

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

August 7, 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

Terry Jeffery, Watershed Planning Manager

Louis Smith, Attorney, Smith Partners

Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Amy Herbert, Recorder

Sharon Klumpp, Baker Tilly

Lori Tritz, Chair, CAC

1. Call to Order

1 President Ward called to order the Wednesday, August 7, 2019, Board of Managers Monthly Meeting at 7:01 p.m.
2 at the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Oath of Office

3 Attorney Smith led Manager Ziegler through the oath of office for Manager of the RPBCWD, swearing him in for
4 a three-year term.

3. Approval of the Agenda

5 Manager Ziegler moved to approve the agenda as handed out. Manager Koch seconded the motion with the
6 friendly amendment to remove from the Consent Agenda items 8a – Accept Staff Report; and, 8b –Accept July
7 Engineer’s Report (with attached Inspection Report). Upon a vote, the motion carried 5-0.

4. Matters of General Public Interest

8 There were no matters of general public interest raised.

5. Approval of Minutes

a. July 10, 2019, RPBCWD Board of Managers Budget Workshop and Regular Monthly Meeting

9 Manager Koch requested the addition to item 11h on page 8 a sentence reflecting that the managers
10 indicated they want District staff to explore for next year’s field season some type of survey on how the
11

12 watershed's lakeshores are doing. Manager Zielger moved to accept the minutes as revised. Manager
13 Pedersen seconded the motion. Upon a vote, the motion carried 5-0.

6. Citizen Advisory Committee (CAC)

14 Ms. Lori Tritz, CAC Chair, updated the Board about the CAC's previous meeting. She explained the CAC
15 discussed whether CAC stewardship should support bee lawns and if so, to what capacity. Ms. Tritz said the CAC
16 will score the initiative at the next CAC meeting. She noted that Administrator Bleser presented the proposed
17 2020 District budget and levy and provided an opportunity for the CAC to ask questions. Ms. Tritz reported about
18 the July 31 wetland walk and about the CAC's subcommittees. President Ward asked when the Speaker's Bureau
19 would be rolled out. Ms. Tritz responded that by the time the CAC next meets, the feedback from the watershed
20 district should be implemented and the program should be ready to roll out. Manager Ziegler asked about the
21 CAC's overall comments about the proposed 2020 budget and levy. Ms. Tritz said the CAC has no adverse
22 feedback about the proposed budget and levy.

7. Consent Agenda

23 Manager Ziegler moved to accept the Consent Agenda as previously amended. Manager Pedersen seconded the
24 motion. Upon a vote, the motion carried 5-0. The items on the Consent Agenda included: 6c – Permit 2019-026
25 Ridgewood Church – Approve permit as presented in the proposed board action of the permit report; 6d – Permit
26 2018-044 Smith Village – Approve permit as presented in the proposed Board action of the permit report;

8. Action Items

a. Pulled Consent Agenda items

i. Accept Staff Report

28 Manager Koch asked if there is monitoring on Purgatory Creek. Administrator Bleser noted there
29 are permanent monitoring stations on all three creeks in the watershed, and she described the
30 location of the one on Purgatory Creek. Manager Koch asked for an update on the functioning of
31 the spent lime treatment. Engineer Sobiech responded it is filtering water at an acceptable rate.
32 Manager Koch asked how costs were distributed regarding the joint electrofishing tasks with Nine
33 Mile Creek Watershed District. Administrator Bleser and Attorney Smith provided details.
34 Attorney Smith noted that Smith Partners is legal counsel for the Nine Mile Creek Watershed
35 District. Manager Ziegler moved to accept the staff report as presented. Manager Pedersen
36 seconded the motion. Upon a vote, the motion carried 5-0.

ii. Accept July Engineer's Report (with attached inspection report)

38 Manager Koch commented that the permit for the lot on Frontier Trail isn't listed in the staff
39 report. Mr. Jeffery said it was an after-the-fact permit, and he will add it to the report. Manager
40 Koch asked what tasks remain from Task Order 23, the Scenic Heights School Forest Restoration.
41 Administrator Bleser went through the tasks remaining for the next growing season. Manager
42 Koch moved to accept the July Engineer's Report. Manager Ziegler seconded the motion. Upon a
43 vote, the motion carried 5-0.

45 [President Ward requested moving item 8g- Proposal for Administrator Review – ahead to next on the meeting agenda to
46 accommodate the guest presenter, Sharon Klumpp of Baker Tilly. The Board agreed to the change].

47 **b. Proposal for Administrator Review**

48 Ms. Sharon Klumpp reminded the Board that it contacted her about developing a job description for the
49 District Administrator and submitting a proposal for work to structure a performance review of the
50 District Administrator. She talked about how she developed the job description, which had been
51 distributed to the Board. Ms. Klumpp went into detail about the proposal for services for structuring the
52 performance review and the process she and the District would undertake as the District conducts the
53 performance review. She responded to questions and comments. Managers provided feedback on how he
54 or she would like aspects of the information gathering and information delivery to be handled. Attorney
55 Smith pointed out details that the Board needed to clarify further, and he described the review process in
56 terms of the Data Privacy Act.

57 Manager Pedersen moved to direct Baker Tilly to prepare and provide a synthesized report, which will be
58 the information available to the Board and the Board will not have access to the individual feedback
59 provided to Baker Tilly for the report. Manager Crafton seconded the motion. Upon a vote, the motion
60 carried 4-1 [Manager Koch voted against the motion.]

61 Manager Pedersen moved to accept the proposal from Baker Tilly to retain Baker Tilly to conduct the
62 Administrator performance review at a cost not to exceed \$5,000 plus expenses. Manager Crafton
63 seconded the motion. Upon a vote, the motion carried 5-0

64 **c. Accept June Treasurer's Report**

65 Treasurer Crafton communicated that the report has been reviewed in accordance with the District's
66 internal controls and procedures. She moved to accept the Treasurer's Report as presented. Manager
67 Ziegler seconded the motion. Manager Koch asked a series of questions about the report, including asking
68 for more details about specific payments, permit reviews and inspections, and taxes receivables.
69 Administrator Bleser said she can get clarification from the accountant regarding the line item about taxes
70 receivables and making sure the District's protocols are followed. President Ward called the question on
71 the motion to accept the Treasurer's Report as presented. Upon a vote, the motion carried 5-0.

72 **d. Approve Paying of Bills**

73 Manager Crafton moved to pay the bills. Manager Pedersen seconded the motion. Upon a vote, the
74 motion carried 5-0.

75 **e. Select District Auditor for 2019**

76 President Ward reflected that the managers received the proposals for auditing services from four firms
77 and have had time to review the proposals. Managers provided comments on their review and talked
78 about the options. After a lengthy discussion, Manager Pedersen moved to accept the proposal from and
79 engage services of Abdo Eick & Meyers LLP. Manager Crafton seconded the motion. Upon a vote, the
80 motion carried 4-0 [Manager Koch abstained from the vote].

81 **f. MAWD Governance Workshop September 12-13**

82 Administrator Bleser asked the managers if they were each interested in and able to attend the workshop
83 on September 12th and 13th. The managers all indicated yes. Manager Koch moved to authorize the
84 managers to all attend the MAWD Governance Workshop September 12-13 and for staff to publish the
85 appropriate public notice. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

86 **g. Per Diem – Meeting Preparation**

87 Manager Koch moved to lay over this agenda item until the Board's October monthly meeting. Manager
88 Ziegler seconded the motion. Upon a vote, the motion carried 5-0.

89 **h. August Rules Workshop**

90 Administrator Bleser said she is looking for the Board to hold a one-hour workshop to review the
91 proposed rules. The Board agreed to hold a rules review workshop on Monday, August 19 at 4:00 p.m.

9. Discussion Items

92 **a. Manager Report**

93 No manager reports given.

94 **b. Report from Personnel Committee**

95 Manager Pedersen noted the Board already discussed the Administrator's review.

96 **c. RPBCWD Anniversary Event August 28**

97 Administrator Bleser reminded the Board of the District's anniversary celebration and celebration of
98 community event coming up on August 28 at the Riley Jacques Barn in Eden Prairie.

99 **d. Rules Revisions**

100 President Ward noted that the Board has set a rules review workshop for August 19 at 4:00 p.m.

101 **e. 2020 Draft Budget**

102 Administrator Bleser said she updated the draft budget presentation according to the feedback she
103 received from the managers at the last Board meeting. She reminded the Board that the proposed 2020
104 levy is \$3,703,000, for a proposed levy increase of 2.8% over the 2019 levy, and the proposed 2020
105 budget is \$6,676,000.00. She added that the District's tax base increase for 2020 is 7.2%. Manager Koch
106 asked questions, including about budget line 18: Community Resilience and the Groundwater
107 Conservation budget item. Administrator Bleser answered his questions. She announced that she will
108 present the 2020 draft budget at the September public hearing. Manager Koch moved to approve moving
109 forward with this draft budget as presented and to notice the September public hearing on the proposed
110 2020 budget and levy. Manager Crafton seconded the motion. Upon a vote, the motion carried 5-0.

111 **f. MAWD Resolutions**

112 President Ward summarized the proposed MAWD [Minnesota Association of Watershed Districts]
113 resolution drafted by Manager Koch and the one drafted by Manager Ziegler. Manager Ziegler provided
114 more detail about his proposed resolution regarding herbicides and pesticides. Administrator Bleser
115 commented that the proposed resolutions are due to MAWD by September 1. Attorney Smith pointed out
116 language the Board could include with the proposed resolutions including an explanation memo detailing
117 statewide implications and who the District thinks could take issue with the resolution. He said staff can
118 gather this information and format it. Manager Koch moved to direct staff to put these draft two
119 resolutions into the proper format and to add them to the agenda for the August 19th workshop. Manager
120 Ziegler seconded the motion. Upon a vote, the motion carried 5-0.

10. Upcoming Board Topics

121 President Ward noted that upcoming Board topics are listed on the agenda and include the September
122 public hearings on the Silver Lake Water Quality Project and St. Hubert Catholic School Retrofit as well
123 as the authorization of the release of rules for the 45-day public comment period.

11. Upcoming Events

- 125 • Project WET, August 6, 9:00 a.m.-3:00 p.m., Nine Mile Creek Watershed District
- 126 • Shoreline Restoration Volunteer/Continuing Education Opportunity, August 14, 6:00 p.m.-8:00 p.m., Timber
127 Lakes Homeowners Association
- 128 • Citizen Advisory Committee Meeting, August 19, 6:00 p.m., District Office, 18681 Lake Drive East,
129 Chanhassen
- 130 • Smart Salting for Property Managers, August 21, 9:00 a.m.-1:30 p.m., District Office, 18681 Lake Drive East,
131 Chanhassen
- 132 • Celebrating the Community: RPBCWD 50th Anniversary Celebration, August 28, Riley Jacques Barn, Eden
133 Prairie
- 134 • RPBCWD Public Hearing and Board Meeting, September 4, 2019, 7:00 p.m., District Office, 18681 Lake
135 Drive East, Chanhassen
- 136 • Governance Workshop (MAWD/MASWCD), September 12-13, Airport Marriott, Bloomington

12. Adjourn

137 Manager Pedersen moved to adjourn the meeting. Manager Crafton seconded the motion. Administrator Bleser
138 stated that the laid over agenda item regarding the Per Diem for meeting preparation, requested by Manager Koch,
139 would be added to the November monthly meeting agenda instead of the October agenda as earlier directed
140 because Manager Koch will be absent from the October monthly meeting. Upon a vote, the motion carried 5-0.
141 The meeting adjourned at 9:26 p.m.

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144
145 Respectfully submitted,

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147 _____
148 David Ziegler, Secretary