



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, May 22, 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

President Michael Bradley called the meeting to order, a quorum being present, at 9:00 a.m.

ROLL CALL

Present: President Michael Bradley, 1st Vice-Pres. John Waller, 2nd Vice-Pres. Steve Wagamon, Secretary Jess Robertson, and Treasurer Marcie Weinandt

Absent: None

Staff Present: District Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Outreach and Grant Technician Molly Nelson, Drainage and Facilities Manager Tom Schmidt, Office Manager Theresa Stasica

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

Visitors: None

SETTING OF THE AGENDA

Motion by Manager Weinandt, seconded by Manager Waller, to approve the agenda as presented.
Motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the May 6, 2024 Workshop and May 8, 2024, Board of Managers Regular Meeting. Motion by Manager Robertson, seconded by Manager Weinandt, to approve the minutes, as presented.

President Bradley suggested changes to page 1, line 17, of the May 6, 2024 Workshop minutes and asked that after, ‘Manager Wagamon that’ the following be inserted into the minutes ‘if he desires Board review of the project, he should apply for a Watershed District permit and complete a Minnesota Wetland Conservation District joint application to start the project as soon as possible.’ He stated that he would

BOARD OF MANAGERS	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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32 also like to suggest a change on page 3, line 68, of the minutes from Board meeting on May 8, 2024, to
33 strike the word 'water' and add the word 'garden' in its place.

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35 Manager Robertson stated that she also had a change she would like to see on the May 6, 2024 Workshop
36 minutes, on page 2, line 49 it states that she left the meeting due to a prior commitment. She explained
37 that she had left the meeting just after 11:00 a.m. and the meeting adjourned at 11:11 a.m. and wanted it
38 to be clear that she was in attendance for the majority of the meeting.

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40 District Administrator Tomczik stated that staff will insert the time Manager Robertson actually left the
41 meeting so that would be clear.

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43 **Amended motion by Manager Robertson, second amended by Manager Weinandt, to approve the**
44 **minutes, as revised.**

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46 **Motion carried 5-0.**

47 **OPEN MIC/PUBLIC COMMENT**

48 None

49 **ITEMS REQUIRING BOARD ACTION**

50 **1. Houston Engineering Task Order 2024-006 Enhanced Street Sweeping Initiative**
51 Outreach and Grant Technician Nelson reviewed HEI Task Order 2024-006 for the Enhanced Street
52 Sweeping Prioritization Study. She explained that this had been discussed at the April 8, 2024
53 Board Workshop meeting and reminded the Board that this would be executed under the Storm
54 Water Master Planning account in an amount of \$29,000 and will be completed by December 31,
55 2024.

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57 Manager Weinandt asked how the high priority areas were identified and who, at HEI, would serve
58 as project manager and GIS scientist.

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60 District Engineer Otterness explained that there are several different criteria to help identify the
61 prioritization, such as how well treated the existing stormwater is within the watershed to the
62 resource of concern. He stated that Rachel Ulm will serve as the Project Manager and noted that
63 she had also helped draft and complete the Watershed Management Plan and stated that there will
64 be a few different staff people that will helping with other aspects of the project.

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66 Manager Weinandt stated that the street sweeping action was being considered State-wide and has
67 also been an ongoing conversation within the Clean Water Council. She asked if the District, within
68 GIS, already knows about the canopy and the BMPs that are on the ground. She asked if this
69 information would be gathered through the database or if people would actually be out on the
70 street gathering this information.

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72 District Engineer Otterness explained that this would be an office exercise. He noted that there
73 are some layers of data available and stated that they are trying to take the first step of identifying
74 the prioritization and what could go into these plans that would be city specific, in the future.

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Manager Waller noted that in the past this has been a subject of the Washington County Consortium meeting and tour and suggested that staff also check with the health department and the Washington County Conservation District, because they had conducted a street sweeping study in the Mahtomedi and Birchwood areas. He stated that Hugo has a vacuum street sweeper as does Forest Lake, so they may also want to contact them.

Motion by Manager Weinandt, seconded by Manager Bradley, to authorize the Board President to execute the HEI Task Order 2024-006 to complete the RCWD Enhanced Street Sweeping Prioritization Study in an amount not to exceed \$29,000. Motion carried 5-0.

2. Water Quality Grant W20-02 Fran Miron Waste Storage Facility Invoicing Schedule Authorization

Outreach and Grant Technician Nelson explained that the Washington Conservation District had reached out to staff regarding a possible payment prior to the completion of the waste storage facility. She reminded the Board that this project was being done in conjunction with the NRCS and the Washington Conservation District. She noted that the contractor has proposed an invoicing schedule that will be effective as of early June. She explained that the NRCS would have an engineer go out and inspect the project and report back to the other parties.

Motion by Manager Waller, seconded by Manager Bradley, to authorize the W20-02 Fran Miron Waste Storage Facility Water Quality Grant cost-share payment of \$30,000.00 in coordination of the WCD/NRCS funds dispersal plan and upon delivery of confirmation from the NRCS that the project work completed at the time of payment is built according to the approved plans. Motion carried 5-0.

3. Ramsey County Ditch 4 Bid Consideration

Drainage and Facilities Manager Schmidt stated that bids were opened on May 1, 2024 for repairs on RCD 4. He explained that the lowest successful bid was received from Valdes Lawn Care and Snow Removal, LLC.

Motion by Manager Waller, seconded by Manager Bradley, to Adopt Resolution 2024-04 Awarding the Contract for the Repair of Ramsey County Ditch #4.

Therefore, be it resolved by the RCWD Board of Managers that:

- A. The contract for the repair of Ramsey County Ditch #4 is awarded to Valdes Lawn Care and Snow Removal, LLC, for the contract price of \$104,165.00.
- B. The District administrator shall sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and the District’s engineer, when prerequisites for issuance and bonding have been met by the contractor.
- C. The District administrator may sign task/change orders increasing the contract price in an aggregate net amount not to exceed 30% of the contract price (\$31,249.50) to address unforeseen conditions or omissions discovered as the project progresses.

117 President Bradley stated that this company is one that handles lawn care, snow and tree removal,
118 but noted that he did not see that they had any experience with dredging.

119 Drainage and Facilities Manager Schmidt clarified that dredging would not be part of this repair and
120 explained that this would simply be for tree removal and vegetation management.

121 President Bradley asked what made this project be considered a 'repair'.

122 Drainage and Facilities Manager Schmidt explained that it was a repair to the right-of-way and
123 access to the ditch.

124 District Engineer Otterness stated that this was definitely different than many of the District's other
125 repair efforts and noted that it was closer to what was done on ACD 53-62 in Circle Pines where the
126 largest portion of that effort was tree removal and gaining access. He confirmed that RCD 4 there
127 is little to no sediment accumulation in the ditch.

128 President Bradley asked if the District had determined how they were going to recover these costs.

129 District Engineer Otterness explained that this repair was 60% Water Management District and 40%
130 Ad Valorem, which is identical to what they have done in the past.

131 Manager Waller referenced page 29 of the packet under 'Review of Bids and Recommendation' and
132 stated that there was a bullet point that says, 'Clearing, grubbing, erosion control, and turf
133 establishment with for Washington County.' He asked what Washington County had to do with a
134 Ramsey County ditch.

135 District Engineer Otterness stated that those particular bullet points were not actually describing
136 what was being done on this project but were describing the contractor's previous projects. He
137 explained that the contractor had worked with Washington County in the past, so what should be
138 removed from that bullet point was just the word 'with'.

139 Manager Wagamon asked for a definition of what grubbing entails.

140 District Engineer Otterness stated that their definition of grubbing would be pulling the stumps out
141 or grinding them in order to get rid of that material. He stated that for public drainage repairs, they
142 almost always leave the stump and root mass in the ground so it helps hold the bank together. He
143 explained that they flush cut, which means that they cut the tree down to within 2 inches of the
144 surface.

145 Manager Weinandt asked about the bid amounts and stated that the District Engineer had estimate
146 \$226,000 and the bid being considered is less than half that amount. She stated that all of the
147 other bids were also under the engineer's estimate and asked what that communicated to the
148 District.

149 District Engineer Otterness stated that when they had prepared the probable cost for the project,
150 they were very conservative on the costs, particularly for tree removal and hydroseeding because
151 they felt the contractors may have concerns regarding access along this area which could equate to
152 inflated costs. He stated that as it turned out the contractors who bid the project did not share
153 that perspective and noted that the bid from Valdes included only \$2,400 in mobilization for the
154 project. He noted that he had recommended budgeting an additional 30% for potential change
155 orders, because the costs came in so low, in order to handle any unforeseen circumstances that may
156 arise.

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ROLL CALL:
President Bradley – Aye
Manager Robertson – Aye
Manager Wagamon – Aye
Manager Waller – Aye
Manager Weinandt – Aye
Motion carried 5-0.

4. Check Register Dated May 22, 2024, in the Amount of \$290,252.56 and May Interim Financial Statements Prepared by Redpath and Company

Motion by Manager Weinandt, seconded by Manager Robertson, to approve check register Dated May 22, 2024, in the Amount of \$290,252.56 and May Interim Financial Statements Prepared by Redpath and Company. Motion carried 5-0.

District Administrator Tomczik stated that it was notable that the audit that was completed in 2023 was now reflected in the monthly reports.

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports

2. June Calendar

District Administrator Tomczik stated that the Minnesota Watersheds Summer Tour will coincide with the RCWD Board meeting on June 26, 2024, the Bus Tour will take place on June 26, 2024. He asked if a quorum of the Board is available when some of the managers plan to attend. He explained that if there was not a quorum they could look at moving the meeting to Thursday of that week.

Manager Weinandt stated that there are two tours on June 26, 2024 and stated that she was thinking that she would join the tour following the Board meeting. She noted that if that meeting has a light agenda like today’s meeting, she felt the Board could easily attend both the Board meeting and one of the tour options.

President Bradley stated that he would also be happy to carpool with other Board members in order to catch up with the tour, if necessary.

Manager Waller stated that he would be present for the board meeting.

Manager Wagamon stated that he was not yet sure about his attendance.

Manager Robertson stated that she also serves on the Met Council Transportation Advisory Board and because of the Juneteenth holiday, they have moved their meeting to June 12, 2024. She explained that she intended to try to attend both meeting, but wanted to give the District a heads up in case there ended up being scheduling conflicts on that day.

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Manager Weinandt stated that she would not be at the Board meeting on June 12, 2024.

Manager Robertson stated that she was willing to attend remotely, if necessary, since Manager Weinandt would not be in attendance.

3. Administrator Updates

District Administrator Tomczik stated that the District continues to work with FEMA on floodplain mapping associated with Hansen Park in New Brighton. He stated that some of the homes around the park are located within the FEMA floodplain based on the historic modeling and noted that the District finds the modeling to be incorrect. He explained the district is in communication with New Brighton and the District continues to work with FEMA on resolving that issue.

Manager Waller stated that he felt it was important to note that the City of New Brighton had requested that the District work with them on this item.

District Administrator Tomczik stated that at the last Board meeting the Board had some questions about the CEO Human Resources agreement. He explained that under the running contract, at the end of April \$12,000 remains available and within the 2024 budget has \$40,000 remaining. He stated that while there are available dollars, the agreement would need amendment before the end of the year and felt that if the agreement was going to be changed, it was best to do it only once. He stated that the concurrence letters are coming together regarding the District’s legal boundary and should be sent out soon to the partners. He noted that the JD3 work is coming to a close and staff was continuing to field some concerns from landowners. He stated that issues with beavers have been quite extensive this year. He stated that Lake and Stream Manager Matt Kocian has reported on the Centerville Lake Alum treatment and noted that the first phase was wrapping up. He explained that they ended up applying nearly 200,000 gallons of alum treatment and noted that everything went according to plan. He explained that he had filled one of the Staff Inspector positions and has had some interest for the Project Manager and Program Support positions. He stated that he was hopeful that there will be signed agreements in the near future.

4. Managers Update

Manager Waller stated that he had gotten some complaints from the Mahtomedi area about flooding on Birchwood Road and also a complaint from Birchwood about beavers in Hall’s Marsh. He noted that the DNR Administrative Law Judge made a decision that was announced late last week regarding White Bear Lake. He stated that he had not yet read details of the decision, but from what he has gathered, the decision just shifted the responsibilities. He noted that he was disappointed to read that the State’s bonding bill had not passed and hopes that they will be able to get additional information about that while they are on the bus tours. He stated that he has heard that Lake and Stream Manager Kocian gave a nice presentation at the Clear Lake HOA and explained that he also received compliments regarding Lake and Stream Manager Kocian’s knowledge and interest.

Manager Wagamon referenced the June calendar and clarified that he would be at all of the District meetings, but was not sure if he would be able to attend the bus tour.

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Manager Robertson stated that she also wanted to compliment Lake and Stream Manager Kocian because she thinks he is doing a fantastic job on Centerville Lake and noted that she has enjoyed seeing the updates and visuals of the process. She commended staff for doing such a great job of highlighting that work. She thanked District Administrator Tomczik for providing the details related to the CEO Human Resources contract information but asked that when this comes back around for further discussion, she would also like to see how the dollar amounts were being used, so she can more fully understand the content behind the charges.

ADJOURNMENT

***Motion by Manager Robertson, seconded by Manager Wagamon, to adjourn the meeting at 9:38 a.m.
Motion carried 5-0.***