

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

January 8, 2025, RPBCWD Board of Managers Regular Monthly Meeting

PRESENT:

Managers: Jill Crafton, Outgoing Treasurer; incoming Secretary
Tom Duevel, Outgoing Secretary; incoming Treasurer
Bonnie Nelson, incoming Vice President
Dorothy Pedersen, President
David Ziegler, Outgoing Vice President

Staff: Liz Forbes, Communication Manager
Terry Jeffery, District Administrator
Josh Maxwell*, Water Resources & Fisheries Manager
Dylan Monahan, Office Administrator
Mat Niklay, Regulatory Program Coordinator
Alaina Portoghese, GIS Communications Specialist
Louis Smith*, Attorney, Smith Partners
Scott Sobiech, Barr Engineering Company
Rachel Whittington, Natural Resources Technician

Other Attendees: Larry Koch*
Marilyn Torkelson*, CAC
**Attended the meeting virtually.*

1. Call to Order of Board of Managers Regular Monthly Meeting

1 President Pedersen called to order the Wednesday, January 8, 2025, Board of Managers
2 Regular Meeting at 7:00 p.m. at the District Office, 18681 Lake Drive East, Chanhassen,
3 Hennepin County, Minnesota.

2. Approval of Agenda

4 Manager Ziegler moved to approve the agenda with a change to pull items 6V – Approve
5 from Rules B and J for Permit 2024-078 Avienda Regional Stormwater Management - and
6 6VI – Approve Permit 2024-078- from the Consent Agenda. Administrator Jeffery
7 requested moving item 7d – Adopt Resolution 25-009 Authorizing the President to sign the
8 Cooperative Agreement with City of Chanhassen for the Upper Riley Creek Restoration
9 Project - off tonight’s agenda and adding it to the February Board of Managers meeting

10 agenda. Manager Crafton seconded the motion. The motion carried with no managers
11 opposing.

3. Matters of General Public Interest

12 President Pedersen opened the floor for comments on matters of general public interest.

13 Larry Koch of 471 Bighorn Drive, Chanhassen objected to the District holding this meeting,
14 commented on the list of the District's proposed official publications, and asked if the entire
15 District area is covered by a newspaper. He commented he did not see details on the
16 expenditures for each of the watersheds. Mr. Koch asked if there is a plan to deal with Lake
17 Lucy violations and other violations listed on the violations report. He asked if the District
18 charges fees for data. Mr. Koch asked if there is a plan to deal with the Lake Ann lime
19 issues. He commented regarding St. Hubert, it is not clear what St. Hubert has and has not
20 paid. Mr. Koch commented St. Hubert should pay what they agreed to pay.

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4. Reading and Approval of Meeting Minutes

22 a. **Approve Minutes of the December 11, 2024, RPBCWD Board of Managers**
23 **Workshop.**

24 Manager Ziegler moved to approve the minutes of the December 11, 2024, RPBCWD
25 Board of Managers Workshop as drafted. Manager Duevel seconded the motion. The
26 motion carried with no managers opposing.

27 b. **Approve Minutes of the December 11, 2024, Board of Managers Regular**
28 **Meeting.**

29 Manager Ziegler moved to approve the minutes of the December 11, 2024, RPBCWD
30 Board of Managers Regular Meeting as drafted. Manager Duevel seconded the motion.
31 The motion carried with no managers opposing.

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5. Reports

33 a. **Adopt Resolution 2025-001 Receiving Committee Reports:**

34 • **Receive Citizen Advisory Committee Report and Minutes**

35 Marilynn Torkelson provided the Citizen Advisory Committee report and said the
36 next CAC meeting is January 27th.

37 • **Receive December Administrator Report**

38 • **Receive December Staff Report**

39 • **Receive December Engineer's Report**

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- **Receive December Regulatory Report**

Manager Ziegler moved to adopt Resolution 2025-001 Receiving Committee Reports. Manager Crafton seconded the motion. The motion carried with no managers opposing.

- b. **Confirm Board Representative for January 27, 2025, Meeting of the CAC.**

Manager Duevel volunteered to be the Board representative for the January 27th CAC meeting.

6. Consent Agenda

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- a. **Adopt Resolution 25-002 to Approve the Following Items by Consent:**

- **Adopt Resolution 25-003 Naming Official Newspapers for Publication of RPBCWD Notices.**
- **Adopt Resolution 25-004 Naming US Bank and the 4M Fund as the Official Depository for RPBCWD Funds and Investments.**
- **Adopt Resolution 24-005 Designating Depositories for Permit Assurance Bonds and Letters of Credit.**
- **Adopt Resolution 25-006 Appointing Members to the Technical Advisory Committee.**
- **Approve Payment Application #2 to Peterson Companies for the Lake Susan Park Pond Reuse Retrofit in the Amount of \$27,030.11.**
- **Approve Permit 2023-066 6607 Horseshoe Curve as Presented in the Recommended Board Action Section of the Permit Review Report.**

Manager Ziegler moved to adopt Resolution 25-002 to Approve the Consent Agenda as amended. Manager Duevel seconded the motion. The motion carried with no managers opposing.

7. New Business

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- a. **Items Removed from Consent Agenda**

- i. **Approve Variance from Rules B and J for Permit 2024-078 Avienda Regional Stormwater Management as Presented in the Potential Board Variance Action Section of the Permit Review Report.**

71 Manager Ziegler moved to approve variances from Rules B and J for Permit
 72 2024-078 Avienda Regional Stormwater Management as presented in the
 73 potential Board variance action section of the permit review report. Manager
 74 Duevel seconded the motion. The motion carried with no managers opposing.

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76 **ii. Approve Permit 2024-078 Avienda Regional Stormwater**
 77 **Management as Presented in the Recommended Board Action Section**
 78 **of the Permit Review Report.**

79 Manager Ziegler moved to approve Permit 2024-078 Avienda Regional
 80 Stormwater Management as presented in the recommended Board Action section
 81 of the permit review report. Manager Duevel seconded the motion. The motion
 82 carried with no managers opposing.

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84 **b. Adopt Resolution 25-007 Accepting the December Treasurer’s Report and**
 85 **Approving Payment of the Bills.**

86 Manager Duevel moved to adopt Resolution 25-007 Accepting the December Treasurer’s
 87 Report and Approving Payment of the Bills. Manager Crafton seconded the motion. The
 88 motion carried with no managers objecting.

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90 **c. Adopt Resolution 25-008 Authorizing the Administrator to Prepare and**
 91 **Distribute an RFQ for Professional Services for 2026 & 2027.**

92 Manager Ziegler moved to adopt Resolution 25-008 Authorizing the Administrator to
 93 Prepare and Distribute an RFQ for Professional Services for 2026 & 2027. Manager
 94 Duevel seconded the motion. The motion carried with no managers objecting.

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96 **e. Adopt Resolution 25-010 Electing President, Vice President, Treasurer, and**
 97 **Secretary**

98 Manager Ziegler moved to adopt Resolution 25-010 electing the slate of officers
 99 as follows: Dorothy Pedersen as Board President, Bonnie Nelson as Vice
 100 President, Tom Duevel as Treasurer, and Jill Crafton as Secretary. Manager
 101 Duevel seconded the motion. By roll call vote, motion carried 5-0 as follows:

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<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes

Nelson	Yes
Pedersen	Yes
Ziegler	Yes

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f. Adopt Resolution 25-011 Appointing Managers to Standing Committees: Personnel, Governance, and Audit & Finance.

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Manager Ziegler moved to adopt Resolution 25-011 Appointing Managers to Standing Committees as follows: Jill Crafton and Tom Duevel to the Audit & Finance Committee; Bonnie Nelson and David Ziegler to the Governance Committee; and Dorothy Pedersen and Jill Crafton to the Personnel Committee. Manager Duevel seconded the motion. By roll call vote, the motion carried 5-0 as follows:

<i>Manager</i>	<i>Action</i>
Crafton	Yes
Duevel	Yes
Nelson	Yes
Pedersen	Yes
Ziegler	Yes

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8. Discussion Items

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a. Artist Review and Selection Process for North Lotus Lake

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Administrator Jeffery reported the District released an RFQ for artists to work with the design team as part of the North Lotus Lake project. He said seven candidates responded and staff reviewed and evaluated the qualifications. Administrator Jeffery said at the Board's February workshop the Board will review the RFQs and scoring matrix and staff will provide a recommendation. He recommended a Design Selection Committee be set up, comprising a Board member, CAC member, and staff member among other representatives. Manager Nelson said she is interested in being on the Design Selection Committee.

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b. Update LAK v. RPBCWD and Terrance Jeffery (the Board may go into closed session)

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Manager Duevel moved to go into closed session to receive confidential legal advice regarding litigation strategy in two pending lawsuits, including Larry Koch versus

126 Terrance Jeffery regarding the Spring Road conservation project, and Larry Koch versus
127 Hennepin County, Carver County, RPBCWD, et al regarding the appointments case.
128 Manager Crafton seconded the motion. The motion carried with no managers objecting.

129 The Board moved into closed session at 7:54 p.m.

130 The Board reconvened the public meeting at 8:18 p.m.

131 **c. Update LAK v. Hennepin County, Carver County, RPBCWD, et al (the**
132 **Board may go into closed session)**

133 [See item 8b.]

9. Manager and Counsel Reports

134 Manager Ziegler said he would like to go to the Minnesota Waters Legislative Days
135 February 19 and 20, with authorization for per diems and having mileage covered.
136 Administrator Jeffery said any manager can attend and to let him know if they are planning
137 to attend.

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10. Upcoming Board Topics

139 **a. Board of Managers Workshop, January 10, 2025, Noon – 3 p.m.**

140 **b. Board of Managers Workshop, January 15, 2025, Noon – 3 p.m.**

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11. Upcoming Events

142 **a. February 19-20, 2025 – MNWa Legislative Event**

143 **b. June 24-26, 2025 – MNWa Summer Tour in Roseau Conference (6:30 p.m.)**

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12. Adjourn

145 Manager Crafton moved to adjourn the meeting. Manager Ziegler seconded the motion.
146 The motion carried with no managers objecting. The meeting adjourned at 8:25 p.m.

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Respectfully submitted,

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Jill Crafton, Secretary