



**REGULAR MEETING OF THE RCWD BOARD OF MANAGERS**  
Wednesday, April 24, 2024

Shoreview City Hall Council Chambers  
4600 North Victoria Street, Shoreview, Minnesota  
and  
Meeting also conducted by alternative means  
(teleconference or video-teleconference) from remote locations

**Minutes**

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**CALL TO ORDER**

Vice-Pres. John Waller called the meeting to order, a quorum being present, at 9:00 a.m.

**ROLL CALL**

Present: 1<sup>st</sup> Vice-Pres. John Waller, 2<sup>nd</sup> Vice-Pres. Steve Wagamon, Secretary Jess Robertson, and Treasurer Marcie Weinandt

Absent: President Michael Bradley (with prior notice)

Staff Present: District Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Communications & Outreach Manager Kendra Sommerfeld, Lake & Stream Manager Matt Kocian, and Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners

Visitors: None

**SETTING OF THE AGENDA**

*Motion by Manager Wagamon, seconded by Manager Weinandt, to approve the agenda as presented. Motion carried 4-0.*

**READING OF THE MINUTES AND THEIR APPROVAL**

*Minutes of the April 8, 2024, Workshop and April 10, 2024, Board of Managers Regular Meeting. Motion by Manager Robertson, seconded by Manager Weinandt, to approve the minutes as presented. Motion carried 4-0.*

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<b>BOARD OF MANAGERS</b>	Jess Robertson Anoka County	Steven P. Wagamon Anoka County	Michael J. Bradley Ramsey County	Marcie Weinandt Ramsey County	John J. Waller Washington County
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30 **CONSENT AGENDA**

31 The following items will be acted upon without discussion in accordance with the staff recommendation and  
32 associated documentation unless a Manager or another interested person requests opportunity for discussion:

33 **Table of Contents-Permit Applications Requiring Board Action**

34 <b>No.</b>	<b>Applicant</b>	<b>Location</b>	<b>Plan Type</b>	<b>Recommendation</b>
35 24-015	Fiji Cube, LLC	Lino Lakes	Final Site Drainage Plan	CAPROC 7 items
36 24-017	City of Forest Lake	Forest Lake	Final Site Drainage	CAPROC 4 items

37  
38  
39 ***Motion by Manager Wagamon and seconded by Manager Weinandt, to approve the consent agenda as***  
40 ***outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and***  
41 ***Recommendations, dated April 16, 2024. Motion carried 4-0.***

42 **PERMIT APPLICATION REQUIRING BOARD ACTION**

43 <b>No.</b>	<b>Applicant</b>	<b>Location</b>	<b>Plan Type</b>	<b>Recommendation</b>
44 24-009	City of Lino Lakes	Lino Lakes	Final Site Drainage Plan Floodplain Alteration	VARIANCE REQUEST CAPROC 10 items

45  
46  
47 Regulatory Manager Hughes gave a brief overview of the variance request.

48  
49 District Engineer Otterness offered to give a brief explanation of the rationale for this action. He explained  
50 that this was a unique case, that is after the fact, because the lot split has already gone through. He stated  
51 that right now, the way the rules are written, a one acre or greater lot split triggers all the requirements  
52 under Rule C, which would also engage the requirements to provide easements under the CWPMP. He  
53 noted that the landowner that sold the property to the City of Lino Lakes did not want to provide easements  
54 on his property. He explained that the risk to the District was low because if the property develops in the  
55 future they will have to provide those easements on the property at that time.

56  
57 Manager Weinandt asked if this would have been something that the District would have seen before the  
58 property purchase and split, or if it was just a matter of timing.

59  
60 District Engineer Otterness stated that the City was required to get a Rule C permit before doing a  
61 subdivision, which they were not aware of. This is why the subdivision occurred prior to them obtaining the  
62 permit.

63  
64 Manager Weinandt asked how the City was notified that they needed to come in for a variance.

65  
66 District Engineer Otterness explained that they had to come in for a permit for the site plan component of  
67 the project, which is when District staff learned of the land subdivision that had already occurred.

68  
69 Regulatory Manager Hughes clarified that the City of Lino Lakes was not ‘required’ to submit a variance  
70 request, but were requesting it because it would likely be a challenge for them to go back to the private  
71 land owner at this point and encumber more of the property with the easement.

72

73 **Motion by Manager Wagamon and seconded by Manager Waller, to Approve the Variance request for**  
74 **variance application 24-009 as outlined in accordance with RCWD District Engineer’s Variance Technical**  
75 **memorandum, dated April 17, 2024. Motion carried 4-0.**

76

77 **Motion by Manager Wagamon and seconded by Manager Robertson, to CAPROC permit 24-009 as**  
78 **outlined in the RCWD District Engineer’s Findings and Recommendations, dated April 17, 2024. Motion**  
79 **carried 4-0.**

80 **OPEN MIC/PUBLIC COMMENT**

81 None

82 **ITEMS REQUIRING BOARD ACTION**

83 **1. RCWD Annual Report Approval**

84 Communications & Outreach Manager Sommerfeld presented a draft of the 2023 RCWD Annual  
85 Report. She stated that if the Board did not have any changes or suggestions, the report was ready  
86 to go.

87

88 Manager Weinandt stated that she felt Communications & Outreach Manager Sommerfeld did a  
89 very nice job with the report and noted that it was always nice to see all the work that has been  
90 done in the District. She asked if there would be a figures list in the document for when the figures  
91 are identified, for example, Figure 1.

92

93 Communications & Outreach Manager Sommerfeld stated that she could create a reference at the  
94 end of the document.

95

96 Manager Weinandt stated that she would like to see that because some of these places are being  
97 referred too differently than she was used to. She suggested that perhaps they could also find a  
98 way to identify it on the map, so people could identify where these things are actually located. She  
99 asked if there was anything in the report about the District’s bonding request or any of the flooding  
100 in the New Brighton area.

101

102 Communications & Outreach Manager Sommerfeld stated that she did not have much of that  
103 included in the Annual Report because the District had done a lot of that work in 2024 so it would  
104 be included in next year’s report.

105

106 **Motion by Manager Weinandt, seconded by Manager Robertson, to approve the 2023 Annual**  
107 **Report with any necessary formatting and non-substantive changes and authorize submission to**  
108 **the Board of Water and Soil Resources and other required recipients by the deadline. Motion**  
109 **carried 4-0.**

110

111

112 **2. Curlyleaf Pondweed Management Agreements**

113 Lake & Stream Manager Kocian stated that the District has been working on this program for over  
114 10 years, but has been managing curlyleaf pondweed and invasive species for more than 20 years.  
115 He explained that the District manages curlyleaf pondweed because it is an invasive species that has

116 an impact on water quality. He noted that curlyleaf pondweed has an odd growing cycle because it  
117 begins growing in the fall and survives under the ice of the winter months which means it has a  
118 competitive advantage over native plant species in the spring, then, dies over the summer and its  
119 decomposition is what leads to the impacts on water quality. He explained that for the last 10 years  
120 the District has been running this program with a 50/50 cost share with lake associations or home  
121 owners groups. He stated that this year he was seeking approval of expenditures up to \$20,000, but  
122 noted that after reimbursement, the Districts actual costs should be somewhere in the \$8,000 to  
123 \$10,000 range. He noted that several of lake associations are working with DNR grants in 2024, and  
124 therefore not partnering with the District. Also, curlyleaf pondweed is down in some lakes in 2024.  
125 For those reasons, District costs are down in 2024, well below the budget of \$50,000.

126  
127 Manager Wagamon referenced page 103 of the packet and asked what a 'monotypic area' would  
128 be.

129  
130 Lake & Stream Manager Kocian explained that monotypic area implied that there was a single  
131 species – in this case, curlyleaf pondweed.

132  
133 ***Motion by Manager Robertson, seconded by Manager Wagamon, to authorize the Administrator***  
134 ***to enter into cost-share agreements with lake associations for curlyleaf pondweed treatments in***  
135 ***2024. Motion carried 4-0.***

136  
137 ***Motion by Manager Robertson, seconded by Manager Weinandt, to authorize the Administrator***  
138 ***to enter into professional services agreements with Lake Management, Inc. for herbicide***  
139 ***treatment of curlyleaf pondweed with the total costs not to exceed \$20,000. Motion carried 4-***  
140 ***0.***

### 141 142 **3. Centerville Lake Alum Project Contractor Selection**

143 Lake & Stream Manager Kocian stated they were seeking authorization for an agreement with an  
144 alum applicator and access agreements with cooperators. He reminded the Board that the District  
145 had received Clean Water Fund dollars to do an alum treatment on Centerville Lake. He explained  
146 that the District had hired Barr Engineering as the project engineer who had released the Request  
147 for Quotes in March to three applicators, and noted that the District received just one quote back  
148 from Solitude Lake Management. He noted that this company was formerly known as HAB Aquatic  
149 Solutions who had done the alum treatment on Bald Eagle Lake in 2014 and 2016. He stated that  
150 many of the alum treatments throughout Minnesota have been done by this group. He noted that  
151 Solitude's quote came in about \$64,000 under budget and includes applications for both 2024 and  
152 2026, which is the entirety of the project. He gave a brief overview of the two access agreements.  
153 Manager Weinandt stated that she thought it was great that there was such a good turnout at the  
154 public information meeting.

155  
156 Manager Robertson asked if the total not to exceed amount included contingencies.

157  
158 Lake & Stream Manager Kocian stated that the motion does include a contingency and noted that  
159 instead of using a percentage, they are suggesting a dollar amount.

161 Manager Wagamon asked why the other two companies had not submitted a quote.

162

163 Lake & Stream Manager Kocian explained that there are just not many companies that do this type  
164 of work, especially at this scale. He stated that the other two companies that had received the  
165 Request for Quotes, are equipped to do alum treatments, but on smaller ponds, such as those on a  
166 golf course. He explained that despite the lack of competition there does not appear to be any  
167 indication of price increases and stated that Solitude Lake Management's references are all very  
168 solid.

169

170 1<sup>st</sup> Vice-Pres. Waller stated that since the District would be working with Barr Engineering, he would  
171 assume that they will see Joe Bischoff at some point and noted that he has a long history of working  
172 with the District, so he felt they were in pretty good hands with this project.

173

174 ***Manager Wagamon, seconded by Manager Robertson, to authorize the Administrator, on advice***  
175 ***of counsel, to enter into an agreement with Solitude Lake Management, Inc. for the Centerville***  
176 ***Lake Alum Project, for an amount not to exceed \$957,312.50. The Administrator is further***  
177 ***authorized to approve contract amendments not to exceed \$64,434.50. Motion carried 4-0.***

178

179 ***Manager Wagamon, seconded by Manager Robertson, to authorize the Administrator, on advice***  
180 ***of counsel, to execute access agreements with Anoka County and St. Paul Regional Water Services***  
181 ***for the Centerville Lake Alum Project. Motion carried 4-0.***

182

183 Manager Weinandt asked for an update on the carp programs.

184

185 Lake & Stream Manager Kocian stated that they are fully ready when the carp decide to start  
186 migrating up Rice Creek, which they have not done so far. He noted that with the warmer  
187 temperatures and rain, they expect the carp will begin migrating soon.

188

189

190 **4. Check Register Dated April 24, 2024, in the Amount of \$309,611.20 and April Interim Financial**  
191 **Statements Prepared by Redpath and Company**

192 Manager Weinandt referenced page 124 of the packet and pointed out that the District has surety  
193 reimbursements from 2013 and 2017, which she believes were the result of looking into the historic  
194 records.

195

196 Regulatory Manager Hughes clarified that the payment from 2013 was not directly related to the  
197 unresolved permit efforts and was just something the developer had to address.

198

199 ***Motion by Manager Weinandt, seconded by Manager Robertson, to approve check register Dated***  
200 ***April 24, 2024, in the Amount of \$309,611.20 and April Interim Financial Statements Prepared by***  
201 ***Redpath and Company. Motion carried 4-0.***

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203

204 **ITEMS FOR DISCUSSION AND INFORMATION**

205 **1. Staff Reports**

206

207 **2. May Calendar**

208

209 **3. Administrator Updates**

210 District Administrator Tomczik stated that the District was out inspecting and monitoring ACD 53-  
211 62 for the vegetation establishment. He stated that the first closure was this past Friday for their  
212 Project Manager position and they are currently reviewing applications. He stated that for the I35W  
213 flood mitigation project, the District had shared the bill informational materials, that were  
214 developed by Communications & Outreach Manager Sommerfield, with Minnesota Watersheds  
215 who, in turn, shared it with their lobbyists. He stated that HF #4944 now has authors of  
216 Representatives Feist, Mueller, and Fischer, and SF #4337 has been referred to capital investment  
217 but does not yet have a scheduled hearing. He noted that Senator Marty's office has expressed  
218 interest so they have passed along the relevant materials and welcome any questions that he may  
219 have. He stated that Minnesota Watersheds had sent out a survey regarding human resource  
220 matters, current challenges/needs at watershed and noted that he appreciated their support. He  
221 stated that the Annual Conference would be moving to Grand View Lodge and the Minnesota  
222 Watershed Summer Tour would be held on June 25-27, 2024. He reminded the Board that the City-  
223 County Partner meeting will be held later today from 1:00 to 3:00 p.m. at the New Brighton  
224 Community Center in Room #224.

225

226 **4. Managers Update**

227 Manager Weinandt stated that she had attended an interesting meeting with Metro MN  
228 Watersheds and noted that BWSR and MN Watersheds Director Voigt were also in the office last  
229 week for a visit.

230

231 Manager Wagamon stated that he would not be able to attend the City-County meeting later today.

232

233 Manager Robertson stated that following Board direction from their workshop, she and Manager  
234 Wagamon met with the City of Circle Pines to go through the unanswered questions that the District  
235 has regarding their intent. She explained that they had asked the City of Circle Pines to provide a  
236 formal memo to the District clearly stating what their concerns are, their next steps, and identifying  
237 their intent to handle the outstanding invoice.

238

239 1<sup>st</sup> Vice Pres. Waller stated that he attended the legislature last week and met with Senator Housley  
240 and talked to her about the bill and also spoke with Representatives Anderson and Fischer about it.  
241 He stated that he was at the Metro MN Watersheds meeting and spoke with the lobbyists and gave  
242 a brief overview of some of their topics of discussion. He stated that the Board voted two meetings  
243 ago on looking at the rules and he brought up at the last meeting regarding things such as overlap.  
244 He stated that District Attorney Smith had reminded him to look at the watershed management  
245 plan, which he did. He referenced the plan and read aloud a section related to rule revisions related  
246 to overlapping.

247

248 **ADJOURNMENT**

249 ***Motion by Manager Robertson, seconded by Manager Wagamon, to adjourn the meeting at 9:38 a.m.***

250 ***Motion carried 4-0.***

251