

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

March 4, 2020, RPBCWD Board of Managers Monthly Meeting

PRESENT:

Managers: Jill Crafton, Treasurer

Larry Koch

Dorothy Pedersen, Vice President

Dick Ward, President

David Ziegler, Secretary

Staff: Amy Bakkum, MN Greencorps Member, RPBCWD

Claire Bleser, RPBCWD Administrator

Terry Jeffery, Watershed Planning Manager

B Lauer, Education and Outreach Assistant

Josh Maxwell, Water Resources Coordinator

Louis Smith, Attorney, Smith Partners

Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Craig Hendrickson, Bearpath Golf and Country Club Oona Myhre, St. Hubert

Elizabeth Henley, Smith Partners

Emily Meerdink, ISG

Emily Hillesheim

Steve Sabraski, Landform Professional Services

Bryan Maloney, LRIA

Rob Schlegel, St. Hubert Catholic School

Emily Meerdink, ISG

Dave Wallace, Eden Prairie Resident

1. Call to Order

- 1 President Ward called to order the Wednesday, March 4, 2020, Board of Managers Regular Monthly
- 2 Meeting at 7:00 p.m. at the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Approval of Agenda

- 3 Manager Koch asked to pull off the Consent Agenda items 9a – Accept February Staff Report, 9b –
- 4 Accept February Engineer’s Report (with attached Inspection Report), 9c – Approve Task Order for
- 5 Design of St. Hubert Water Quality Project with funds being transferred from Lake Ann Wetland for
- 6 \$100,000, 9d – Approve Task Order for Lake Riley Alum 2nd Split Dose, 9f – Approve Task Order for
- 7 Upper Riley Creek Corridor Enhancement Plan, 9g – Approve Task Order for WOMP Station Assistance,
- 8 9h – Approve Change Order #2 for the Lower Riley Creek Restoration Project, 9l – Authorize President
- 9 Ward to sign and mail comments to MPCA in regard to Planned Amendments to Rules Governing Water
- 10 Quality Fees, and 9m – Approve Atlas 14 Updates with the City of Minnetonka.. Manager Koch asked to

11 remove agenda item 10l - - Investment of Funds, and he asked to lay over until the Board’s Governance
 12 Workshop agenda items 10m – Journal of Votes, 10o – Permit Variance Resolution, 10p – Form of
 13 Resolutions Approving Permit Application, 10q – Internal Calendar, 10r – Multi-Year Project Report, and
 14 10s – Minnesota Data Practices Act Requests and Seminars.-

15 President Ward added agenda item 7b – Minutes of Special Board Meeting held August 19, 2019, and
 16 item 7c – Report on Closed Morning Session to Deal with Personnel Matters on September 25, 2019, and
 17 item 7d - Report on Closed Afternoon Session to Deal with Personnel Matters on September 25, 2019.
 18 President Ward pulled item 10g – Adopt Resolution 2020-06 Accepting Transfer of 770 Pioneer Trail
 19 from Chanhassen for Purpose of Wetland Restoration, 10h – Approve Release of Position Openings and
 20 Transfer of Funds to Support Hire. President Ward added item 10u – Approval of Legal Time for Smith
 21 and Partners to Inquire to the State of Minnesota regarding issue the Board discussion at its March 6,
 22 2020, Governance Workshop.

23 President Koch moved to approve the agenda as amended. Manager Ziegler seconded the motion. Upon a
 24 vote, the motion carried 5-0.

25

3. Feasibility: Middle Riley Creek

26 Administrator Bleser, displaying the PowerPoint presentation “Middle Riley Stabilization through Bear
 27 Path,” reported on the Middle Riley Creek feasibility study. She noted this opportunity is arising earlier
 28 than anticipated because there is a landowner willing to partner on the stabilization of middle Riley
 29 Creek. Administrator Bleser described the proposed project and identified the project location and the
 30 portions of the creek to be stabilized in the project.

31 Administrator Bleser described the conceptual design alternatives including:

- 32 • North site alternative 1 – stabilization of stream in place
- 33 • North site alternative 2 – re-meander stream
- 34 • South site alternative 1 - stabilization of stream in place
- 35 • South site alternative 2 - re-meander stream and slope stabilization

36 Administrator Bleser explained the recommended design approach is the north site alternative 2 (re-
 37 meandering) and the south site alternative 2 (re-meander the stream and slope stabilization), which has an
 38 estimated total project cost of \$286,000. She listed the projected project timeline:

- 39 • Public hearing and order project: April 2020,
- 40 • Enter into a cooperative agreement with Bear Path in spring/summer 2020,
- 41 • Design and permitting in spring/summer 2020
- 42 • Construction – fall/ early winter 2020
- 43 • Project completion: winter 2020

44

45 Manager Koch asked about the property ownership and the level of contributions from Bear Path.
46 Administrator Bleser said accessing the project site would require accessing private property. She said
47 Bear Path has been waiting to hear whether the District would move the project forward and the next step
48 is for the District to talk with Bear Path about the level and types of its contributions to the project.
49 Mr. Craig Hendrickson, Bear Path Golf Course Superintendent, remarked that he has been in discussions
50 with owner Jim Senske about this project. Mr. Hendrickson said he hasn't had specific conversations
51 about contributions, but he reported that Bear Path would love to be part of the project whether in terms
52 of labor, access to the golf course, and/or dollars. Administrator Bleser reiterated that the next step is to
53 talk with the owner about these details. Administrator Bleser and Engineer Sobiech responded to
54 questions about the alternatives presented and their costs and the reasons for doing this project. Engineer
55 Sobiech remarked that this project is documented in the District's 10-Year Plan as scoring a 27. He
56 explained that the score of 27 was prior to there being a willing property owner/ project partner interested
57 in contributing in-kind services and potential funds. He explained that the score is now 33 due to there
58 being a willing property owner/ project partner.
59 President Ward said he'd like to review the feasibility study and have this item on the agenda at the
60 Board's April meeting. He said that by the April Board meeting the District will have information from
61 Bear Path's owner about exactly what type of contribution Bear Path will provide.

4. Feasibility: Wetland at 101

62 Mr. Jeffery noted this agenda item is for information only. Displaying a PowerPoint, he pointed out the
63 project location and the drainage area. He presented two concept plans, Concept Plan A and Concept Plan
64 B, for the grading/ habitat restoration and two options, Option 1 and Option 2, for the outlet. Mr. Jeffery
65 reported staff recommends Concept Plan A with outlet Option 2 because it provides the lowest cost per
66 pound of total phosphorous (TP) and total suspended solids (TSS) removed with the least site disturbance
67 and the most downstream benefit in terms of rate control and TP and TSS removal.
68 Mr. Jeffery noted that construction is anticipated for fall of 2020 and the grant expires in the end of 2021.
69 He explained costs are coming in higher than what was anticipated in the feasibility report, so staff is
70 looking at the project to see if there are ways to reduce the costs and staff will look for additional grant
71 opportunities. He said staff would like to bring this back in front of the Board at its April meeting for
72 discussion about staff's findings about cost-savings opportunities. There was a brief discussion about the
73 funds for the project, the numbers listed in the Treasurer's Report, clarification about the correct fund
74 numbers as well as the DNR grant funds in the amount of \$295,950 for the project and Clean Water Land
75 and Legacy grant funds in the amount of \$111,870. Administrator Bleser pointed out the City of
76 Chanhassen hasn't formalized funding toward this project, so the Treasurer's Report doesn't include City
77 funds for the project. She said staff will bring this information back to the Board at its April meeting.

5. Feasibility: Outdoor Center Capture and Reuse Demonstration

78 Administrator Bleser introduced Emily Meerdink of ISG, the consultant for this feasibility study.
79 Administrator Bleser presented on the feasibility study for water harvest and reuse facility at the Staring
80 Lake Outdoor Center. She explained the Staring Lake Outdoor Center representatives approached the
81 District about capturing water and reusing it, which is a groundwater conservation project. Administrator

82 Bleser talked about the Outdoor Center and its activities and events. She presented the two project
83 alternatives:

84 • Alternative 1 focusing on the Animal Junction House and having an estimated project cost of
85 \$24,063.00

86 • Alternative 2 including the Animal Junction House and the Outdoor Center having an estimated
87 project cost of \$60,747.75.

88 Administrator Bleser said the City of Eden Prairie has a big sustainability initiative and is looking at how
89 to make the Outdoor Center more sustainable. She noted the City is interested in Alternative 2.

90 Administrator Bleser provided other recommendations that came out of the feasibility study, such as
91 installing high-efficiency toilets and trimming trees that overhang the structure. She reminded the Board
92 that this project has been identified as a possible opportunity project, and tonight this item is for
93 discussion only. Administrator Bleser reported that staff is still in discussion with the City of Eden
94 Prairie. Administrator Bleser responded to questions.

95 Manager Pedersen stated she would like to know the potential reach of this project in terms of the number
96 of people who come through the Staring Lake Outdoor Center in a year, so the Board can learn the
97 potential impact of this project. Administrator Bleser said she would bring this information to the Board
98 at its next monthly meeting.

6. Matters of General Public Interest

99 No matters were raised.

7. Reading and Approval of Minutes

100 a. Board of Managers Meeting, February 5, 2020

101 Manager Ziegler noted a correction for line 155 to delete an extra “the.” Manager Pedersen said
102 punctuation should be added to line 197 so the sentence ends with a period. She also had a
103 correction to line 230, so the sentence would read, “Manager Crafton moved a letter based on the
104 District’s proposed resolution be drafted by staff and submitted...” Manager Pedersen had a
105 comment about lines 252 and 253, and Attorney Smith clarified the sentence should read “...for
106 purposes of performance evaluation.”

107 Manager Crafton replaced the word “for” with the word “to” on line 112.

108 Manager Ziegler moved to approve the minutes as amended. Manager Pedersen seconded the
109 motion. Attorney Smith noted Legal Counsel had some edits:

110 Attorney Smith pointed out that lines 162 and 163 are duplicated in lines 167 and 168, so lines
111 162 and 163 can be deleted. Attorney Smith said that on lines 199 and 200, the sentence should
112 read, “Attorney Welch noted that there needed to be a cooperative agreement with St. Hubert, and
113 the agreement would include authorization for work and long-term maintenance of the project,
114 including full reimbursement of the District’s costs per some pro-rated schedule, and there was
115 discussion by the managers about the need to secure the District’s interests.” Attorney Smith

116 noted that on line 241, language should be added, so the sentence reads, “address the letter and
117 directed staff to prepare a letter for Board approval.”

118 Manager Ziegler moved to amend his motion to include Attorney Smith’s comments. Manager
119 Koch seconded the motion to amend. Upon a vote, the motion to amend carried 5-0. President
120 Ward called the question on the amended motion to approve the minutes as amended. Upon a
121 vote, the motion carried 5-0.

122 **b. Board of Managers Special Meeting, August 19, 2019**

123 Manager Pedersen said lines 42 and 43 should be deleted from the minutes because the vote is
124 captured on line 50. She said that on line 52, the word “net” should be added so the sentence
125 reads, “no net carcinogens.” Manager Pedersen moved to approve the minutes of the August 19,
126 2019, Board of Managers Special Meeting as revised. Manager Ziegler seconded the motion.
127 Upon a vote, the motion carried 5-0.

8. CAC

128 Mr. Matt Lindon, CAC member, reported on the CAC’s most recent meeting and summarized the
129 Committee’s meeting minutes. He shared that at the CAC meeting, Administrator Bleser presented an
130 education presentation on chlorides. Mr. Lindon said the CAC spent the last part of its meeting discussing
131 subcommittees and their 2019 activities and 2020 work plans. Manager Pedersen thanked Mr. Lindon for
132 the years of service he has put into the CAC. President Ward asked Administrator Bleser to distribute the
133 CAC meeting minutes to the Board.

9. Consent Agenda

134 Manager Ziegler moved to approve the Consent Agenda as revised. Manager Pedersen seconded the
135 motion. Upon a vote, the motion carried 5-0. The items on the Consent Agenda included: 9e – Approve
136 Task Order for Kerber Pond Ravine Feasibility; 9i – Approve Permit 2018-016: Avienda permit
137 modification request as presented in the proposed Board action of the permit review report; 9j – Approve
138 Pay App #4 Bluff Creek Southwest Branch Stabilization and Restoration; 9k – Approve Pay App #2
139 Riley Creek Branch Stabilization.

10. Action Items

140 **a. Pulled Consent Items**

141 **i. Accept February Staff Report**

142 Manager Ziegler moved to accept the staff report. Manager Crafton seconded the motion.
143 Manager Koch had a question from the report’s page one, regarding MAWD Legislative
144 Days, and he asked about the status of the District’s talking points for the managers and
145 designated CAC members attending the event. President Ward replied that staff
146 distributed that information yesterday. Administrator Bleser clarified which managers
147 plan to attend the event. Manager Koch raised the topic addressed in the report regarding
148 the probable permit violation and said his concern is that lakeshore owners aren’t aware
149 of the District’s requirements. Manager Koch asked Administrator Bleser whether the
150 AIS recommendation in the report would be coming in front of the Board for discussion.

151 Administrator Bleser provided an update on AIS funding discussions with the cities.
 152 Manager Koch spoke in favor of the District increasing its level of AIS funding. Manger
 153 Koch asked if there would be a discussion of the results of Wenck’s core sampling for the
 154 alum treatment. Administrator Bleser responded. She noted that the reference in the
 155 report should be to Lake Riley, not Hyland Lake. Manager Koch asked for more details
 156 about the plan for vegetation management. Administrator Bleser provided an update,
 157 including the status of the report the District is submitting to the DNR and the upcoming
 158 expiration of the District’s vegetation management plans, which are tied to the District’s
 159 herbicide treatments. She summarized the conversations staff has been having with its
 160 partners and next steps. Manager Koch stated he is concerned about boat activities’ effect
 161 on plant populations. Upon a vote, the motion carried 5-0.

162 **ii. Accept February Engineer’s Report (with Attached Inspection Report)**

163 Manager Ziegler moved to accept the Engineer’s Report. Manager Pedersen seconded the
 164 motion. Manager Koch commented he thought an outcome from the Board’s discussion
 165 last month was staff would add language to the permit fee structure policy, and he asked
 166 for a status report. Mr. Jeffery reported that Attorney Welch has been working on it and
 167 has recently submitted a draft copy for staff’s review. Manager Koch asked about the
 168 costs the District is incurring for tearing up and re-doing the spent-lime system. Engineer
 169 Sobiech said he doesn’t have the information in front of him, but he thinks it is
 170 approximately \$30,000. Manager Koch clarified that the \$30,000 is in addition to the
 171 original cost. Engineer Sobiech responded yes. Manager Koch asked a question about the
 172 field inspections and what’s the District’s plan for dealing with the open corrective
 173 actions. Mr. Jeffery responded with details about the plan. Upon a vote, the motion
 174 carried 5-0.

175 **iii. Approve Task Order for Design of St. Hubert Water Quality Project with Funds Being**
 176 **Transferred from Lake Ann Wetland for \$100,000**

177 Manager Ziegler moved to approve the Task Order for the design of St. Hubert Water
 178 Quality Project with funds in the amount of \$100,000 being transferred from Lake Ann
 179 Wetland. Manager Pedersen seconded the motion. Manager Koch asked what the task
 180 order involves. Administrator Bleser said the task order is for project design, and she
 181 displayed the PowerPoint previously presented to the Board regarding the project.
 182 Manager Koch asked if this task order is to pay consultants approximately \$71,000 to
 183 manage the project. Manager Bleser responded the task order is to design the project and
 184 do the project management during installation. She talked about the different types of
 185 design happening in the project, which is why design costs may seem higher than the
 186 Board has seen with other projects. Manager Koch asked pointed questions about the
 187 playground and the District’s costs regarding the playground. Administrator Bleser
 188 provided specifics about the District’s work regarding the playground. Manager Koch
 189 asked for clarification about total project costs and construction costs. Administrator
 190 Bleser responded, reminding him this project is a two-year project. She said the District
 191 has been awarded \$75,000 in grant funds from the Metropolitan Council and receipt of
 192 the funds is pending the District ordering the project. Administrator Bleser added that St.
 193 Hubert will contribute financially, and the Carver County Soil and Water Conservation

194 District will contribute funds toward design costs. Manager Koch cited a letter from St.
 195 Hubert and talked about St. Hubert’s contribution, the language of the letter, and the
 196 structure of the contribution. He asked about project maintenance and past agreements
 197 the District has had regarding maintenance such as for the Scenic Heights School Forest
 198 project. Administrator Bleser talked about the details of the maintenance agreement for
 199 the Scenic Heights School Forest project. Upon a vote, the motion carried 5-0.

200 **iv. Approve Task Order for Lake Riley Alum 2nd Split Dose**

201 Manager Ziegler moved to approve Task Order for the Lake Riley Alum second split
 202 dose. Manager Pedersen seconded the motion. Administrator Bleser reported the soil
 203 cores samples were taken and will be analyzed to determine dosage. She said this task
 204 order is for work assembling the information and determining the dosage and the zones of
 205 application and estimating costs, then determining whether to go out for quotes or bid.
 206 Administrator Bleser said the goal is to do the project in early spring. Administrator
 207 Bleser explained the second dose was approved by the District Board five years ago and
 208 the cost of the dosing is approximately \$11,200. Manager Koch asked if Legal Counsel
 209 has reviewed the District’s agreement with Wenck & Associates. Attorney Smith said
 210 Wenck is part of the services pool approved by the District, and there is a standard
 211 services agreement that will be executed, and this task order will be the scope of services.
 212 He noted the Board’s approval of this task order would authorize Legal Counsel to clean
 213 up any details in the agreement as needed. Manager Koch recommended the Task Order
 214 number be added to the task order and that Administrator Bleser and Attorney Smith
 215 work out the details with the agreement with Wenck. Administrator Bleser noted that the
 216 task order numbers correlate with Barr’s numbering system, so for this task order being
 217 fulfilled by Wenck, the task order is identified as “Lake Riley Alum” in lieu of a number.
 218 Upon a vote, the motion carried 5-0.

219 **v. Approve Task Order for Upper Riley Creek Corridor Enhancement Plan**

220 Manager Ziegler moved to approve Task Order 32A for the Upper Riley Creek Corridor
 221 Enhancement Plan. Manager Pedersen seconded the motion. Manager Koch asked staff to
 222 summarize the project and task order. Administrator Bleser stated that this task order is
 223 the basis of an understanding between the City of Chanhassen and the District on roles
 224 and responsibilities for when the City and District do the corridor enhancement, in this
 225 case the stabilization and restoration Upper Riley Creek. She described the document as a
 226 living document and provided details about what information will be included. She
 227 explained that this task order is to initiate this document. Manager Koch asked if the
 228 creek stabilization and restoration would provide opportunity for the District to do some
 229 aerial photos. Engineer Sobiech said this area would be far enough away from the airport
 230 to do aerial photos, but such work isn’t included in the scope of work at this point. He
 231 said it could be added if the Board orders it. Manager Koch said he would like this topic
 232 to come up for Board discussion when appropriate because he would find aerial photos
 233 helpful and hopefully the public would like to see them, too. Upon a vote, the motion
 234 carried 5-0.

235 **vi. Approve Task Order for WOMP Station Assistance**

236 Manager Ziegler moved to approve the Task Order to WOMP station assistance.

237 Manager Pedersen seconded the motion. Manager Koch asked for more information
 238 regarding what the District is responsible for with WOMP stations and who pays what.
 239 Engineer Sobiech explained the WOMP station at Pioneer Trail is the Metropolitan
 240 Council’s responsibility and the Valley View station is run by this District and the costs
 241 for running the Valley View station are the District’s responsibility. Upon a vote, the
 242 motion carried 5-0.

243 **vii. Approve Change Order #2 for the Lower Riley Creek Restoration Project**

244 Manager Ziegler moved to approve Change Order #2 for the Lower Riley Creek
 245 Restoration Project. Manager Pedersen seconded the motion. Manager Koch said he
 246 always has a concern with change orders. He asked what the District’s contract provides
 247 and asked if the contractor is entitled to this change. Engineer Sobiech responded that his
 248 understanding of the contract is there are provisions for the contractor to ask for changes
 249 if there are changed conditions discovered in the field. He talked about what the
 250 contractor discovered regarding the condition of the creek bottom, which had turned into
 251 a consistency similar to quick sand. Engineer Sobiech provided additional details and
 252 said in his opinion this is a changed condition. He noted that this change order is
 253 primarily related to the changed conditions. Manager Koch asked further questions about
 254 what was done to determine conditions prior to the contract, and Engineer Sobiech
 255 answered the questions. Manager Koch remarked that the District has other reaches of the
 256 creek to work on, and he would like staff to consider what the District could do to prevent
 257 change orders like this in the future. Upon a vote, the motion carried 5-0.

258 **viii. Authorize President Ward to Sign and Mail Comments to MPCA in Regard to**
 259 **Planned Amendments to Rules Governing Water Quality Fees**

260 Manager Ziegler moved to authorize President Ward to sign and mail comments to the
 261 Minnesota Pollution Control Agency (MPCA) in regard to planned amendments to rules
 262 governing water quality fees. Manager Crafton seconded the motion. Manager Koch
 263 asked for more background regarding where the rules came from and what is being
 264 proposed. Administrator Bleser talked through the elements of the issue. Attorney Smith
 265 summarized that the letter communicates that the District is in support of the idea that the
 266 MPCA would have a program fee structure and charge for the training such as the smart
 267 salting training, and the District’s support is conditional upon passage of legislation that
 268 would provide liability protection on those who go through the training. He said this
 269 communication is consistent with the discussion the Board had at its February monthly
 270 meeting. Manager Crafton provided more background regarding her suggestion raised at
 271 last month’s Board meeting that the District submit comments in support of the MPCA
 272 being able to charge a fee. Upon a vote, the motion carried 5-0.

273 **i. Approve Atlas 14 Updates with the City of Minnetonka**

274 Manager Ziegler moved to approve the Atlas 14 model updates with the City of
 275 Minnetonka. Manager Koch asked if the District is paying for this update or if any other
 276 party is contributing. Administrator Bleser provided background and responded that the
 277 District has a unique opportunity in that the City of Minnetonka is updating its model and
 278 is willing to put it into the same model as the District’s current model. She said the
 279 District would provide the additional \$15,000 to cover the segments of Purgatory Creek

280 in Shorewood and Deephaven that drain into Minnetonka and this would be in the same
 281 model format as the District’s EPA SWMM model. There was further discussion about
 282 different types of models. Manager Koch mentioned information he saw about tools that
 283 use wavelengths to delineate wetlands and suggested staff think about utilizing such
 284 tools. He asked if the District would have a Cooperative Agreement with the City of
 285 Minnetonka and the other cities to make sure the District can own the data or use the
 286 data. Administrator Bleser referenced the agreement in place for use of the current model.
 287 She said the District’s Legal Counsel can look into the agreement. Upon a vote, the
 288 motion carried 5-0.
 289

290 **b. Accept January Treasurer’s Report**

291 Manager Crafton moved to accept the January Treasurer’s Report. Manager Ziegler seconded the
 292 motion. Upon a vote, the motion carried 5-0.
 293

294 **c. Approve Paying of Bills**

295 Manager Crafton moved to pay the bills. Manager Ziegler seconded the motion. Upon a vote, the
 296 motion carried 5-0.
 297

298 **d. Order Silver Lake Project (Resolution 2020-03)**

299 Manager Ziegler moved to adopt Resolution 2020-03 to order Silver Lake Water Phosphorous
 300 Control Project. Manager Pedersen seconded the motion. By call of roll, the motion carried 5-0.

<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			

301

302 **i. Approve Task Order for Silver Lake BMP Design**

303 Manager Ziegler moved to approve the task order 24B Silver Lake BMP Design.
 304 Manager Pedersen seconded the motion. Upon a vote, the motion carried 5-0.

305 **e. Adopt Resolution 2020-04 MPCA EA Grant Program for Community Resiliency Modeling**
 306 **and At-risk Prioritization of Purgatory Creek Watershed**

307 Manager Ziegler moved to adopt Resolution 2020-04 MPCA EA Grant Program for Community

308 Resiliency Modeling and At-risk Prioritization of Purgatory Creek Watershed. Manager Pedersen
 309 seconded the motion. By call of roll, the motion carried 5-0.

<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			

310

311 **f. Adopt Resolution 2020-05 MPCA Green Corps Program**

312 Manager Ziegler moved to adopt Resolution 2020-05 MPCA Green Corps Program to host the
 313 MN Green Corps program during the 2020-2021 program year. Manager Crafton seconded the
 314 motion. By call of roll, the motion carried 5-0.

<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			

315

316 **g. PID #25 0360010 (No Physical Address), City of Chanhassen, Highway 101 Right of Way,**
 317 **City Request for Parcel Exchange (Resolution 2020-07)**

318 Attorney Smith noted the managers have discussed this transaction at previous Board meetings
 319 and understand the nature of this transaction. He reported everything is now in place, and he
 320 described details covered and summarized due diligence. Attorney Smith said this is all in order,
 321 and the District’s concerns have been addressed. Manager Ziegler moved to adopt Resolution
 322 2020-07 City Request for Partial Exchange for Highway 101 Right of Way. Manager Pedersen
 323 seconded the motion. Manager Koch went through details about the temporary construction
 324 easement, item 9, which references a plan, and he recommended Legal Counsel add language that

325 the plan has to be approved by the District. Mr. Jeffery responded that the plan has been approved
 326 by the District. Manager Koch recommended adding a reference to that plan and the District’s
 327 approval. He commented about the exchange agreement and noted title insurance is referenced.
 328 He asked if cities typically get title insurance with quit claim deeds. Attorney Smith said he the
 329 District is working with real estate counsel who will have a final review of this and can address
 330 the issue Manager Koch has raised regarding title insurance.

331 Manager Koch moved to amend the motion on the table to authorize Legal Counsel to finalize the
 332 temporary easements and the exchange agreement to take into account the restoration plan and to
 333 deal with whether title insurance is being provided and who is going to pay for title insurance.
 334 Manager Ziegler seconded the motion to amend. Upon a vote, the motion to amend carried 5-0.
 335 President Ward called the vote on the amended motion. By call of roll, the motion carried 5-0.

<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			

336

337 **h. IT/IT Consultant (LK)**

338 President Ward said the Board discussed this IT/IT consultant topic at its December Board
 339 meeting and directed the Administrator to explore options regarding identifying IT consultants
 340 who could review the District’s IT situation. President Ward provided a status update and said
 341 staff hopes to have more information for the Board at its April meeting. The Board agreed to lay
 342 this item over until the Board’s April meeting.

343 **i. Credit Cards (LK)**

344 Manager Koch said that in the accountant’s report, the credit card transactions are being recorded
 345 as Visa. He said his understanding is that level of detail is not a generally accepted accounting
 346 principle. Manager Koch said the correct method is to document the entries by vendor. Manager
 347 Koch moved for the Administrator to look into the use of purchasing cards by the District and to
 348 prepare and provide the Board with a report of the Administrator’s findings. The motion died due
 349 to lack of second.

350 **j. Shoreline and Erosion (LK)**

351 Manager Koch moved to adopt the resolution he presented directing the District Administrator to
 352 look into coming up with a plan to measure the shoreline erosion and also the impacts on the lake
 353 bottom of wake boats. The motion died due to lack of a second.

354 **k. Permit Variance Resolution (LK)**

355 The Board approved laying this item over until the Board’s Governance Workshop.

356 **l. Form of Resolutions Approving Permit Applications (LK)**

357 The Board approved laying this item over until the Board’s Governance Workshop.

358 **m. Internal Calendar (LK)**

359 The Board approved laying this item over until the Board’s Governance Workshop.

360 **n. Multi-year Project Report (LK)**

361 The Board approved laying this item over until the Board’s Governance Workshop.

362 **o. Minnesota Data Practices Act Requests and Seminars (LK)**

363 The Board approved laying this item over until the Board’s Governance Workshop.

364 **p. Update on 2020 Budget (LK)**

365 Manager Koch handed out a document he created “Fund Performance Analysis – Table 1:
366 2/25/20. He said he had asked for and received from Administrator Bleser the 2019 budget final
367 and the adopted 2020 budget, and this information is shown in his table. He explained the
368 columns he inserted and information he entered into the table. Manager Koch went through the
369 table and asked staff questions, including questions about overages, underages, grant income,
370 2019 expenditures for Accounting and Audit and the 2020 budget for the same line item. He
371 asked if the Board and staff should consider adjusting the 2020 budget for manager per diem,
372 which is budgeted for 2020 at \$20,000 but the 2019 manager per diem expenditures were
373 \$23,365.50. Administrator Bleser said the Board could consider adjusting that amount based on
374 the cost of the managers’ 2019 per diems claimed. Manager Koch said the managers exceeded its
375 2019 per diem budget and so should consider increasing its per diem budget for 2020. He talked
376 about the 2019 permit review and inspection total expenditures and asked if the amount budgeted
377 for 2020 is a good amount. Manger Koch asked about the 2019 expenditures for the 10-year
378 Management Plan versus the 2020 budget for that line item and raised the same question for Data
379 Collection and Monitoring. He asked about reserves and asked for information about what is
380 included in the reserves. Manager Koch provided suggestions on what he would like to see in the
381 budget. Manager Koch also handed out a copy of the District’s December 31, 2019, “Multi-Year
382 Project Performance Analysis – Table 2” and said he is having a hard time distinguishing what
383 are the District’s remaining obligations aside from partner funds. He said he would like staff to
384 figure out a way to show in the table the District’s future obligations. Administrator Bleser
385 provided detailed responses to Manager Koch’s questions.

386 **q. Authorize Legal Counsel to Contact the State of Minnesota Regarding the Journal of Votes**

387 Manager Ziegler moved to authorize Legal Counsel to send a letter to the state for an answer on
388 whether the District is required to have journal for votes. Manager Koch seconded the motion.
389 Upon a vote, the motion carried 5-0.

390

11. Discussion Items

391 a. Manager Report

392 i. Personnel Committee

393 Manager Pedersen reported on the closed session held February 5, 2020. She
394 stated the Board moved into closed session on February 5 to discuss the
395 executive development for the District Administrator.

396 ii. Governance Committee

397 President Ward reported the Committee met Monday, March 2 to work on
398 revisions to the Governance Manual and will reconvene at 9:00 a.m. on March 24
399 and the meeting will be noticed.

400 iii. Other Matters

401 Manager Crafton reported she attended the pesticide committee hearing and read
402 the District's resolution into the public record.
403

12. Upcoming Board Topics

404 President Ward noted upcoming Board topics, including ordering the Middle Riley project public hearing,
405 ordering the Wetland at 101 project public hearing, and the next Governance Workshop. Manager Koch
406 moved to order the public hearings for May for the Middle Riley and Wetland at 101 projects and to
407 authorize staff to public notice the special meeting of the Board of Managers for a governance workshop
408 to be held on May 24 and to public notice the public hearings. Manager Ziegler seconded the motion.
409 Upon a vote, the motion carried 5-0.
410

13. Upcoming Events

- 411
- 412 • MPCA Smart Salting for Property Managers Training, March 12, 2020, 9:00 a.m., District Office,
413 18681 Lake Drive East, Chanhassen
 - 414 • Citizen Advisory Committee Meeting, March 16, 2020, 6:00 p.m., District Office, 18681 Lake
415 Drive East, Chanhassen
 - 416 • Board of Managers Meeting, April 1, 2020, 7:00 p.m., District Office, 18681 Lake Drive East,
417 Chanhassen

418

14. Adjournment

419 Manager Pedersen moved to adjourn the meeting. Manager Ziegler seconded the motion. Upon a
420 vote, the motion carried 5-0. The meeting adjourned at 9:33 p.m.

421

422

423

424

Respectfully submitted,

425

426

427

David Ziegler, Secretary