSIDERED THE INFORMATION PROVIDED BY THE APPLICANT, [APPLICANT] AND THE FACTORS TO BE CONSIDERED IN DETERMINING WHETHER A PRACTICAL DIFFICULTY, AS WELL AS THE STAFF REPORT REGARDING THE APPLICATION FOR A VARIANCE, HEREBY GRANTS THE VARIANCES SET FORTH IN THE APPLICATION."
2. That the Secretary with the assistance of the district administrator assign a number to such resolutions as adopted for inclusion in the District's Journal of Votes.
 3. That the Secretary with the assistance of the district administrator include a copy of the adopted resolutions in the District's Journal of Votes.
 4. That the Journal of Votes include language to the effect that "Manager [_____] moved the adoption of the [following resolutions/the proposed Resolutions set forth in the Staff Report for Permit Application [_____] , which motion was seconded by Manager [_____] On voice vote, the motion carried [_____] to [_____] [Manager(s) _____ voted no/nay."

MEMORANDUM

DATE: December 27, 2019

TO: Managers and Administrator
Riley Purgatory Bluff Creek Watershed District (RPBCWD)

FROM: Larry A. Koch, manager RPBCWD

RE: Internal Calendar

I believe that it is a best management practice to maintain an internal calendar of matters that need to be addressed during the year so as to avoid hurried or rushed deliberations of important matters and special meetings.

Therefore, I recommend that the staff with input from the managers create a calendar of important matters so as to avoid hurried or rushed deliberations of important matters and also avoid special meetings. I have attached a proposed calendar of important events which I believe need to be scheduled well in advance so as to avoid hurried or rushed deliberations of important matters as well as avoiding special meetings.

Therefore, I moved the adoption of the following resolutions: BE IT RESOLVED

1. That the district Administrator of the Riley Purgatory Bluff Creek Watershed District's (the "District"), with input from the managers develop a calendar of important matters to be dealt with by the managers during the year and that such calendar include the items set forth in the calendar presented by Manager Koch.

		Funding									
Project	Total Lifetime Budget	District	Partner	Grants	Current year budget	Costs Month Ended	CostsYear To Date	Total Costs To Date	Remainin g costs	District's share current year	Districts share future years