



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, October 9, 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, and Secretary Jess Robertson

Absent: Treasurer Marcie Weinandt (with prior notice)

Staff Present: Regulatory Manager Patrick Hughes, Outreach & Grant Technician Molly Nelson (video-conference), Lake and Stream Manager Matt Kocian, Water Monitoring Technician Catherine Nester, Drainage and Facilities Manager Tom Schmidt, Project Manager David Petry, Watershed Technician/Inspector Will Roach (video-conference), Watershed Inspector Sarah Struntz, and Office Manager Theresa Stasica

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

Visitors: Mod Feders

SETTING OF THE AGENDA

District Administrator Tomcik stated staff would ask for two proposed changes to the agenda, a new item 2 under Items Requiring Board Action, Utility Task Vehicle Purchase; and removal of WCA Application 24-040.

Manager Wagamon stated that he would also like to suggest a change to the agenda for the Board to reconsider the 2025 Stormwater Management Grant document revision and release action that was taken at the September 25, 2024 Board meeting.

Motion by Manager Wagamon, seconded by Manager Bradley, to approve the agenda, as amended.
Motion carried 4-0.

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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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District Administrator Tomczik suggested that Manager Wagamon’s item be placed under Items Requiring Board Action as a new #1, and reorder the other agenda items accordingly.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the September 25, 2024, Board of Managers Regular Meeting. Motion by Manager Robertson, seconded by Manager Waller, to approve the minutes as presented. Motion carried 4-0.

CONSENT AGENDA

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

Table of Contents-Permit Applications Requiring Board Action

No.	Applicant	Location	Plan Type	Recommendation
24-062	Shuda Farms LLC	Lino Lakes	Final Site Drainage Plan	CAPROC 9 items
24-064	Lake Johanna Fire Department	Arden Hills	Final Site Drainage Plan	CAPROC 6 items
24-065	Construction Technology, Inc.	Columbus	Final Site Drainage Plan	CAPROC 6 items

It was moved by Manager Bradley and seconded by Manager Waller, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and Recommendations, dated October 1, 2024. Motion carried 4-0.

Water Quality Grant Program Cost Share Application

No.	Applicant	Location	Project Type	Eligible Cost	Pollutant Reduction	Funding Recommendation
W24-03	Jeff Burrige	Mahtomedi	Pervious Paver, Raingardens, and Upland Stabilization	\$15,194.95	Volume: 4.3 in/yr TSS: 20.7 lbs/yr TP: 0.15 lbs/yr	50% cost share of \$7,500 not to exceed 50%; or \$7,500 whichever cost is lower

Outreach & Grant Technician Nelson gave a brief overview of the application for the Water Quality Grant Program Cost Share.

It was moved by Manager Robertson and seconded by Manager Bradley, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD Outreach and Grants Technician’s Recommendations dated October 3, 2024. Motion carried 4-0.

OPEN MIC/PUBLIC COMMENT

None

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ITEMS REQUIRING BOARD ACTION

1. Reconsider Board’s September 25 Approval of 2025 Stormwater Management Grant Release

Manager Wagamon stated that he would like to explain why he did not bring this up at the last meeting.

District Attorney Holtman explained that the Board first needed a motion to reconsider the Board’s prior action before discussion about why Manager Wagamon would like to reconsider this item.

Motion by Manager Wagamon, seconded by Manager Bradley, to reconsider the September 25 approval of the 2025 Stormwater Management Grant release. Motion carried 4-0.

Manager Wagamon explained that at the September 25, 2024 meeting, he had missed a few months before that because he had Lyme Disease. He stated that he thought the proposed change to program policies and materials had already gone through a Board workshop and explained that he was uncomfortable when he left because he wasn’t sure that he really knew enough about it to take a vote. He noted that he had intended to review the notes that the other managers had and could not find them and realized that it was because it was not brought to a workshop meeting. He stated that when the Board is changing program requirements, he does not think they should abdicate their authority to the CAC and explained that he appreciated the input of the CAC and that they look at these things closely, but he still believes that the Board should have the final review of proposed changes because the Board are the ones that are in charge. He stated that he thinks that this should go to a Board workshop for discussion also, which is what he was asking for.

President Bradley stated that the Board might not be able to reconsider because staff may have already acted on the Board’s action from the last meeting.

District Administrator Tomczik stated that after the Board approved the 2025 Stormwater Grant an announcement was posted on the District website and e-mails were sent to the partners that the grant period was open and they could engage the District on potential projects.

Manager Robertson stated that she believes that, under *Robert’s Rules of Order*, this item can be brought back and reviewed if it was brought back by a member of the prevailing side of the original motion.

District Attorney Holtman stated that there are two criteria for the motion to be in order, one, that it is at the same or the following session of the Board, and two, that it is not in order if a third party has relied on the action. He explained that in this case this is the following session of the Board and the District itself has taken steps to publicize the new terms, but it could still be altered because no third party has relied on it yet, because the District has not made a grant that they would be withdrawing or something of that nature. He clarified that reconsideration is in order.

President Bradley stated that the Board is under a tight timeline because the cities have until the end of December to make their application and the published requirements direct that they sit down

110 with the District in a pre-meeting, and asked if there was a specific provision that Manager
111 Wagamon wanted to change right now.

112
113 Manager Wagamon stated that was the problem because he did not feel comfortable and would
114 have liked to have heard from the staff their reasoning behind things before he made a decision. He
115 stated that he understood what President Bradley was saying and noted that he did not have a
116 specific one that he wanted to change. He explained that there are some that he has discomfort
117 with, but does not understand them enough to know whether he wanted to change them or not.

118
119 Manager Robertson asked if she could see the last meeting packet.

120
121 Manager Wagamon stated that he had a copy of it with him and she could look at it.

122
123 Manager Robertson noted that she had gotten a phone call after the September 25, 2024 meeting
124 and believed that she may have voted for something, that in the aftermath, she was not entirely
125 comfortable with either. She referenced the redline item from the September 25, 2024 meeting
126 packet that included language regarding non-eligible applicants under item 3, Funding Availability
127 and noted that the Board had amended the language at the last meeting. She stated that she liked
128 rules because she liked structure, but she doesn't like rules because one size does not fit all. She
129 had an issue with the redlined language under item 3, Funding Availability.

130
131 Manager Wagamon stated that the one he was questioning was the requirement to submit a report
132 annually and wanted to know what the cities thought of that stipulation.

133
134 Manager Waller stated that he did not have any problem with bringing this back to a workshop, as
135 suggested. He stated that he did not support the new language and explained that he objected to
136 projects proposing the maintenance and repair of existing stormwater infrastructure being ineligible
137 for stormwater management grants. He stated that he also disagreed with the new section about
138 the reporting. He stated that he also did not like that staff seemed to have the inability to explain
139 what 'active' meant. He stated that he felt that this was something that the District should talk to
140 the cities about at one of their partners' meetings and noted that he felt it should have been brought
141 up with the cities to see what could be done to adjust the system instead of just deciding things and
142 just arbitrarily making these changes. He stated that he felt that the purpose of the partners'
143 meetings was to have communication regarding documents like this.

144
145 President Bradley stated that the District could always add more layers to the process, but they
146 cannot add more layers of the process and also meet the timeline for the next round of grantmaking.

147
148 District Administrator Tomczik stated that he felt this was a good discussion and reminded the Board
149 that these were the program guidelines and the idea was that the District have sufficient information
150 to guide the applicant in order for them to be successful. He stated that the District has obligations
151 of inspection, maintenance, and reporting on their own grant dollars that are received from other
152 public entities which was usual. He stated that this was the guidelines and the application form
153 and the District was not binding an applicant to these things because the CAC would review them,

154 the engineer would review them, they would be scored, and brought before the Board for
155 consideration along with obligation language.

156
157 Manager Waller stated that he did not see what the problem was with the old application and
158 reiterated that, to him, this seems to be a solution that is in search of a problem.

159
160 Manager Wagamon stated that he wanted to make a general comment about this and noted that if
161 time is of the essence, then he would have recommended, that the Board have it at their workshop
162 instead of the CAC, even though he likes to see the CAC viewpoint as another source of information.

163
164 President Bradley stated that he felt that they have a problem because most of the Managers have
165 shared at least one area of concern. He stated that the issue related to the reports was clearly
166 stated by Watershed Technician/Inspector Roach to be during the period that the grant was active,
167 which can be at most, 3 years and would more likely be less than that. He stated that if the District
168 were to have someone actually denied, they would be able to bring it to the Board and ask them to
169 consider it, so he believed that there was an avenue to address that issue. He stated that he would
170 be happy to support a motion that says that next year, this be brought to the Board at a workshop
171 before it is placed on a regular Board meeting agenda. He explained that stopping the District's
172 ability to issue \$300,000 of grants because of a procedural issue does not work for him.

173
174 Manager Wagamon asked if he was suggesting that this particular language should be brought back
175 to the Board next year.

176
177 Manager Waller stated that he felt that President Bradley was saying that the language stays as it is
178 right now and next year the Board can reconsider it all. He stated that he felt President Bradley
179 was saying that because the Board had already issued this and they are up against a deadline they
180 have to do this, but he would respectfully disagree. He stated that he felt that they could remove all
181 of this language and just issue the current version that they have had in place for years and still be
182 within the deadline.

183
184 Manager Robertson asked what the current motion actually was on the table.

185
186 District Attorney Holtman explained that the current motion on the floor is the motion that the
187 Board had voted on at the last meeting. He stated that it was now back on the floor as though the
188 Board had not yet voted on it.

189
190 Manager Robertson stated that she felt that all the statements that have been shared by the Board
191 have validity. She stated that she understood that this probably should have come to a Board
192 workshop. She reiterated that if they were looking to amend anything, in the aftermath, the area
193 she had a problem with was the redline item in number 3. She stated that item really had nothing
194 to do with what has already gone out and really only addressed who is eligible for the application.
195 She stated that in addition to that change, in 2025, she would like the Board to take the time to
196 break this down page by page at a workshop and also get feedback from the cities on what makes
197 this application difficult, and also get feedback from the CAC. She reiterated that she felt everyone

198 on the Board was saying things that were valid and true, but she would like to see them remove the
199 redline item in number 3.

200
201 Manager Wagamon stated that he would have no problem with that.

202
203 President Bradley stated that if the Board can identify specific items and then, as a Board, vote on
204 those specific items, he believes they may be able to get this done and still be able to give out
205 \$300,000 in January.

206
207 Manager Robertson stated that she was not attempting to impede the process in any way. She
208 reiterated that her suggestion was to remove the redline item on number 3 from the information
209 presented in the September 25, 2024 packet.

210
211 Manager Wagamon stated that he would not have a problem with that, but noted that he also had
212 one other one to bring up.

213
214 President Bradley asked Manager Robertson to give the specific item details that she wanted
215 removed.

216
217 Manager Robertson noted that she believed that the Board had added some additional language
218 from District Engineer Otterness when it was read into the record.

219
220 ***Motion by Manager Robertson, seconded by Manager Waller, to remove the language from the***
221 ***Watershed District Stormwater Management Grant Program Guidelines regarding item 3,***
222 ***Funding Availability, Local Match, & Eligible Costs, that is redlined, 'Projects proposing the***
223 ***maintenance or repair of existing stormwater management infrastructure are ineligible for***
224 ***Stormwater Management Grant funding. Additionally, projects that are proposed by entities that***
225 ***owe funds to the District will not be considered.'***

226
227 District Attorney Holtman clarified that the Board would be making a motion to amend the motion
228 that is on the table and if that passes, then they would have a vote on the amended motion.

229
230 President Bradley asked if there was an understanding that the result of approving this is that it
231 would change Manager Wagamon's request that the Board stop the whole thing this year and make
232 that one amendment right now.

233
234 Manager Wagamon stated that he also had one other item that he would like to hear more about
235 and asked if that could also be discussed before they take a vote.

236
237 Manager Waller reminded him that there was a motion on the table and then the Board can proceed
238 with the discussion of the entire document and felt it would be more appropriate for Manager
239 Wagamon to bring up his questions at that time.

240
241 ***Motion carried 4-0.***
242

243 Manager Wagamon stated that he had a question about how they had to report to the District,
244 under number 10 where it stated, 'Annual written progress reports are due to the RCWD by
245 December 31st each year the grant is active, including any extensions. The first report for the 2025
246 Stormwater Management Grant program will be due December 31, 2025. Reports must include,
247 at minimum, (1) a summary of project activities completed in the current year, (2), an updated
248 timeline for project completion, (3) a summary of project expenditures to date, (4) Photos of BMPs
249 if construction has started. A template for reporting will be provided upon grant award.' He
250 noted that this may not be the section he was thinking of because he thought there was a statement
251 that said that they had to give reports every year.

252
253 Manager Robertson stated that item 10 was also a redlined item and explained that her assumption
254 is that with a grant there was a reporting component and asked if what was identified in this item
255 was above and beyond the existing requirement.

256
257 Manager Waller stated that he thought what Manager Wagamon may have been referring to was
258 on page 43.

259
260 Manager Wagamon stated that it may also be on page 45.

261
262 President Bradley asked if Watershed Technician/Inspector Roach was in attendance at the meeting.

263
264 District Administrator Tomczik noted that Watershed Technician/Inspector Roach was in
265 attendance, online.

266
267 Watershed Technician/Inspector Roach stated that he would like to circle back on a few things that
268 the Board has been discussing. He stated that with regard to the redline language that was flagged
269 by Manager Waller and Manager Robertson regarding eligibility he wanted to note one key thing to
270 consider is that the language referring to projects that are proposing maintenance of existing
271 systems is language that has been included in the program guidelines for the last few years, which
272 he believed began in 2021. He stated that it was the Board's prerogative if they wanted to remove
273 that language, but explained that he wanted to point that detail out. He explained that with regard
274 to the reporting requirements, the reporting is essentially an annual progress report during the
275 three years that the grant is active that just outlines what work has been done, what still needs to
276 be done, and what their updated timeline would be for the project completion. He stated that the
277 item that he believed that Manager Wagamon was referring to regarding the 10 years, he wanted
278 to clarify that it was not 10 years of reporting and explained that this was language was requested
279 by the CAC where they would basically supply a plan for 10 years of project maintenance. He
280 reiterated that they would not be requiring reporting for 10 years, but would be asking applicants
281 to outline what the long-term maintenance actually looked like for this project, how frequently it
282 would be inspected, and what activities it may undergo during that time period.

283
284 Manager Waller stated that he was reading the language on page 43 and would respectfully disagree
285 with what Watershed Technician/Inspector Roach just shared because it does say that there is a 10-
286 year reporting period. He noted that the next sentence states, 'Applicant who receive grant
287 funding will also be required to submit an annual written report that summarizes the maintenance

288 and monitoring work undertaken to maintain functionality.’ He stated that is 10 years of reporting
289 and was what Manager Wagamon had been referring to.

290
291 Manager Wagamon agreed that this was the section that he had been referring to.

292
293 Manager Waller stated that section was not the three years of the grant being ‘active’ because this
294 was 10 years subsequent to that time period. He stated that this was all new language and noted
295 that the language that the Board had already decided to remove was also all new language.

296
297 District Administrator Tomczik stated that they are looking at the application guidelines and the
298 dialogue that staff will have with the applicant about how this project will look in the future. He
299 stated that within the actual grant agreement it talks about construction, maintenance, and access,
300 so there is no change specific to that in the agreement document. He stated that they want to be
301 sure what an applicant proposes, they know that the District generally wants to protect the public
302 funds and ensure that they are serving the intended purpose into the future.

303
304 Manager Robertson stated that she felt that there was conflicting language in this document. She
305 stated that she did feel that the applicant should be made aware of what responsibilities come with
306 the grant, but reiterated that she felt that there was conflicting language. She referenced page 40,
307 and the addition of item 10, Reporting, and noted that if she understood Watershed
308 Technician/Inspector Roach correctly, there was already a due diligence process required with the
309 grant application. She stated that there is a reference to a 10-year timeline in the document, but
310 when you look at page 45, you see that then on top of the expectation of maintenance and reporting
311 with the grant, there is an annual report to be written each year of the active grant, but then again,
312 if you go back in the document, it references a 10 year period. She stated that she does think there
313 is confusion and it sounded to her like the application process and the maintenance process
314 following receiving the grant is pretty stringent because there is already a reporting requirement.
315 She suggested that they take out the language in item number 10 because there are multiple
316 references to reporting throughout different pieces of the document, including the new reporting
317 section itself, that contradict each other.

318
319 District Administrator Tomczik referenced page 40 of the September 25, 2024 packet, item 10 on
320 reporting is the nuance that President Bradley had pointed out. He explained that going into 2025,
321 the District has nearly \$800,000 that is pending release because they have granted it out under this
322 program and they get no response and have to ask cities if they are still doing the project or if other
323 things are happening with other entity approvals. He stated that the District needs to be informed
324 about these things because it informs the District budget because those funds are in limbo. He
325 explained that item 10 was about reporting to the District about whether they still actually want the
326 money or not.

327
328 President Bradley stated that he was at a disadvantage because he did not have a packet from the
329 September 25, 2024 meeting in front of him because this item was not originally on their agenda.

330
331 Manager Robertson and Manager Wagamon offered to share their copy of the September 25, 2024
332 packet with President Bradley.

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President Bradley explained that from what he was hearing there are 2 provisions, one about the active part, which he didn't know if anyone was challenging the requirement to report to the District during that three-year period, and the second is that apparently there was a later provision on page 43 of the September 25, 2024 packet, that states, 'Applicants who receive grant funding will also be required to submit an annual written report that summarizes the maintenance and monitoring work undertaken to maintain functionality.' He stated that the objection appeared to be the requirement of 10 annual written reports that summarized the maintenance and monitoring. He asked if those who were objecting would accept a requirement for the reporting to be required every 3 years.

Manager Wagamon stated that he felt that would make better sense to him.

President Bradley noted that the District required their own staff to report to the Board on an annual basis.

Manager Wagamon clarified that he wasn't necessarily saying that the annual reports aren't valid, but did want to hear what the cities had to say about it.

President Bradley stated that he understood that but the Board was in a position where they needed to move forward.

Manager Wagamon stated that he understood that and would probably be in favor of taking it out.

District Administrator Tomczik stated that to the point that he was hearing Manager Wagamon make, the portion that the Board was referring to is in the application form, so he would think that the District would want to ensure that the public's funds for a period of at least 10 years to make sure that what is put on the landscape remains viable.

President Bradley clarified that he did not believe that anyone was challenging that sentence.

District Administrator Tomczik stated that was customary and referenced the language at the bottom of page 43 of the September 25, 2024 packet, 'This should include a timeline of when regular inspections will be made...'. He noted that at this point in time, none of them know what that project is or what the maintenance may look like and explained that, to him, he would read the language more broadly.

Manager Wagamon stated that was not what this statement actually said.

President Bradley suggested a wording change, 'Applicants who receive grant funding will also submit a written report that summarizes maintenance and monitoring work undertaken consistent with the timeline submitted with the application.' He stated that there could also be an alternative statement that says, 'or, at least every three years.' He asked which version would work best for District Administrator Tomczik.

378 District Administrator Tomczik stated that he believes what President Bradley had stated that strikes
379 the word 'annual' and drives it back to the timeline was fine because then they know what the BMP
380 is.

381
382 Manager Robertson asked if each grant application was unique in what their reporting timelines or
383 requirements may be.

384
385 Watershed Technician/Inspector Roach stated that there was no current reporting requirement.
386 He explained that what they have seen in recent submittals of maintenance plans have varied
387 depending on the type of project.

388
389 Manager Robertson asked for clarification about whether each project was unique as far as what its
390 reporting or maintenance requirements may be.

391
392 Watershed Technician/Inspector Roach confirmed that was correct.

393
394 ***Motion by Manager Bradley, seconded by Manager Waller, to amend the last sentence in section***
395 ***x. on page 43 of the September 25, 2024 packet, to state, 'Applicants who receive grant funding***
396 ***will also be required to submit a written report based on the inspection timeline contained in its***
397 ***application that summarizes the maintenance and monitoring work undertaken to maintain***
398 ***functionality.'***

399
400 Manager Waller stated that he felt that all President Bradley did with his proposed language was to
401 extend the timeline from 10 years to who knows when and asked why this was necessary.

402
403 President Bradley asked what was the necessity of the Board having a requirement that the staff
404 provide them with reports annually on their inspections of the District facilities. He stated that he
405 felt that it was the same function.

406
407 Manager Robertson stated that there is a grant requirement to do the reporting that was already
408 written into the grant.

409
410 Manager Wagamon stated that he did not believe so.

411
412 Manager Robertson stated that she thought that was what Watershed Technician/Inspector Roach
413 had indicated.

414
415 Watershed Technician/Inspector Roach clarified that, at this time, prior to the Reporting section
416 that was added to the program guidelines, there was not a reporting process. He stated that they
417 were required to give the District a maintenance plan that outlined what they would be doing for
418 long-term maintenance of the project, but there was no requirement to provide the District with
419 progress updates or to let them know when the maintenance had been completed.

420

421 Manager Robertson stated that she wanted to make sure she understood this clearly and asked if
422 her understanding was correct that there were no current requirements, outside of the adopted red
423 language, within the amended stormwater application rules.

424
425 Watershed Technician/Inspector Roach stated that was correct.

426
427 Manager Wagamon stated that during the three-year time period he thought there was a
428 requirement.

429
430 President Bradley stated that was before the grant was actually 'active' because there was no
431 maintenance during that three years.

432
433 Manager Waller stated that the active part is asking if they were going to use the money. He stated
434 that after they put the grant money together and the applicant has put their money into it, and they
435 were going to have unlimited reporting forever because if it is annual maintenance and the program
436 lasts 30 years, every year they will an annual report. He stated that he felt that this language was
437 a solution that is in search of a problem and he did not believe that there was any problem with this.
438 He stated that he would like to call the question on the amendment.

439
440 Manager Robertson asked for clarification of what was before the Board at the present time.

441
442 President Bradley explained that the only thing he had proposed to amend was the last sentence of
443 section x so it would read, 'Applicants who receive grant funding will also be required to submit a
444 written report based on the inspection timeline contained in its application that summarizes the
445 maintenance and monitoring work undertaken to maintain functionality.'

446
447 Manager Wagamon stated that he felt that statement was pretty wide open.

448
449 ***Motion failed 1-3 (Waller, Wagamon, and Robertson opposed)***

450
451 ***Motion by Manager Waller that the language on number 10, Measurable Outcomes, on page 43***
452 ***of the September 25, 2024 packet, depicted in red, be struck.***

453
454 ***Manager Robertson seconded the motion.***

455
456 President Bradley asked what was wrong with having the applicant provide a timeline for when
457 regular inspections would be made for at least the next ten years.

458
459 Manager Wagamon stated that he felt that seemed open-ended because the timeline doesn't have
460 an end period.

461
462 President Bradley stated that the applicant would provide the end period, and stated that it is up to
463 ten years when the project was done.

464

465 Manager Waller stated that it says, 'at least 10 years' but it could be much, much more. He noted
466 that when the District has grant money to do the lakes, that is 25 years for the sand filters. He
467 stated that they have to guarantee the function of it for 25 years, but they don't guarantee 25 years
468 for the function of the lakes when they do the alum treatment.

469
470 District Attorney Holtman explained that his understanding, based on the vote taken at the last
471 meeting, is that there is an obligation to maintain the project for 10 years, which is separate from
472 reporting. He stated that he did not believe the Board was debating that item, but is debating the
473 reporting obligation. He stated that the Board's vote last time was that there was an obligation to
474 report during the period of the grant and nothing beyond that. He explained that the question that
475 the Board was now discussing was if there should also be an obligation to report, after the grant has
476 ended, on project inspection and maintenance. He stated that the motion that President Bradley
477 had offered that was voted down would have provided for that reporting to occur on a frequency
478 and duration determined with staff on a case-by-case basis. He noted that there is presently no
479 obligation for the grantee to report during the maintenance period. He stated that if Manager
480 Waller's motion passes, he believes that would be consistent with where they stand now, because
481 there would still be the 10-year maintenance but there wouldn't be a reporting obligation. He
482 stated that if the Board wanted affirmative reporting to occur, then the Board would need to take
483 some type of further action.

484
485 Manager Wagamon stated that he thinks that it has become clear that this item should have come
486 to a workshop meeting. He stated that he thinks this action makes sense and then the District will
487 have time over the next year to discuss it with the cities.

488
489 President Bradley called the question.

490
491 Manager Wagamon asked for clarification of what they were voting on.

492
493 Manager Waller explained that the motion was to delete the language in red under Measurable
494 Outcomes that stated, 'This should include a timeline of when regular inspections will be made for
495 at least the next 10 year following completion of the project. Applicants who receive grant funding
496 will also be required to submit an annual written report that summarizes the maintenance and
497 monitoring work undertaken to maintain functionality.'

498
499 ***Motion carried 3-1 (Bradley opposed).***

500
501 Manager Robertson stated that she would like to make a suggestion that when the Board reviews
502 this that within the weighted scoring scale they include a maintenance section.

503
504 President Bradley briefly reviewed the two amendments to the main motion, and asked for a vote
505 on the main motion as amended.

506
507 ***Motion carried 4-0.***

508

509 **2. Valdes Lawn Care and Snow Removal, LLC Partial Pay Request #1 – Ramsey County Ditch #4 Project**
510 Drainage & Facilities Manager Schmidt reviewed Partial Pay Request #1 for the RCD-4 repair project
511 and noted that the work has been substantially completed, including the tree removal and seeding
512 in the disturbed areas.

513
514 ***Motion by Manager Wagamon, seconded by Manager Robertson, to approve Valdes Lawn Care***
515 ***and Snow Removal, LLC, partial pay request #1 as submitted and certified by the District Engineer***
516 ***and direct staff to issue a payment in the amount of \$ 88,667.06. Motion carried 4-0.***
517

518 **3. Side-by-Side/UTV Purchase**

519 Drainage & Facilities Manager Schmidt noted that staff had distributed information on this item
520 prior to the meeting and reminded the Board that they had discussed this at a recent workshop
521 meeting. He explained that they were looking for Board action to authorize this purchase and
522 delegate the authority to the District Administrator to sign a purchase agreement. He noted that
523 they did consider the requirements under the municipal contracting law and looked at the State
524 cooperative purchasing venture, but decided that a local purchase was more advantageous to the
525 District, because the dealer for the State contract was located in Fergus Falls and the local dealership
526 had the equipment in stock. He noted that they had also reached out to a second vendor for a
527 quote, but they had not responded.

528
529 ***Motion by Manager Wagamon, seconded by Manager Waller, to authorize the purchase of a new***
530 ***UTV for an amount not to exceed \$30,000.00 and further authorize the District Administrator to***
531 ***sign a purchase agreement for the purchase. Motion carried 4-0.***
532

533 **4. Highway 61 Ponds Project-Engineer Selection**

534 Lake and Stream Manager Kocian stated that there was a handout distributed prior to the meeting
535 that simply filled in a few blanks from the version included in the packet and explained that they
536 were seeking a Board motion to select a Project Engineer for the Highway 61 Ponds project. He
537 stated that the Highway 61 ponds are a District facility near the end of Ramsey-Washington JD -1 in
538 White Bear Township and are just upstream of Bald Eagle Lake. He noted that the ponds were
539 constructed by the District in 2003 for the purpose of providing water quality benefit for Bald Eagle
540 Lake as well as to enhance some of the wetland functions in the area. He explained that
541 maintenance had not been done on these ponds since they were constructed and noted that 20
542 years is the typical life span of these ponds. He stated that recently the District received a
543 Watershed Based Implementation Funding grant from BWSR and the purpose of those funds was
544 for a feasibility study. He explained that as they are looking at doing inspection, maintenance, and
545 possible retrofitting of the ponds, the grant dollars received by BWSR are to look at ways to possibly
546 enhance the ponds so they would function better than they have in the past, in particular, to capture
547 dissolved phosphorus. He stated that there is a monitoring station just downstream of these
548 ponds and the data suggest that dissolved phosphorus is going up and reiterated that the purpose
549 of the project would be to try to find a way to address that issue. He explained that the BWSR
550 grant is for \$40,000 and the District has up to \$20,000 to contribute on top of the grant funding, for
551 a total budget of \$60,000. He stated that the District had used the RFP process to identify a Project

552 Engineer and sent out the RFP to 8 engineering firms and received 6 proposals. He reminded the
553 Board that they had discussed this at the recent workshop meeting and staff shared its judgment
554 that there were 2 firms that had really good proposals and the consensus of the Board following
555 their discussion was to select Barr Engineering for this project.

556
557 ***Motion by Manager Waller, seconded by Manager Bradley, to authorize the RCWD administrator,***
558 ***on advice of counsel, to enter into a professional services agreement for the Hwy 61 Ponds Project***
559 ***with Barr Engineering Company for an amount not to exceed \$53,330.00, and to execute contract***
560 ***amendments that increase the contract amount by no more than 5%. Motion carried 4-0.***

561
562 **5. Ramsey/Hennepin/Anoka County Boundary Change Petition-Submittal to Board of Water and Soil**
563 **Resources**

564 Water Monitoring Technician Nester explained that the District had undertaken a multi-phase
565 investigation and revision of its jurisdictional boundary and now they were ready to take the next
566 step in the process with submittal of the boundary change petition to BWSR. She reviewed the
567 background and the process to get to this point.

568
569 ***Motion by Manager Waller, seconded by Manager Wagamon, to adopt Resolution 2024-07***
570 ***Requesting Change Of Boundary With Capitol Region Watershed District, the Mississippi***
571 ***Watershed Management Organization, the Ramsey-Washington Metro Watershed District, and***
572 ***the Vadnais Lake Area Water Management Organization, and to authorize staff to make further***
573 ***non-substantive changes to the petition as necessary and on advice of counsel.***

574
575 **THEREFORE BE IT RESOLVED** the Board of Managers of the Rice Creek Watershed District directs
576 its staff to submit a petition to the Minnesota Board of Water and Soil Resources, pursuant to
577 Minnesota Statutes §103B.215, to amend the District’s legal boundary.

578 **ROLL CALL:**
579 ***Manager Bradley – Aye***
580 ***Manager Robertson – Aye***
581 ***Manager Wagamon – Aye***
582 ***Manager Waller – Aye***
583 ***Manager Weinandt – Absent***
584 ***Motion carried 4-0.***

585
586 **6. Check Register Dated October 9, 2024, in the Amount of \$217,974.39 Prepared by Redpath and**
587 **Company**

588
589 ***Motion by Manager Bradley, seconded by Manager Waller, to approve check register dated***
590 ***October 9, 2024, in the Amount of \$217,974.39 prepared by Redpath and Company. Motion***
591 ***carried 4-0.***

592
593 **ITEMS FOR DISCUSSION AND INFORMATION**

594 **1. District Engineer Updates and Timeline**
595

596 **2. Staff Reports**

597

598 **3. October Calendar**

599

600 **4. Administrator Updates**

601 District Administrator Tomczik stated that the bi-annual professional services solicitation was not
602 fully considered at the workshop, consensus at the workshop to bring item to the October 23rd
603 meeting. He asked the Board to retain the non-public materials for discussion and action at the
604 October 23, 2024 meeting.

605

606 **5. Manager Updates**

607 Manager Waller stated that there was not a Washington County Consortium meeting this month
608 and noted the Minnesota Watersheds update would be happening in person later in the month.

609

610 Manager Robertson stated that she had attended the CAC meeting and thanked Manager Wagamon
611 for his willingness to also be there because she arrived a bit late. She stated that the grant
612 application that had been approved during tonight's meeting by the Board was the principal item of
613 discussion at the CAC.

614

615 President Bradley noted that he planned to participate in a Minnesota Watersheds committee
616 meeting on bylaws and rules next week. He stated that the Bald Eagle celebration of the delisting
617 of Bald Eagle Lake will take place October 17, 2024 at 7:00 p.m. at the Boatworks meeting room.

618

619 **ADJOURNMENT**

620 ***Motion by Manager Robertson, seconded by Manager Wagamon, to adjourn the meeting. Motion***
621 ***carried 4-0, and the meeting adjourned at 10:16 a.m.***

622