



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

AGENDA

Thursday, August 18, 2022

6:00 PM

Council Chambers
Prior Lake City Hall

BOARD OF MANAGERS:

**Bruce Loney, President; Frank Boyles, Vice President;
Christian Morkeberg, Treasurer; Ben Burnett, Secretary; Matt Tofanelli, Manager**

Note: Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

Board Workshop 4:00 PM – Parkview Conference Room

- CAC 2023 Budget Request (Christopher Crowhurst, CAC Chair)
- Refined 2023 Draft Budget (Joni Giese)
- Employee Benefits Policy (Joni Giese)
- Farmer-led Council (Elizabeth Froden/Bruce Loney)
- Grant Planning (Joni Giese)
- Watershed Management Study – Status Update (Joni Giese)
- District Staffing update (Joni Giese)
- 1W1P Update (Bruce Loney)
- Liaison Updates

6:00 – 6:02 PM 1.0 **BOARD MEETING CALL TO ORDER & PLEDGE OF ALLEGIANCE**

6:02 – 6:07 PM 2.0 **PUBLIC COMMENT**

If anyone wishes to address the Board of Managers on an item not on the agenda or on the consent agenda, please come forward at this time. Go up to the podium, turn on the microphone and state your name and address. (The Chair may limit your time for commenting.)

6:07 – 6:10 PM 3.0 **APPROVAL OF AGENDA** (Additions/Corrections/Deletions)

6:10 – 6:30 PM 4.0 **OTHER OLD/NEW BUSINESS**

- 4.1 Programs & Projects Update (Discussion)
- 4.2 Interns Presentation (Discussion)
- 4.3 PLSLWD Employees Benefits Policy (Vote)

6:30 – 6:40 PM 5.0 **TREASURER'S REPORT**

- 5.1 Monthly Financial Reports (Discussion Only)
 - Financial Report
 - Treasurers Report
 - Cash Flow Projections

6:40 – 6:45 PM 6.0 CONSENT AGENDA

The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of the Board member, staff member, or a member of the audience. Please state which item or items you wish to remove for separate discussion.

6.1 Meeting Minutes – June 30, 2022, Joint Board of Managers and CAC Meeting

6.2 Meeting Minutes – July 12, 2022, Board Workshop

6.3 Meeting Minutes – July 12, 2022, Board Meeting

6.4 Meeting Minutes – July 18, 2022, Special Board Workshop

6.5 Claims List & Visa Expenditures Summary

6.6 Metropolitan Council Amended & Restated Drainage and Flowage PLOC Easement

6.7 Amazed Acres Conservation Easement

6.8 Keyland Development LLC Conservation Easement

6:45 – 6:50 PM 7.0 UPCOMING MEETING/EVENT SCHEDULE:

- Board of Managers Workshop, Tuesday, September 13, 2022, 4:00 pm (Prior Lake City Hall – Parkview Conference Room)
- Board of Managers Meeting, Tuesday, September 13, 2022, 6:00 pm (Prior Lake City Hall – Council Chambers)
- PLOC Cooperators Quarterly Meeting, Thursday, September 15, 2022, 12:00 – 1:30 pm (Prior Lake City Hall – Parkview Conference Room)
- CAC Meeting, Thursday, September 29, 2022, 6:00 – 8:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)

6:50 – 6:55 PM 8.0 ADJOURNMENT



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

AUGUST 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Sutton Lake Outlet and Lake Management Plan <i>Project Lead: Joni</i>	Lake Management Plan <ul style="list-style-type: none"> Held meeting with the DNR Sutton Lake Outlet <ul style="list-style-type: none"> Discussions with DNR on grant closeout. 	Lake Management Plan <ul style="list-style-type: none"> Determine next steps in plan development based on DNR feedback. Sutton Lake Outlet <ul style="list-style-type: none"> Close out DNR grant.
Carp Management <i>Rough Fish Management (Class 611)</i> <i>Carp Management Project (Class 750 & 751)</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Tracking: Tracked radio tagged carp in Spring and Upper Prior Lakes. Continued downloading data and uninstalling PIT stations. Low water levels have limited migration routes where PIT stations are located. Installing PIT station at Spring Lake for in-lake bait consumption tracking. Removals: Worked with WSB to build and implement baited hoop net traps. These traps are common outside of MN but needed extended review and permit amending by MNDNR to allow approval of the novel technique in our waterbodies. Nets will be set on 8/16. Other: Writing application for Clean Water Fund grant. Grant proposal focuses on innovative management to meet biomass thresholds in UPL and reduce internal phosphorus loading in both SL and UPL. 	<ul style="list-style-type: none"> Continue to track the tagged carp Begin annual CPUE surveys to expand on population estimate. Implant seven new radio-tag transmitters in both Spring and Upper Prior Lakes. Remove fish in open water as permit allows. Radio tagged carp are still trapped in the desilt pond up CD13. Use similar strategy to remove additional carp using block net. Box or hoop netting in Spring or Upper Prior Lakes Look into topics for next Metro Carp Management Group (MCMG) meeting. Submit application for Clean Water Fund grant
Ferric Chloride System Operations <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Completed MPCA required weekly water quality sampling when flowing Submitted quarter 2 MPCA DMR report. 	<ul style="list-style-type: none"> Complete 2021 FeCl load and efficiency calculations. Review FeCl site easements.
Farmer-Led Council <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Held quarterly farmer-led Council meeting on August 2, 2022. 	<ul style="list-style-type: none"> Plan for next quarterly meeting tentatively scheduled for December 2022.
Cost Share Incentives <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> No new activity 	<ul style="list-style-type: none"> Review cost share applications with Scott SWCD as needed.

AUGUST 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<i>Fish Lake Shoreline & Prairie Restoration Project</i> <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> Received reimbursement for CPL grant. Sent project handoff request to Spring Lake Township. 	<ul style="list-style-type: none"> Work with Spring Lake Township and MNL to ensure project satisfaction
<i>Upper Watershed Projects</i> <i>Buck Wetland, Sutton IESF, Swamp IESF, Buck Chemical Treatment, Ditch 13 Chemical Treatment, Spring Lake West IESF</i> <i>Project Lead: Joni</i>	<p>Buck Wetland</p> <ul style="list-style-type: none"> Buck wetland soil samples collected by EOR. Completed semi annual BWSR reporting <p>Spring Lake West IESF/Wetland</p> <ul style="list-style-type: none"> Completed BWSR grant reconciliation. <p>Sutton Lake IESF</p> <ul style="list-style-type: none"> Completed semi annual BWSR reporting <p>All UW Projects</p> <ul style="list-style-type: none"> Researched real estate service options Updated project priorities/approach for 2023 	<p>Buck Wetland</p> <ul style="list-style-type: none"> Work with EOR to develop treatment and/or storage options based on soil sample results. Schedule second landowner meeting. <p>County Ditch 13/Swamp IESF</p> <ul style="list-style-type: none"> Contingent on budget discussions, request approval from FY2022 – 2023 WBIF grant conveners to switch project from Ditch 13 Chemical Treatment to Swamp Lake IESF. <p>All UW Projects</p> <ul style="list-style-type: none"> Continue to research and evaluate real estate service options
<i>Website and Media</i> <i>Project Lead: Elizabeth</i>	<ul style="list-style-type: none"> Articles posted: Illicit Discharge article submitted to Scott County Scene Website articles: none Social Media – posted on all social channels about: SLA plant seminar, Sutton Lake and Arctic Lake for lake appreciation month, and Starry Trek 	<ul style="list-style-type: none"> Continue writing posts and updates about projects on the website Continue updating Facebook, and Instagram about projects & news Submit lake level article to Prior Lake American
<i>Citizen Advisory Committee</i> <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Troy Kuphal from SWCD gave an informative presentation on the overview of their political subdivision. The CAC approved to advance two funding requests to the Board of Managers for consideration: water storage feasibility studies, and funding for a water storage intern. 	<ul style="list-style-type: none"> No August CAC meeting – unable to make quorum (several out). Need more CAC members! Still pushing to recruit and spread the word. Prior Lake Farmer's Market set for August 27 – three CAC members said they could assist. Future CAC educational seminars: City of Prior Lake Water Resources Engineer in October. Due to August meeting cancellation, Mn DNR will be postponed to a later date.

AUGUST 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Education Program <i>Project Lead: Joni and Elizabeth</i>	<ul style="list-style-type: none"> Fishing clinic event on 7/15 with City of Prior Lake. District ran booth on aquatic plants and AIS – 54 kids attended Mid-Year check-in with SCWEP partners on 7/20 to plan for 2023 Co-hosted aquatic plant seminar with Spring Lake Association on 8/4. Steve McComas presented to 25 in-person attendees and 57 via live stream (82 total) See Website and Media comments. 	<ul style="list-style-type: none"> Stormwater Stenciling event rescheduled to Saturday, September 17, 2022. Notice posted on website and online registration is open. Farmer's Market (see CAC comments).
Monitoring Program <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Completed KISTERS contracting and began training. Training includes building database and migrating historic dataset. Fixed issue with website graph on LPL. No Bi-weekly stream water quality monitoring occurred due to low or now water. CAMP Lake sampling. No Bi-weekly flow monitoring. 	<ul style="list-style-type: none"> Continue WISKI database training and historic data migration. Work on solution to connect telemetry loggers, WISKI database, and website.
Aquatic Vegetation Management and Surveys <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Received 2022 DNR AIS Grant reimbursement. Submitted for CLP treatment reimbursement through Scott County for Spring and Lower Prior Lakes. Coordinating Summer point intercept surveys. Biobase and bathymetry mapped Lower Prior Lake, Spring Lake, Arctic Lake, Crystal Lake, Pike Lake, Cates Lake, and Desilt Pond. 	<ul style="list-style-type: none"> Map Biobase and bathymetry lakes as identified in the Long-Term Monitoring Plan including finishing Upper Prior Lake.
AIS <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> Discussed I-LIDS with Spring Lake boat inspectors. Coordinated with Blue Water Science to conduct Zebra Mussel veliger surveys in Spring Lake. 	<ul style="list-style-type: none"> Work with Scott County to complete AIS Rapid Response Plan to share with CAC and managers. Continue monitoring boat inspectors and I-LIDS unit.
Rules Revisions <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Recorded rules at Scott County. Continued to solicit project data to calculate proposed linear project cost cap rates. Working to schedule a meeting with LGU partners regarding proposed linear project cost cap and impact fund. 	<ul style="list-style-type: none"> Hold LGU meeting on proposed rates. Rate negotiation, if needed. Manager approval of agreed upon rates. Renegotiate equivalency agreements with implementing partners.

AUGUST 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
BMPs & Easements <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Amazed Acres DA, Keyland Development DA and Vergus Estates South DA & CE have all recorded with Scott County. Summer interns completed Conservation Easement inspections. 	<ul style="list-style-type: none"> Spring Lake Ridge and Jeffers Pond were placed "on hold" Continue to follow-up with property owners on establishing outstanding Development Agreements and Conservation Easements. Continue to work with landowners to resolve identified easement violation issues on their properties. Old escrows are currently in process of being resolved/collected. Amendments for three easements are currently in process.
Permitting <i>Project Lead: Allison</i>	<ul style="list-style-type: none"> Permit #22.01 construction continues and is nearing completion. Permit #21.02 overlay for our District is complete. Hydromulch and BMPs are in place and Langford Basin is in development. Continue inspections until site vegetation is re-established. Pre-permit correspondence with Scott County Parks regarding Spring Lake Regional Park. Permit #20.01 closed out. 	<ul style="list-style-type: none"> Inspections for #22.01 and #21.02 continue. Continue to follow up with Permittees to close remaining open permits that are in adherence.
Outlet Channel Projects and Administration <i>Project Lead: Joni/Jeff</i>	<ul style="list-style-type: none"> Issued notice to proceed to bank stabilization contractor. Received permit from LMRWD for bank stabilization project. Conduct weekly channel inspections Attended pre-construction meeting for the bank stabilization project. Communicated project scheduling with easement grantees. Worked with CLA to develop estimated cooperator contributions for 2023. Working to schedule TAC meeting. Address vegetation management issues brought up by contractors. 	<ul style="list-style-type: none"> Schedule and hold TAC meeting. Prepare for September 15 Cooperators meeting.

AUGUST 2022 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
General Administration <i>Project Lead: Joni</i>	<ul style="list-style-type: none">• Re-posted Project Manager position announcement.• Watershed Management Study<ul style="list-style-type: none">○ Held wrap-up TAC meeting on August 11• Orientation to and start use of electronic check payment service.• Updated draft benefits policy.• Updated draft 2023 budget	<ul style="list-style-type: none">• Re-post Project Manager position.• Post Permit Coordinator position..• Watershed Management Study<ul style="list-style-type: none">○ Prepare for Steering Committee meeting.• Transfer remaining District funds to 4M Fund once all checks have cleared and ADP services are transferred (estimate in Sept).

PLSLWD Board Staff Report

August 12, 2022

**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT****Subject |** 2022 Interns Presentation**Board Meeting Date |** August 18, 2021**Item: 4.2****Prepared By |** Joni Giese, District Administrator**Attachment |** None**Action |** No motion required. Discussion only.**Background**

Kendra Held and Sydney Jones were the District's 2022 interns. Annually, the District hires two summer interns. The intern program provides additional staff support during the summer months when staff workloads are high. It also provides the interns experience working on water resource projects. Kendra and Sydney primarily supported the District's carp management, lake monitoring, and conservation easement inspection activities.

Discussion

Kendra will make a brief presentation to the Board of Managers highlighting their work and what they learned.

PLSLWD Board Staff Report

August 12, 2022


**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT**

Subject 	PLSLWD Employee Benefits Policy	
Board Meeting Date 	August 18, 2022	Item No: 4.3
Prepared By 	Joni Giese, District Administrator	
Attachments 	a.) Resolutions 22-360: PLSLWD Employee Benefits Policy b.) PLSLWD Benefits Summary c.) PLSLWD Health Insurance Premiums: Employee Contribution Analysis	
Proposed Action 	A motion to approve Resolution 22-360: PLSLWD Employee Benefits Policy	

Background

PLSLWD retained Gallagher Consulting to perform a total compensation study in 2020 – 2021, which assessed and made recommendations regarding the District's salary structure for job descriptions in place at the time, based on a sample of local watershed management organizations and national standards. The Gallagher study also provided a summary of benefits provided by local watershed management organizations. The consultant did not provide a recommendation regarding benefits given the highly variable nature of benefits provided by surveyed entities.

In November 2021, as part of the health insurance renewal process, several managers recommended that employees contribute a higher percentage of the employee premiums given continued increases in premiums. Given the topic had arisen in previous board discussions, the managers directed the administrator to prepare a benefits policy effective program year 2023, as the managers believed a policy would provide for a consistent approach that would benefit both staff and managers. Several managers suggested employees contribute towards healthcare premiums at 20% for employees and 40% for family coverage phased in over a two-year period.

Discussion

A draft benefits policy was prepared for manager review and comment at the July 12, 2022, board workshop. The board discussed a three-year phase-in for staff health insurance premium contributions at 15% for employee coverage and 35% for family coverage. The managers directed Administrator Giese to prepare an analysis of estimated staff contributions associated with a three-year phase-in period assuming ultimate staff contributions of 15%/35%.

The attached resolution and employee health insurance contribution analysis have been updated to reflect the discussed 15%/35% contribution rate. The resolution and analysis are supplemented with the District's benefit summary for manager reference.

The top section of the PLSLWD Health Insurance Premiums: Employee Contribution Analysis summarizes findings from the Prior Lake-Spring Lake Watershed District Total Compensation Study (May, 2021), prepared by Gallagher. The tables show average employee contributions of health insurance premiums

(based on 5 or 6 survey respondents). This indicates that PLSLWD employee insurance premium contributions are less than the average contribution of survey respondents. It also indicates the District contributes less to employees' HSAs than the average respondent.

The second section of the analysis shows health insurance premium costs that would be transferred from the District to employees for the following employees contribution percentages:

- 10% to employee premiums/30% to family premiums
- 15% to employee premiums/35% to family premiums
- 20% to employee premiums/40% to family premiums

The third section of the analysis provides percentage reductions in employee take home pay resulting from their increased contributions to health insurance premiums.

The final section of the analysis depicts employee health insurance contribution costs phased in over a three-year period for ultimate employee contributions of 15% for employees and 35% for families. It should be noted the analyses are based on 2022 health insurance costs for current employees receiving health care coverage through the District. The analysis does not factor in expected premium increases for 2023 and beyond.

Recommendation

District staff is requesting that the Board of Managers approve Resolution 22-360: PLSLWD Staff Contributions to Health Insurance Premiums Policy.



Resolution 22-360

Resolution Adopting the PLSLWD Benefits Policy

WHEREAS, the mission of the Prior Lake-Spring Lake Watershed District (PLSLWD) is to manage and preserve the water resources of the Prior Lake-Spring Lake Watershed District to the best of our ability using input from our communities, sound engineering practices, and our ability to efficiently fund beneficial projects which transcend political jurisdictions.

WHEREAS, to achieve its mission, the District recognizes that it is important to attract and retain creative and highly productive staff to implement the District's Water Resources Management Plan and its associated programs and projects.

WHEREAS, staff attraction and retention rates are influenced by numerous factors, such as job satisfaction, a belief system that aligns with the District's mission, pleasant and supportive co-workers and Board of Managers, training opportunities, work-life balance, and job performance recognition and feedback, the primary factors in staff attraction and retention are competitive compensation and benefits.

WHEREAS, PLSLWD retained Gallagher Consulting to perform a total compensation study in 2020 – 2021, which assessed and made recommendations regarding the District's salary structure for job descriptions in place at the time, based on a sample of local watershed management organizations and national standards.

WHEREAS, the Gallagher study also provided a summary of benefits provided by local watershed management organizations, the consultant did not provide a recommendation regarding benefits given the highly variable nature of benefits provided by surveyed entities.

WHEREAS, the District Administrator oversees the administration of the benefits plan; the Board of Managers maintains overarching authority over the benefits plan via adoption of the Personnel Policy Manual and adoption of the annual budget.

WHEREAS, PLSLWD provides a comprehensive benefits package to assist employees in meeting their needs in the following broad categories:

- ***Providing for the healthcare and well-being of staff and their families***
 - Medical Insurance Premiums and HSA contributions
 - Dental Insurance
 - Paid Time Off
 - Paid Holidays
- ***Building savings to address retirement needs***
 - Public Employee Retirement Association (PERA) contributions
 - Health Care Savings Plan

- Minnesota Deferred Compensation Plan (voluntary employee participation)
- Social Security contributions (federal requirement)
- Medicare contributions (federal requirement)
- ***Supplying income sources to cover unforeseen life or health events***
 - Short-term and Long-Term Disability Insurance
 - Life Insurance
 - Workers Compensation Insurance (state requirement)

WHEREAS, health insurance costs continue to increase at a pace that exceeds inflation.

THEREFORE, BE IT RESOLVED to better share the cost burden of health insurance premium costs and to better align staff health insurance premium contributions with other watershed management organizations, the Board of Managers will increase staff contributions from 0% to 15% for employee coverage and from 25% to 35% for family coverage. This rate increase will take place incrementally over a three-year period.

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Boyles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Morkeberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tofanelli	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the chair declared the resolution adopted.

It is hereby certified that the Board of the Prior Lake-Spring Lake Watershed District adopted this Resolution at a duly convened meeting of the Board held on the 18th day of August 2022, and that such Resolution is in full force and effect on this date, and that such Resolution has not been modified, amended, or rescinded since its adoption.

Dated: August 18, 2022

Ben Burnett, Secretary

PLSLWD Total Compensation Study Findings

Health Insurance Premiums

Average Employee Contribution Percentage			
	All Policy Types (6 orgs)	High Deductible (5 orgs)	PLSLWD
Employee	15%	22%	0%
Family	39%	44%	25%

HSA Contribution

Average Employer Contribution		
	5 organizations	PLSLWD
Employee	\$ 1,696	\$ 1,500
Family	\$ 2,952	\$ 3,000

Dental Insurance Premiums

Average Employee Contribution Percentage		
	5 organizations	PLSLWD
Employee	27%	0%
Family	48%	50%

Health Insurance Premium Cost Transfer Percentage Options*

	Current (2022) 0% / 25%	Employee Premium Cost Transfer to Staff					
		10% (employee) / 30% (family)		15% / 35%		20% / 40%	
		Staff Increase	Total	Staff Increase	Total	Staff Increase	Total
District	\$ 52,284.48		\$ 47,808.60		\$ 44,877.36		\$ 41,945.88
Employee (4)	\$ -	\$ 3,089.28	\$ 3,089.28	\$ 4,633.92	\$ 4,633.92	\$ 6,178.56	\$ 6,178.56
Family (2)	\$ 7,524.96	\$ 1,386.60	\$ 8,911.56	\$ 2,773.20	\$ 10,298.16	\$ 4,160.04	\$ 11,685.00
Total	\$ 59,809.44	\$ 4,475.88	\$ 59,809.44	\$ 7,407.12	\$ 59,809.44	\$ 10,338.60	\$ 59,809.44

* Current employee health insurance coverage (Family coverage - 2 employees, Employee only coverage - 2, Declined coverage - 2)

Take Home Salary & Benefits Impacts**

	10% / 30%	15% / 35%	20% / 40%
Reduction of Staff Take Home Pay (as a % of Total Salary)	1.1 - 2.2%	1.6 - 3.8%	2.2 - 5.4%

** Lower percentages associated with employee-only coverage. Higher percentages associated with employee + family coverage.

Health Insurance Premium Cost Transition Analysis (15% employee / 35% Family)⁽¹⁾⁽²⁾

	Current (2022) 0% / 25%	Estimated 3-Year Transition of Costs to Employees					
		Yr 1: 5% (employee)/28.3% (fam)		Year 2: 10% / 31.6%		Year 3: 15% / 35%	
		Staff Increase	Total	Staff Increase	Total	Staff Increase	Total
District	\$ 52,284.48		\$ 49,840.13		\$ 47,321.71		\$ 44,877.36
Employee (4)	\$ -	\$ 1,529.19	\$ 1,529.19	\$ 3,104.73	\$ 3,104.73	\$ 4,633.92	\$ 4,633.92
Family (2)	\$ 7,524.96	\$ 915.16	\$ 8,440.12	\$ 1,858.04	\$ 9,383.00	\$ 2,773.20	\$ 10,298.16
Total	\$ 59,809.44	\$ 2,444.35	\$ 59,809.44	\$ 4,962.77	\$ 59,809.44	\$ 7,407.12	\$ 59,809.44

(1) Current employee health insurance coverage (Family coverage - 2 employees, Employee only coverage - 2, Declined coverage - 2)

(2) Estimated transition contributions do not include estimated increases in premium costs



BENEFITS SUMMARY

Medical & Dental Insurance - Health Partners

Small group policy with age variable premiums, \$2,400 deductible

	Total Monthly Premiums	Employee Cost (Employee contributions may increase for 2023 – Contribution % TBD)	District Cost
Employee: Medical	\$408 - \$992	\$0	\$407 - \$992
Family: Medical	per dependent; age variable	25%	75%
Employee: Dental	\$45.86	\$0	\$45.86
Employee + 1: Dental	\$87.11	50%	50%
Family: Dental	\$103.16	50%	50%

Health Savings Account

PLSLWD contributes \$1,500 annually to a Health Savings Account for Single status employee. Pro-rated for Family coverage.

Health Care Savings Plan

The Health Care Savings Plan (HCSP) is an employer sponsored program administered by the Minnesota Retirement System. The HCSP is an individual tax-free account that allows Minnesota public employees to invest money in a medical savings account while employed. All employees must participate in the plan adopted by their employer.

Employees shall contribute an ongoing percent of pay as described below:

- Employees with less than 3 years of service shall contribute 0% of pay.
- Employees with more than 3 years of service and less than 5 years of service shall contribute .5% of pay.
- Employees with 5 or more years of service shall contribute 1 % of pay.

Employees who are eligible for the Minnesota State Retirement System shall contribute 50% of their remaining Paid Time Off (PTO) upon termination of employment.

Upon an employee's death, contributions can no longer be made to the Health Care Savings Plan.

PERA (Public Employee Retirement Association)

Recognizing the need for a retirement program for employees of county and local governments, the Minnesota Legislature created the Public Employees Retirement Association (PERA) in 1931. Today, the PERA Coordinated Plan provides PERA pension benefits in addition to those supplied by Social Security to nearly 150,000 public employees actively working as Coordinated Plan members, along with 90,000 retirees.

ELIGIBILITY

Membership in PERA is automatic for non-elected public employees who meet minimum salary and position eligibility requirements set by Minnesota statute. Membership is optional for qualifying non-governing elected officials. Elected governing body officials (Ex: city council members, county commissioners) whose first term in office begins after June 30, 2002, may not participate in the Coordinated Plan. They may, however, participate in PERA's Defined Contribution Plan.

CONTRIBUTIONS

Employees and PLSLWD both contribute to PERA on employee's behalf. Employees currently contribute 6.5 percent of their gross salary. PLSLWD contributes 7.5 percent of that same salary.

Minnesota Deferred Compensation Plan

The Minnesota Deferred Compensation Plan (MNDGP) is a voluntary personal savings plan offered by PLSLWD. It is a voluntary way to supplement any post-employment income employees will receive from their pension and social security benefits.

Short Term & Long-Term Disability - Reliance Standard**DISTRICT PAID BENEFIT**

CONTRIBUTIONS: Employee: 0%

Additional information available upon request.

Cell Phone Reimbursement

PLSLWD reimburses staff \$20 each bi-weekly pay period (~\$43.33 per month) for personal cell phone usage for District business.

Holidays

Full-time employees and those working a minimum of 20 hours a week are eligible for holiday pay immediately upon employment. The 11 holidays that may be observed each year are: New Year's Day, Martin Luther King's Birthday, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day & Day after Thanksgiving, Christmas Eve Day & Christmas Day.

Paid Time Off

Employees accrue paid time off each pay period, based on the following schedule:

YEARS OF SERVICE	HOURS EARNED PER PAY PERIOD	HOURS EARNED PER YEAR	MAXIMUM HOURS ALLOWED TO CARRY FORWARD
0 -3	6	156	312
4-9	8	208	312
10-14	9	234	312
15-19	10	260	312
20+	11	286	312

PTO is accrued on a per-pay period basis and may be used following the pay period in which it was earned. Accrued paid time off will be carried forward into the next calendar year, subject to the maximum stated above. Hours over 312 at the beginning of the following year will be lost.

Employees will be eligible to use PTO at the beginning of the month following completion of six months of employment. In the case of a new employee who experiences a significant need during the first six months of employment, PTO may be advanced from the account.

Life Insurance: NCPERS Group Life Insurance

DISTRICT PAID BENEFIT

CONTRIBUTIONS: Employee: 0%

Schedule of Benefits – \$16 Monthly Contribution (Covers You, Your Spouse or Domestic Partner, and Your Children)					
MEMBER				DEPENDENT	
Member's Age at Time of Claim	Group Term Life	Group Accidental Death & Dismemberment	Total Benefit For Accidental Death	Group Term Life Spouse/Domestic Partner	Child(ren)*
Less than 25	\$225,000	\$100,000	\$325,000	\$20,000	\$4,000
25 – 29	\$170,000	\$100,000	\$270,000	\$20,000	\$4,000
30 – 39	\$100,000	\$100,000	\$200,000	\$20,000	\$4,000
40 – 44	\$65,000	\$100,000	\$165,000	\$18,000	\$4,000
45 – 49	\$40,000	\$100,000	\$140,000	\$15,000	\$4,000
50 – 54	\$30,000	\$100,000	\$130,000	\$10,000	\$4,000
55 – 59	\$18,000	\$100,000	\$118,000	\$7,000	\$4,000
60 – 64	\$12,000	\$100,000	\$112,000	\$5,000	\$4,000
65 and over	\$7,500	\$7,500	\$15,000	\$4,000	\$4,000

Monthly cost effective 6/1/2002.

Payment Examples:

1. If an insured member age 38 dies of natural causes, the beneficiary would receive \$100,000. If death is due to a covered accident, \$200,000 would be payable.
2. If the spouse or domestic partner of a 42-year-old member dies, the member would receive \$18,000.
3. If a dependent child less than age 26 dies, the payment to the member would be \$4,000.

*Unmarried children up to age 26 are covered, including adopted children, stepchildren, and foster children who depend on you for support. Dependents in military service are not eligible.

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT
Financial Report - Cash Basis
January 1, 2022 Through July 31, 2022

Reflects bills paid through July 31, 2022

Program Element		2022 Budget	2022 Actual Results		
			July 2022	YTD	YTD % of Budget
	General Fund (Administration)				
	Revenues				
	Property Taxes	\$ 246,200	-	128,902	52%
	Grants	-	-	-	#DIV/0!
	Interest	-	1,770	1,862	#DIV/0!
	Other	-	-	-	#DIV/0!
	Total Revenues	\$ 246,200	1,770	130,764	53%
	Expenditures				
	Administrative Salaries and Benefits	\$ 133,800	4,881	59,755	45%
	703 · Telephone, Internet & IT Support	20,000	1,078	8,392	42%
	702 - Rent	27,400	2,318	15,399	56%
	706 · Office Supplies	10,000	482	3,951	40%
	709 · Insurance and Bonds	12,800	9,666	13,348	104%
	670 · Accounting	27,000	2,249	14,892	55%
	671 · Audit	7,700	-	8,500	110%
	903 · Fees, Dues, and Subscriptions	1,500	(228)	230	15%
	660 · Legal (not for projects)	6,000	75	985	16%
	General Fund (Administration) Expenditures	\$ 246,200	20,519	125,452	51%
	Net Change in General Fund	-	(18,749)	5,312	

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

2022 Budget

January 1, 2022 Through July 31, 2022

			Reflects bills paid through July 31, 2022		
Program Element		2022 Budget	2022 Actual Results		
			July 2022	YTD	YTD % of Budget
	Implementation Fund				
	Revenues				
	Property Taxes	\$ 1,602,735	-	839,138	52%
	Grants/Fees	105,000	2,664	22,028	21%
	Interest	-	-	377	#DIV/0!
	Sales/Other	-	-	500	#DIV/0!
	Budget Reserves	252,700	-	-	0%
	Total Revenues	\$ 1,960,435	2,664	862,043	44%
	Expenditures				
	Program Salaries and Benefits (not JPA/MOA)	\$ 461,700	33,637	233,101	50%
Water Qual	550 Public Infrastructure Partnership Projects	\$ 6,750	-	-	0%
Water Qual	611 Farmer-led Council	61,000	12,494	17,417	29%
Water Qual	611 Cost-Share Incentives	58,000	4,097	4,597	8%
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	65,000	2,581	4,065	6%
Water Qual	611 Fish Management, Rough Fish Removal	88,000	14,461	33,768	38%
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,050	8	8	1%
Water Qual	611 Alum Internal Loading Reserve	230,000	-	-	0%
Water Qual	611 Alum Internal Loading Project 2022 Costs	20,000	-	-	0%
Water Qual	637 District Monitoring Program	109,000	3,180	11,374	10%
Water Qual	626 Planning and Program Development	20,000	419	6,005	30%
Water Qual	626 Engineering not for programs	15,000	1,023	5,202	35%
Water Qual	626 Debt Issuance Planning	10,000	-	-	0%
Water Qual	648 Permitting and Compliance	27,000	694	19,976	74%
Water Qual	648 Update MOAs with cities & county	10,000	-	-	0%
Water Qual	648 BMP and easement inventory & inspections	12,000	150	495	4%
Water Qual	626 Upper Watershed Blueprint	443,035	1,302	34,482	8%
Water Qual	752 Fish Lake Shoreline Restoration Project Maintenance	-	2,424	3,458	#DIV/0!
Water Qual	611 Fish Stocking	3,000	-	3,505	117%
	WQ TOTAL	\$ 1,178,835	42,831	144,351	12%
Water Storage	550 District-wide Hydraulic & Hydrologic model	\$ 5,000	-	-	0%
Water Storage	550 S&I Sutton Lake Outlet Structure Project	125,400	47	3,296	3%
	WS TOTAL	\$ 130,400	47	3,296	3%
AIS	611 Aquatic Vegetation Mgmt	\$ 7,000	-	3,168	45%
AIS	637 Automated Vegetation Monitoring (BioBase)	5,000	-	99	2%
AIS	637 Aquatic Vegetation Surveys	18,000	5,700	10,300	57%
AIS	637 Boat inspections on Spring, Upper & Lower Prior	30,000	7,118	14,213	47%
	AIS TOTAL	60,000	12,818	27,780	46%
Ed & Out	652 Education and Outreach Program	\$ 10,000	248	248	2%
	E&O TOTAL	\$ 10,000	\$ 248	\$ 248	2%
	PLOC Contribution	\$ 19,500	-	19,148	98%
	Debt Payment Reserve	100,000	-	-	0%
	Total Implementation Fund	\$ 1,960,435	89,581	427,924	22%
	Net Change in Fund Balance Implementation Fund	-	(86,916)	434,119	

	Grant Funds/Fees Anticipated	
Water Qual	611 Farmer-led Council (BWSR Grant)	\$ 10,000
	648 New Easement Acquisition Fees	5,000
Water Qual	648 BMP and easement violations fees	500
	626 Upper Watershed Blueprint (BWSR WBIF Grant)	19,800
	550 S&I Sutton Lake Outlet (DNR Flood Hazard Grant)	62,700
AIS	611 Aquatic Vegetation Mgmt. (Scott County)	7,000
	Total Grant Funds/Fees Anticipated	\$ 105,000

PLSLWD Monthly Treasurers Report

Treasurer: Christian Morkeberg

Account balances as of 7/31/2022

Old National Bank (Checking Account)	\$	896,024
Sterling Bank (Checking Account)	\$	156,438
4M Fund (Checking Account)	\$	1,535,311
Total Uncleared Transactions	\$	(23,162)
SUBTOTAL	\$	2,564,611

RESTRICTED/COMMITTED FUNDS

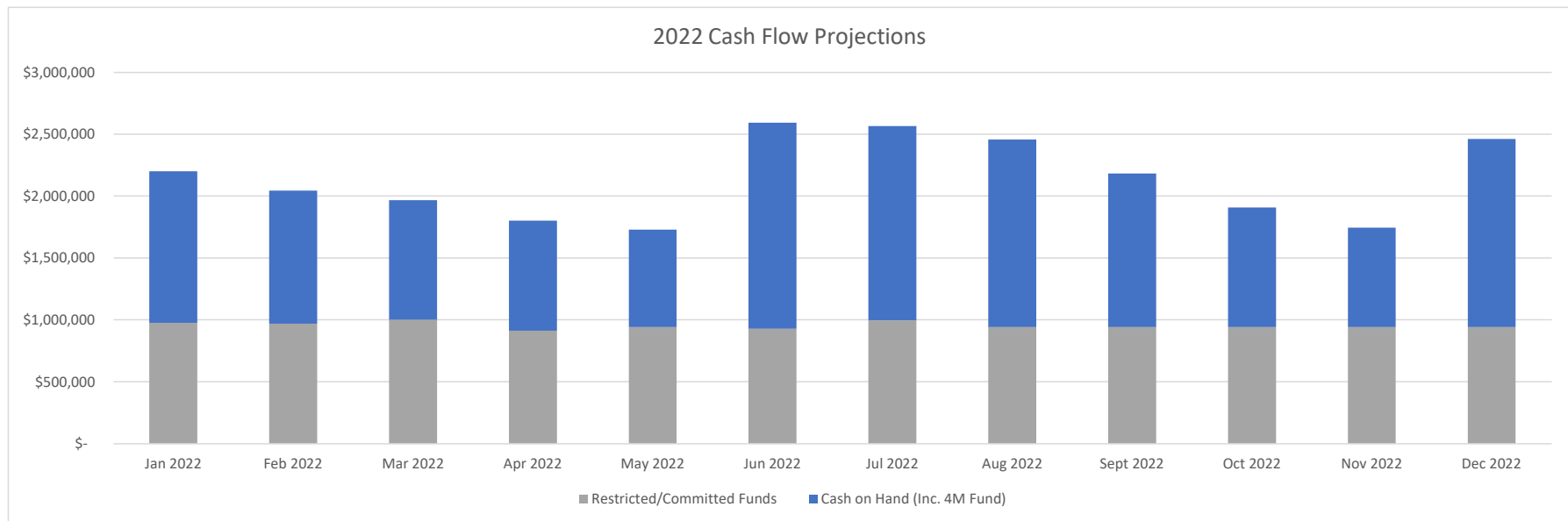
Restricted - Permit Deposits, etc.	\$	135,101
Restricted - PLOC Contingency Reserve (850)	\$	260,076
Restricted - PLOC O&M Funds (830)	\$	180,409
Committed - Alum Internal Loading Reserve	\$	230,000
Committed - Upper Watershed Blueprint Fund Balance	\$	190,000
TOTAL DISTRICT/PLOC RESTRICTED OBLIGATIONS	\$	995,586

Available cash at end of July 2022	\$	1,569,025
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68.2% of 2022 Budget

Cash Flow Chart

Month (End of Month)	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022
Cash on Hand (Inc. 4M Fund)	\$1,223,157	\$1,072,763	\$ 966,996	\$ 887,945	\$ 786,363	\$1,661,896	\$1,569,025	\$1,514,548	\$1,240,297	\$ 965,987	\$ 802,366	\$1,517,231
Restricted/Committed Funds	\$ 977,195	\$ 970,484	\$1,000,461	\$ 912,165	\$ 942,723	\$ 929,501	\$ 995,586	\$ 942,723	\$ 942,723	\$ 942,723	\$ 942,723	\$ 942,723
Total Cash on Hand	\$2,200,352	\$2,043,247	\$1,967,457	\$1,800,110	\$ 1,729,086	\$2,591,397	\$2,564,611	\$2,457,271	\$2,183,020	\$1,908,710	\$1,745,089	\$2,459,954



PLSL Watershed District

Starting cash on hand

Cash Minimum Balance Alert \$ 150,000

	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Total
Cash on hand (beginning of month)	\$ 2,288,043	\$ 2,200,352	\$ 2,043,247	\$ 1,967,457	\$ 1,800,110	\$ 1,729,086	\$ 2,591,397	\$ 2,564,611	\$ 2,457,271	\$ 2,183,020	\$ 1,908,710	\$ 1,745,089	

Cash Receipts

Property Tax Levy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 968,039	\$ -	\$ -	\$ -	\$ -	\$ 750	\$ 868,999	\$ 1,837,788
BWSR WBIF - Lower MN River	-	-	15,830	-	-	-	-	-	-	-	-	4,000	19,830
BWSR BWF Metro Grant	-	-	-	-	-	-	-	18,500	-	-	-	-	18,500
DNR Flood Hazard Mitigation Grant	-	-	-	-	-	-	-	31,350	-	-	-	31,350	62,700
Grants - Other	-	-	-	-	-	-	2,664	7,000	-	-	-	-	9,664
PLOC Contributions	-	-	-	-	69,993	-	28,410	-	-	-	-	-	98,403
Interest Income	6	6	7	10	118	450	1,770	300	240	180	120	300	3,507
Other Receipts	-	-	-	-	500	3,534	24,237	-	-	-	-	-	28,271
Total Cash Receipts	\$ 6	\$ 6	\$ 15,837	\$ 10	\$ 70,611	\$ 972,023	\$ 57,081	\$ 57,150	\$ 240	\$ 180	\$ 870	\$ 904,649	\$ 2,078,663
Total Cash Available	\$ 2,288,049	\$ 2,200,358	\$ 2,059,084	\$ 1,967,467	\$ 1,870,721	\$ 2,701,109	\$ 2,648,478	\$ 2,621,761	\$ 2,457,511	\$ 2,183,200	\$ 1,909,580	\$ 2,649,738	

Cash Paid Out

Salaries and Per Diems	\$ 41,794	\$ 37,100	\$ 55,501	\$ 42,212	\$ 51,016	\$ 39,133	\$ 38,518	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 49,625	\$ 553,399
Office Expense, Audit, Accounting	3,423	5,751	8,095	9,738	19,199	11,743	15,967	9,367	9,367	9,367	9,367	9,367	120,749
PLSLWSD Program Costs	40,586	107,548	16,022	27,111	13,770	40,997	20,957	94,103	94,103	94,103	94,103	94,103	737,506
PLOC Contribution	-	-	-	-	19,148	-	-	-	-	-	-	-	19,148
PLOC Operations	1,894	6,712	12,009	88,296	38,502	17,839	8,425	11,396	121,396	121,396	11,396	36,690	475,950
Debt Service	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal	\$ 87,697	\$ 157,111	\$ 91,627	\$ 167,357	\$ 141,635	\$ 109,712	\$ 83,867	\$ 164,490	\$ 274,490	\$ 274,490	\$ 164,490	\$ 189,784	
Cash on Hand (end of month)	\$ 2,200,352	\$ 2,043,247	\$ 1,967,457	\$ 1,800,110	\$ 1,729,086	\$ 2,591,397	\$ 2,564,611	\$ 2,457,271	\$ 2,183,020	\$ 1,908,710	\$ 1,745,089	\$ 2,459,954	



Joint Board of Managers and CAC Meeting Minutes

Thursday, June 30, 2022

Prior Lake City Hall

6:00 PM

Board Members Present: Bruce Loney (Vice President), Frank Boyles (Secretary), Matt Tofanelli, Ben Burnett, Christian Morkeberg (Treasurer)

CAC Members Present: Christopher Crowhurst (CAC chair), Loren Hanson (Vice Chair), Woody Spitzmueller, Maureen Reeder, David Hagen, Matt Newman, Curtis Witt, Ron Hoffmeyer

Staff Present: Joni Giese (District Administrator), Allison Weyer (Permit Coordinator)

5:50 PM - Prior to meeting:

- CAC Group Photo
- Board of Managers Group Photo

I. Welcome and Approval of Agenda

Board Vice President Loney welcomed meeting attendees and meeting attendees introduced themselves. Administrator Giese made a suggested revision to the agenda where the CAC and Board of Managers break into separate groups at 7:55 PM. Manager Boyles made a motion to approve the agenda as amended. Second by Manager Morkeberg. Motion carried. Five Ayes.

II. Swearing in of Manager Bennett and Manager Tofanelli

Board Vice President Loney administered the oath of office to Managers Bennett and Tofanelli.

III. 2022/2023 Board of Managers Goals and Priorities

Board Vice President Loney shared thoughts covering the role of the CAC. He discussed the content of the 2020 to 2030 Water Resources Management Plan and how it guided the work of the District. He also shared outcomes from the Managers' April 16, 2022, Board retreat where the managers confirmed the District's three primary goals of

- a.) Improving water quality
- b.) Managing and preventing aquatic invasive species
- c.) Reducing flooding.

IV. 2021 CAC Accomplishments

CAC Chair, Christopher Crowhurst, provided an overview of the three CAC Subcommittees comprised of a.) Storage and flooding, b.) Lake life and water quality, and c.) Shoreline restoration. Each committee's objectives for the upcoming year were presented.

V. Open Floor Discussion

- The Board of Managers and CAC discussed the advancement of the identified priority water quality projects in the upper watershed. There was a discussion about increasing interest rates and impacts on project bonding costs, and discussions regarding the timing implications of moving projects forward when they are located on private property.
- CAC Chair Crowhurst expressed a desire for the District to advance flood mitigation projects in addition to water quality projects.
- There was a broad discussion regarding how current land uses, practices, and regulations are impacting lake conditions and water quality. The discussion also focused on CAC investigations into potential practices that could benefit water quality.

VI. Board of Managers and CAC Breakout

- CAC - Allison Weyer presented proposed revisions to the May 25, 2022, meeting minutes. The CAC May 26, 2022, Meeting Minutes were approved as amended. Curtis Witt volunteered to attend the July 12, 2022, Board of Managers meeting.
- Board of Managers – The managers discussed logistics of moving to an electronic vendor payment system.

VII. Adjournment

The meeting was adjourned at 8:00 PM.

Upcoming Meetings:

- Next Board Meeting: Tuesday, July 12, 2022, 6:00 PM
- Next CAC Meeting: Thursday, July 28, 2022, 6:30 PM

Joni Giese, District Administrator, June 30, 2022



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

WORKSHOP MEETING MINUTES

Tuesday, July 12, 2022

Prior Lake City Hall

4:00 PM

Members Present: Bruce Loney, Frank Boyles, Christian Morkeberg, Matt Tofanelli, Ben Burnett

Staff & Consultants Present: Joni Giese, District Administrator
Patty Dronen, Administrative Assistant
Jeff Anderson, Water Resource Coordinator

Others Present: Jim Fitzsimmons, SWCD
Lisa Quinn, Spring Lake Township
Wesley Steffan, Spring Lake Association

The meeting was called to order at 4:00 PM.

Office Appointments

The following office appointments were made:

President - Bruce Loney – Motion was made by Manager Boyles, Second by Manager Burnett

Vice President - Frank Boyles – Motion was made by Manager Loney, Second by Manager Morkeberg

Treasurer - Christian Morkeberg – Motion was made by Manager Loney, Second by Manager Tofanelli

Secretary - Ben Burnett – Motion was made by Manager Loney, Second by Manager Tofanelli
All motions carried. Five Ayes for each motion.

Liaison Appointments

The following liaison appointments were made:

Manager Loney – Scott WMO, PLOC, SMSC, FLC, City of Shakopee

Manager Boyles – SCALE, City of Prior Lake

Manager Morkeberg – Spring Lake Township, Scott SWCD, Sand Creek Township

Manager Tofanelli – CAC

Manager Burnett – Lower MN Watershed District, Scott County

Staff – Monitor City of Prior Lake Citizen Engagement Committee

It was agreed that if an important meeting cannot be attended by the liaison that the liaison should find a fill-in.

Motion to approve the liaison appointments was made by Manager Boyles, Second by Manager Morkeberg. Motion carried. Five Ayes.

Joint Board of Managers and CAC Meeting Debrief

Manager Loney and Administrator Giese reported on joint Board of Managers and CAC meeting that was held on Thursday, June 30, 2022. A CAC representative stated their belief that there has been a lack of follow up on flooding by the District. Manager Tofanelli stated that the District's budget reflects managers' priorities. It was recommended that District staff meet with the District engineer to assess previous studies and bring forward recommendations regarding priorities for future projects. Manager Boyles stated it is good to have some tension in these conversations in order to keep priorities in the fore-front and some pressure for action. Manager Morkeberg stated the District has not moved as quickly as desired on some projects given changes in manager composition and staffing challenges. While this is shouldn't be an excuse, it is the reality of the situation.

Draft Vegetation Policy

Jeff Anderson presented a draft aquatic vegetation policy. The PLSLWD does not currently have a policy on how to manage aquatic vegetation, as the department gets a number of phone calls and emails from citizens regarding lake vegetation. The policy iterates current District practices. It is the desires of staff to have this formally adopted by the Board of Managers to better support current practices. Per the draft policy:

- The district will not remove aquatic vegetation for aesthetic purposes or to make recreation easier.
- Curly-leaf pondweed will be managed as it can impact water quality.
- Treatments will not performed within 150 feet of shore.

Manager Tofanelli noted that he was having some challenges reconciling the draft policy and information posted on the DNR website regarding plant management by adjacent property owners. He will provide a link to what he as found on the DNR website site for staff to review.

Manager Burnett made a motion to approve the aquatic management draft policy, second by Manager Tofanelli. The motion carried. Five ayes.

Draft Employee Benefits Policy

Administrator Giese stated a total compensation study that was performed by Gallagher in fall 2020 through spring 2021. While Gallagher study provided benefit information they collected from other watershed organizations, it did not make specific recommendations regarding changes to the District's approach to benefits. In the fall of 2021, as part of the health insurance coverage renewal process, the board of managers discussed the feasibility of increasing staff contributions to health care premiums and directed Administrator Giese to develop a draft policy.

Giese shared a chart outlining current costs for the 4 of the 6 employees that take coverage. Three options were provided on how to handle staff contributions:

1. Increase staff contributions for staff coverage from 0% (current) to 20%, and increase staff contributions for family coverage from 25% (current) to 40%. This would be phased in over two years.

2. Increase staff contributions to some other percentages than 20% for staff coverage and 40% for families or phase in over a different time period.
3. Leave at current contributions rates.

Manager Morkeberg recommended keeping at the current rate (0% staff, 25% family).

Managers Loney and Boyles feel that the staff should have “skin in the game” and should contribute to health costs.

Manager Tofanelli asked if these costs could be a hindrance in negotiating with new employees and suggested a 15% staff/35% family increase possibly over a three-year period. Manager Tofanelli also inquired if there could be a two-tiered system that retains current contributions for existing employees and increased coverage for future employees.

Giese received comments and come back with more information.

Watershed Management Study

A steering committee comprised of representatives from Scott WMO, Scott SWCD and PLSLWD have met periodically to discuss how these three organizations can best work together and be the more efficient, collaborative and cost effective with tax dollars. A charter was developed with goals and a mission for the study, along with a study process and timeline. The study process also includes a technical advisory committee that provides input to the steering committee. The process is organized such that at select milestones the steering committee then can make the determination whether to proceed to the next stage or terminate of the study process.

The study is currently in the third of five planned phases. The study technical team comprised of staff from the three organizations recently met with the TAC to share draft findings from the third phase (potential organizational changes). The meeting was productive with good discussion. Unfortunately, the TAC was not able to get fully through and discuss all of the material prepared for the meeting. Therefore, a second meeting is in the process of being scheduled with the TAC to finish the review. The technical team will incorporate TAC input and then share the findings from Phase 3 with the Steering Committee in the near future.

Project Manager Hiring

To date no qualified candidates have applied, therefore the ad was pulled down from the PLSLWD website, LinkedIn and Facebook. Administrator Giese will restructure the job posting and may have to increase the posted salary range.

In the interim, PLSLWD will enter into discussions with EOR to perform project manager duties.

The board managers approved the use of EOR on an interim basis to support project manager duties.

Cates Lake Water Quality

Administrator Giese reported that there is \$6,750 in the 2022 budget to perform a goldfish population study in Cates Lake. This is a 50% cost-share with the City of Savage. Giese reported, while statistically not significant at this point, there appears to be a general trend of increasing phosphorous levels even though the Lake still grades at an “A” for water quality standards.

Three options were presented on to address Goldfish in Cates Lake:

1. Continue to monitor
2. Proceed with goldfish population estimate

3. Attempt fish removal with no attempt to develop a population estimate

Staff clarified there is no public boat access on Cates Lake.

A motion was made by Manager Boyles to continue to monitor, with a second by Manager Tofanelli. The motion carried. Five ayes.

June Board Meeting Citizen Comment Follow-up

Tabled to Board Meeting.

Real Estate Assistance – Status Update

Tabled to Board Meeting.

Liaison Updates

Tabled to Board Meeting.

Meeting adjourned at 5:55 pm

Respectfully Submitted
Patty Dronen
6/14/2022



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

REGULAR MEETING MINUTES

Tuesday, July 12, 2022

Prior Lake City Hall

6:00 PM

Members Present: Bruce Loney, Christian Morkeberg, Frank Boyles, Matt Tofanelli, Ben Burnett

Staff & Consultants Present: Joni Giese, District Administrator
Jeff Anderson, Water Resources Coordinator
Shauna Capron, Water Resources Specialist

Others Present: Wesley Steffan, President Spring Lake Association
Curtis Witt, CAC

• 1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Meeting was called to order by President Loney at 6:08 pm. Everyone present, recited the Pledge of Allegiance.

• 2.0 PUBLIC COMMENT

Wesley Steffan, 2350 Raymond Avenue, President Spring Lake Association, addressed the board to give an update on events around Spring Lake:

- Fish stocking
- Helped with AIS surveys working with Steve McComas
- Helped mitigate Eurasian watermilfoil infestation
- Thanked Jeff for putting plant management policy together
- Aquatic plants educational seminar Aug 4th Parkview Conf. room

• 3.0 APPROVAL OF AGENDA

Agenda changes:

- Item 5.2 was completed during the workshop (new officers were elected).
- 3 items from the workshop were not completed, those were added:
 - 5.3 June Board Meeting Citizen Comment Follow-up
 - 5.4 Real Estate Assistance – Status Update
 - 5.5 Liaison Updates

Motion to approve amended agenda by Manager Burnett, second by Manager Tofanelli. Motion carried. Five ayes.

- **4.0 TREASURER'S REPORT**

Treasurer Morkeberg summarized the financial information contained in the packet including:

4.1 Monthly Financial Reports (Discussion Only)

- Financial Report
- Treasurers Report
- Cash Flow Projections

4.2 Quarterly Financial Reports

- Balance Sheet
- Cost Analysis

- **5.0 OTHER OLD/NEW BUSINESS**

5.1 Programs & Projects Update

The staff provided a report of its many activities the preceding month. Highlights include:

- Lake water levels are low. Besides lack of rain, evaporation causes water levels to decrease.
- Staff removed approximately 800 pounds of carp from the desilt pond
- Good progress is being made to reduce carp population down to maintenance level in Upper Prior Lake. Reducing carp population in Spring Lake is moving at a slower pace.
- Staff is monitoring trends in boat violations detected by I-LIDS to help inform times that may be beneficial to increase staffed boat inspections.
- Staff is looking for volunteers for training in detecting aquatic invasive species.

5.2 — Board Officers Appointment (removed from agenda)

Was completed during workshop

5.3 June Board Meeting Citizen Comment Follow-up

Last month Steve Pany suggested more postings of the Water Surface Use Management regulations and policies. Administrator Giese reported that boating and water use is not under the scope for PLSLWD. Staff will provide a link on our webpage to the City of Prior Lake page where the policies are posted.

5.4 Real Estate Assistance – Status Update (Joni Giese)

Administrator Giese reported she is researching firms to provide assistance in getting cooperation from land owners for upper watershed projects. The Board agreed this would be a good expense and should help move these projects forward sooner. Administrator Giese will put together a proposal and cost summary for future approval by the Board.

5.5 Liaison Updates

Manager Morkeberg reported updates from the Spring Lake Township Board meeting, the Soil and Water District meeting, and the Sand Creek Township Board meeting.

New Liaison assignments were made during the workshop.

- **6.0 CONSENT AGENDA**

- 6.1 Meeting Minutes – June 14, 2022, Board Workshop
- 6.2 Meeting Minutes – June 14, 2022, Board Meeting
- 6.3 Meeting Minutes – May 26, 2022, CAC Meeting
- 6.4 Claims List & Visa Expenditures Summary
- 6.5 Spring Lake Ridge Development Agreement and Conservation Easement

Motion by Manager Burnett, second by Manager Morkeberg, to approve the consent agenda as presented. Motion carried. Five ayes.

- **7.0 UPCOMING MEETING/EVENT SCHEDULE:**

- Special Board Workshop (2023 Budget Focus), Monday, July 18, 2022, 5:00 – 8:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)
- CAC Meeting, Thursday, July 28, 2022, 6:00 – 8:00 pm (Prior Lake City Hall – Parkview Conference Room)
- Board of Managers Meeting, Thursday, August 18, 2022, 6:00 pm (Prior Lake City Hall – Council Chambers)

- **8.0 ADJOURNMENT**

Motion by Manager Morkeberg, second by Manager Burnett, to adjourn. Motion carried. Five ayes. Meeting adjourned at 7:01pm.

Respectfully Submitted,
Ben Burnett, PLSLWD Secretary, August 5, 2022



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

SPECIAL WORKSHOP MEETING MINUTES

Monday, July 18, 2022

Prior Lake City Hall

5:00 PM

Members Present: Bruce Loney, Frank Boyles, Christian Morkeberg, Matt Tofanelli, Ben Burnett

Staff & Consultants Present: Joni Giese, District Administrator
Carl Almer, EOR, District Engineer (Meeting first hour attendance)

Others Present: None

The meeting was called to order at 5:00 PM.

Capital Project Planning

District Engineer, Carl Almer, provided thoughts regarding the following topics associated with 2023 capital project planning:

Biggest Opportunities for Flood Control Projects

1. Sutton Lake Outlet (-0.3ft) – COMPLETED
2. Flood Study S-BL-001(-0.3 ft) / Upper Watershed Blueprint (UWB) Project 5.4 Buck Lake South Wetland Storage
 - a. Assess entire flowage: Fish to Buck
 - i. Manager Morkeberg inquired about potential for flood storage using a District-owned wetland immediately south of Spring Lake, typically referred to as the “Ducks Unlimited Wetland.” Almer responded the wetland is at the same elevation as Spring Lake. There is not enough elevation change between the wetland and lake to make flood storage work.
3. Flood Study S-SUL-001 (-0.5 ft) / UWB Project 5.16 CD 13 Storage
 - a. The site is a former sod farm.
4. PLOC Outlet Capacity Increase / Off-peak Discharge
 - a. There are tentative plans by the PLOC Cooperators to include this as a PLOC-related scoping exercise.
5. Cumulative Wetland Restorations (-0.1 ft or less)
 - a. Buck East – IN PROGRESS
 - b. Flood Study: S-SPL-078 (Not addressed in UWB). There may be some development activity occurring in this area in the near future that the District could incorporate into.

- c. Flood Study: S-SPL-080 (Not addressed in UWB).
- d. Flood Study: S-SLP-054 (UWB Project 5.7 CD-13 Improvements)
- e. Other Sites? Wetland Plan Update
 - i. Manager Morkeberg stated that Sand Creek Township representatives indicated that there may be some smaller projects in the township that may provide flood storage opportunities for the District. Manager Morkeberg asked for the Township to provide some additional information.

How do These Relate to an Updated Comprehensive Wetland Plan?

1. Other wetland restorations? – needs a systematic, quantitative assessment of opportunities via new data sets and PCSWMM model
2. New data sets:
 - a. Natural Resources Research Institute Restorable Wetland Index
 - b. LiDAR
 - c. ID of Former (Tiled/ Farmed) Wetlands
3. Quantitative modeling of flood reduction potential (PCSWMM model)

Is the District Focused on the Correct Water Quality Projects?

1. Spring Lake West Iron Enhanced Sand Filter (IESF) & Wetland Restoration - yes
2. Sutton Lake IESF Final Design – yes
3. Swamp IESF Feasibility - yes
4. BWSR Watershed Based Implementation Fund (WBIF) Fish Lake Management Plan Update - yes
5. Buck Chemical Treatment Study Update – modify scope or phase later
6. County Ditch 13 Chemical Treatment – modify scope or phase later

Implications of Flooding and Water Quality on Scoping of Upcoming Studies

1. Spring Lake West IESF & Wetland Restoration – Independent drainage area so doesn't impact other project effectiveness, but keep apprised of Spring Lake Ridge future phases
2. Sutton Lake IESF Final Design – effects downstream CD-13 Chemical Treatment and the existing FeCl system
3. Swamp IESF Feasibility – effects downstream CD-13 Chemical Treatment, existing FeCl system
4. WBIF Fish Lake Management Plan Update – effects Buck Lake Chemical Treatment Update
5. Buck Chemical Treatment Study Update – end of pipe, doesn't impact other studies
6. County Ditch 13 Chemical Treatment – effects existing FeCl system performance

Modifications of UWB Near Term Implementation

1. Spring Lake West IESF & Wetland Restoration – as proposed
2. Sutton Lake IESF Final Design – as proposed
3. Swamp IESF Feasibility – Add assessment of Lake Storage
4. WBIF Fish Lake Management Plan Update – Subwatershed Assessment, Internal assessment to meet requirements of a BWSR Alum Feasibility Study
5. Buck Chemical Treatment Study Update – Incorporate S-SB-001 into the update, or replace with separate Fish-Buck Wetland System Flood Reduction Feasibility
6. WBIF County Ditch 13 Chemical Treatment Feasibility – Push timeline out in favor of pursuing S-SPL-094 (CD-13 Storage) [and assessment of FeCl3 tank, if necessary]

Other Discussion Regarding 2023 Capital Project Planning

- Manager Loney indicated there are a lot of studies available to the District.
- Manager Tofanelli stated the District needs to select and move forward and test some of the potential projects. Manager Tofanelli also inquired about the PLOC channel capacity and whether the 2014 flood was the correct reference for all future studies (i.e., is it an extreme outlier event or reasonable event to assume will occur again in the future.)
- Manager Loney stated projects in the upper watershed will benefit both Spring Lake and Prior Lake, where enhanced discharge from the PLOC will only benefit Prior Lake.
- Manager Loney stated that enhanced lake storage should be added to the Swamp Lake IESF feasibility study.

Draft Budget Review & Discussion

- Administrator Giese walked the managers through the draft budget. Comments received include:
 - Confirm estimated accounting fees for 2023.
 - Continue to work with District Engineer Almer to refine the proposed capital improvement projects/studies to be included in the 2023 budget.
 - Consider reclassifying the I-LIDS budget to education and outreach.
- Giese stated that based on analysis provided by Scott County, the 2022 levy resulted in a tax rate of 3.348% based on 2022 net taxing capacity within the Watershed District. The current draft of 2023 levy would result in a tax rate of 2.743%.

Miscellaneous Discussion Topics Resulting from Budget Discussion

- Have staff research the feasibility of stocking northern pike in Cates Lake as a potential method to reduce the goldfish population.
- Consider additional outreach to local service organizations to solicit funding/sponsorship for fish stocking, I-LIDS, or other District activities.
- If commercial dock installers are not complying with AIS best practices, there should be consideration of penalties.

Meeting adjourned at 8:30 pm.

Respectfully Submitted
Joni Giese
8/12/2022

Prior Lake Spring Lake Watershed District
Claims list for Invoice Payments due for the prior month

Managers will consider approving this claims list - Staff payroll and Manager per diems have already been paid via ADP. After the managers vote, two Managers will sign checks within three days of the meeting for approve claims. Then, staff will US mail checks (written on the Sterling State Bank) to the claims list parties. Staff will request that all vendors provide information on their invoices to fit into the categories below

Vendor	Invoice Link	Description	Amount
1. Watershed District Projects (excluding staff payroll)			
Peterson Companies	X	Reestablished Vegetation	\$ 2,600.00
Xcel Energy	X	18051 Langford Blvd.	\$ 40.75
Gopher State One Call	X	Locator services	\$ 1.35
Waterfront Restorations	X	Watercraft Inspections - July 1-31	\$ 6,285.87
WSB	X	Carp Management June 2022	\$ 9,679.00
EOR	X	General Engineering	\$ 2,371.50
		Buck Lake East Wetland Enhancement Feasibility	\$ 2,830.63
		District Monitoring Program	\$ 405.00
		Permitting	\$ 2,515.25
		Local Water Planning & Regulation MOA Updates	\$ 465.00
RES Great Lakes	X	Slope Herbaceous Treatment	\$ 496.00
Smith Partners	X	Kisters Contract Review	\$ 1,875.78
Smith Partners	X	Permit Issues	\$ 127.38
Scott SWCD	X	611 - Technical Assistance and Cost Share	\$ 9,846.50
	X	611 - Farmer Led Council	\$ 4,406.50
	X	637 - DMP General	\$ 1,552.50
	X	637 - DMP Flows	\$ 1,764.00
	X	652 - Education	\$ 1,491.50
	X	Equipment Usage	\$ 90.00
Scott County	X	Reimbursement for incorrect ACH Payment	\$ 24,236.51
		Subtotal	\$ 73,081.02
2. Outlet Channel - JPA/MOA (excluding staff payroll)			
EOR	X	Segment 4	\$ 186.00
Smith Partners	X	Met Council Easement	\$ 1,294.80
Smith Partners	X	Met Council Easement	\$ 323.79
Natural Shore Technologies, Inc.	X	Vegetation Management PLOC	\$ 7,050.00
Scott SWCD	X	839 - PLOC Flows	\$ 134.00
		Subtotal	\$ 8,988.59
3. Payroll, Office and Overhead			
ADP Manager Per Diems			\$ 1,079.62
ADP Staff Payroll			\$ 23,012.08
ADP Taxes & Benefits			\$ 13,912.76
Fidelity Investments	X		\$ 165.38
Jaime Rockney	X	2013-2019 Reimbursement - Over/Under Reported Income	\$ 3,272.50
NCPERS	X	Life Insurance Premiums - August	\$ 96.00
Reliance Standard	X	August 1-31 LTD and STD Premiums	\$ 758.73
HealthPartners	X	Health Insurance Premiums	\$ 5,071.23
City of Prior Lake	X	Rent (September 2022)	\$ 2,317.50
SW Newsmedia	X	Legal notices #7113, #7114	\$ 175.64
League of Minnesota Cities	X	Property and Casualty Coverage Premium	\$ 176.00
CLA	X	Monthly bookkeeping	\$ 1,645.00
		Payroll Services	\$ 960.00
		Technology and Client Support fee	\$ 180.00
		Bill.com set up and training	\$ 995.00
Metro Sales	X	June-July Billing	\$ 103.00
Rymark	X	August Billing	\$ 890.00
Paradigm Consulting Services	X	Database Support	\$ 95.00
VISA	X	June-July Billing	\$ 1,495.71
		Subtotal	\$ 56,401.15
TOTAL		TOTAL	\$ 138,470.76

Prior Lake-Spring Lake Watershed District
VISA Transactions 6/25/2022-7/24/2022

Trans Date	Merchant Name	Amount	Receipt Link	Staff Approval	Class	Customer	Expense	Description
6/23/2022	ACE HARDWARE	\$40.28	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	876 Field Equipment & Maintenance	Equipment for buck east install
6/26/2022	ADOBE CREATIVE CLOUD	\$110.54	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Software
6/26/2022	AMAZON.COM*HN9GO6WY3 AM	\$17.64	x	Patty Dronen	405 General Fund		710 Office Expense Other	Febreeze
6/28/2022	Amazon.com*7730366E3	\$39.99	x	Patty Dronen	626 Planning	Planning and Program Development	751 Office Equipment & Maintenance	Recorder
6/28/2022	IRONCLAD STORAGE	\$199.00	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Equipment Storage
6/28/2022	GROUPGREETING	\$4.99	x	Patty Dronen	405 General Fund		710 Office Expense Other	Staff card
7/1/2022	LUNDS&BYERLYS PR LA	\$3.79	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	water for staff meeting
7/1/2022	CAFE ZUPAS ONLINE ORDER	\$197.57	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	CAC/PLSLWD meeting meal
7/4/2022	VZWRLSS*APOCC VISB	\$13.04	x	Jeff Anderson	648 Regulation	LGU Permit & Inspections	876 Field Equipment & Maintenance	cell service
		\$32.66		Jeff Anderson	PLOC 839	PLOC Equipment & Maintenance	876 Field Equipment & Maintenance	cell service
		\$27.62		Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	cell service
7/6/2022	HOLIDAY STATIONS 0198	\$97.02	x	Elizabeth Froden	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	Gas for truck
7/6/2022	LUNDS&BYERLYS PR LA	\$15.10	x	Patty Dronen	405 General Fund		902 Meals and Lodging	Staff meeting donuts
7/8/2022	USPS PO 2676300882	\$10.80	x	Patty Dronen	626 Planning	Planning and Program Development	701 Postage	Board packet mailing
7/12/2022	OTT HYDROMET CORP	\$310.82	x	Jeff Anderson	637 Monitoring & Research	Lake Level Monitoring	876 Field Equipment & Maintenance	OTT logger batteries (3)
7/13/2022	JIMMY JOHNS - 1206	\$19.72	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Meeting meal
7/14/2022	JIMMY JOHNS - 1206 - ECOM	\$67.67	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Meeting meal
7/19/2022	JIMMY JOHNS - 1206 - MOTO	\$66.97	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board Meeting meal
7/20/2022	TRACTOR SUPPLY	\$60.09	x	Shauna Capron	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Baited Box Traps	876 Field Equipment & Maintenance	Corn for bbts
7/21/2022	HOLIDAY STATIONS	\$105.63	x	Shauna Capron	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	gas for truck
7/21/2022	USPS PO 26763008	\$3.36	x	Patty Dronen	637 Monitoring & Research	Boat Inspections & I-LIDS	701 Postage	MN Dirt Works packet mailing
7/22/2022	SHELL OIL	\$51.41	x	Patty Dronen	637 Monitoring & Research	Fish Mgmt - Carp Removals-Baited Box Traps	801 Gas, Mileage	Gas for truck - lost receipt
	TOTAL	\$1,495.71						

PLSLWD Board Staff Report
August 12, 2022



Subject	Metropolitan Council Amended & Restated Drainage and Flowage PLOC Easement		
Board Meeting Date	August 18, 2022	Item No:	6.6
Prepared By	Joni Giese, District Administrator		
Attachments	Amended & Restated Drainage and Flowage Easement		
Proposed Action	A motion to approve the Amended & Restated Drainage and Flowage Easement.		

Background

Metropolitan Council recently acquired a parcel in the City of Shakopee that the Prior Lake Outlet Channel (PLOC) passes through. The existing easement associated with this parcel no longer adequately aligns with the channel. Prior Lake-Spring Lake Watershed District reached out to the Metropolitan Council to request an easement amendment that would cover the existing channel alignment and provide space needed to properly operate and maintain the PLOC.

Discussion

The Metropolitan Council agreed to work with the District on the easement amendment. Staff from both agencies have been negotiating easement amendment terms that are mutually acceptable. The attached Amended & Restated Drainage and Flowage Easement has been approved by the Metropolitan Council.

Recommendation

District staff is requesting that the Board of Managers approve the Amended & Restated Drainage and Flowage Easement for execution by the District Administrator and recording in the Scott County Land Records Office.

**AMENDED & RESTATED
DRAINAGE AND FLOWAGE EASEMENT**

This Amended & Restated Drainage and Flowage Easement (Easement) is entered into by Metropolitan Council, a public corporation and political subdivision of the State of Minnesota (Grantor), and Prior Lake-Spring Lake Watershed District, a political subdivision of the State of Minnesota with purposes and powers set forth in Minnesota Statutes chapters 103B and 103D (PLSLWD).

RECITALS

- A. Grantor owns certain real property in Scott County, Minnesota, described in the attached **Exhibit A (Property)**.
- B. In connection with the construction of a flood-control drainageway that crosses the Property referred generally and herein as the Prior Lake Outlet Channel (PLOC), PLSLWD obtained and retains an easement on and across the Property pursuant to the Amended Final Certificate in Condemnation as to Parcel No. 35, dated January 30, 1990 (filed for recording February 13, 1990, in the office of the Scott County Recorder as document no. 267297) (Original Easement).
- C. PLSLWD remains responsible to operate, maintain and improve the PLOC, a flood-control drainageway that crosses the Property.
- D. Grantor and PLSLWD wish to adjust the area encompassed by the Original Easement to more accurately align with the route of the PLOC across the Property and to better afford PLSLWD the opportunity to stabilize and maintain the channel and banks of the PLOC and establish and maintain the channel edge in a vegetated condition.

NOW, THEREFORE, for \$1 and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree to amend and restate the Original Easement as follows:

1. RECITALS. The foregoing recitals are incorporated into this Easement.
2. RELEASE OF ORIGINAL EASEMENT. This Easement supersedes and replaces the Original Easement in its entirety. All rights in the Property not granted and conveyed to PLSLWD and its successors and assigns in this Easement are hereby released and discharged.
3. GRANT OF DRAINAGE AND FLOWAGE EASEMENT. Grantor hereby grants to PLSLWD, its successors and assigns, a nonexclusive permanent drainage and flowage easement on, under, and over that portion of the Property legally described in the attached **Exhibit B** (Easement Area) and shown on **Exhibit C** (Surveyed Drawing) for the following purposes:
 - a. To flow water over, on, and across the Easement Area for purposes of the operation and maintenance of the PLOC.
 - b. To maintain, repair, modify, reconstruct, or improve the PLOC to provide for the effective function and operation of the PLOC, including but not limited to installing and maintaining vegetation and structural features within the Easement Area.
 - c. To remove from the Easement Area any structure, vegetation or other object or obstruction that PLSLWD determines is interfering or may interfere in the future with its ability to exercise any right or responsibility it possesses under this Easement or its responsibility to operate and maintain the PLOC.
 - d. To temporarily engage in storage and stockpiling within the Easement Area as reasonably necessary to exercise any right or responsibility under the Easement, so long as PLSLWD repairs any damage caused to the Property by its activity.

In addition, Grantor grants PLSLWD the right of ingress and egress and cross the Property from time to time on foot and with motorized vehicles and equipment to provide for the effective function and operation of the PLOC, including but not limited to installing and maintaining vegetation and structural features within the Easement Area, except that such right will be exercised only after reasonable advance notice to Grantor.

This Easement creates no general right of public entry onto the Property and PLSLWD's exercise of its rights under the Easement will not interfere with Grantor's operation of its wastewater pipes and facilities on the Property. PLSLWD will not cause or permit any mechanic's or other lien to be filed against the Easement Area or the Property.

4. GRANTOR'S RESERVED RIGHTS AND LIMITATIONS. Grantor reserves for itself all rights and privileges associated with ownership of the Property. Grantor will not materially interfere with PLSLWD's exercise of the rights granted by this Easement. Grantor is not responsible to maintain the PLOC. Grantor will coordinate in advance with PLSLWD regarding any plans that would:
 - a. Place any structure or hard surface or plant any tree within the Easement Area.
 - b. Appropriate, drain or divert water from the PLOC.
 - c. Alter vegetative cover, soils or the PLOC or other PLSLWD improvements located within the Easement Area.

- d. Mow, spray chemicals, apply phosphorus-containing fertilizer, graze livestock or produce agricultural crops on the Easement Area.
- e. Place any discarded materials, waste, brush, or other waste vegetation within the Easement Area.

Grantor and PLSLWD remain solely responsible to maintain liability and other insurance, including self-insurance, for their own uses of and authority over the Property.

- 5. **LIABILITY.** Each party is responsible for its own acts, omissions, and the results thereof to the extent authorized by the law. The foregoing will not be construed to waive any liability limits including those under Minnesota Statutes Chapter 466 or waive any statutory or common law immunities.
- 6. **GOVERNING LAW.** This Easement is governed, construed, and enforced under the laws of the State of Minnesota without regard to conflicts of law provisions.
- 7. **COUNTERPARTS.** This Easement may be executed in any number of counterparts, each of which is to be deemed to be an original and the counterparts together constitute one and the same Easement. A physical copy or electronic copy of this Easement, including its signature pages, will be binding, and deemed to be an original.
- 8. **SEVERABILITY.** The provisions of this Easement are severable, and if any provision is held to be invalid or unenforceable, the parties intend that the remaining provisions will remain in full force and effect.
- 9. **NO PRESUMPTION AGAINST DRAFTER.** This Easement has been negotiated at arm's length and with the opportunity for the parties to consult legal counsel regarding its terms. Accordingly, this Easement will be interpreted to achieve the intent and purpose of the parties, without any presumption against the drafting party.
- 10. **AUTHORITY OF SIGNATORY.** Each party to this Easement warrants to the other that it has the right and authority to enter into this Easement.
- 11. **ASSIGNMENT.** PLSLWD may assign this Easement and any right hereunder only to another public body and only for the purposes specified in this Easement, subject to Grantor's consent, which will not be unreasonably withheld. This Easement is nonexclusive, however any subsequent conveyance by Grantor will be subject to the rights conveyed to PLSLWD herein.

IN WITNESS WHEREOF, the undersigned have executed this amended and restated easement as of the day and year set forth.

**GRANTOR
METROPOLITAN COUNCIL**

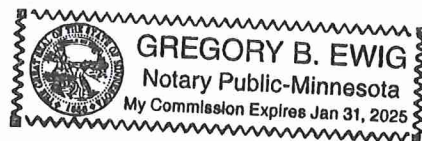
Mary Bogie
By: Mary Bogie
Its Regional Administrator

Date: 8/2/22

STATE OF MINNESOTA)
) ss.
COUNTY OF Ramsey)

The foregoing instrument was acknowledged before me this 2nd day of August, 2022, by Mary Bogie, Regional Administrator of the Metropolitan Council, a public corporation and political subdivision of the State of Minnesota, on its behalf.

Gregory B. Ewig
Notary Public



GRANTEE
PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT

Joni Giese
Its Administrator

Date:

STATE OF MINNESOTA
COUNTY OF SCOTT

This instrument was acknowledged before me this ____ day of _____, 2022, by
Joni Giese as administrator of the Prior Lake-Spring Lake Watershed District.

Notary Public

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

That part of the Southeast Quarter of Section 3, Township 115, Range 22, Scott County, Minnesota, lying Northerly of the Northerly right-of-way line of the St. Paul-Minneapolis and Omaha Railroad, and lying Southerly of the Southerly right-of-way line of State Highway #101, except the East 583.32 feet thereof.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

An easement for drainage purposes over, under and across that part of the Southeast Quarter of Section 3, Township 115, Range 22, Scott County, Minnesota described as follows: Commencing at the intersection of the west line of the East 583.32 feet of said Southeast Quarter with the northerly right-of-way line of the Chicago and Northwestern Railroad as shown on the "Right of Way and Track Map" dated June 30, 1917, the same being a line 30.0 feet northerly of and parallel with the existing main track; thence North 00 degrees 02 minutes 31 seconds East, assumed bearing along said west line of the East 583.32 feet a distance of 89.29 feet to the point of beginning of the land to be described; thence continuing North 00 degrees 02 minutes 31 seconds East along said west line of the East 583.32 feet a distance of 190.17 feet; thence North 32 degrees 14 minutes 08 seconds West a distance of 54.30 feet; thence North 19 degrees 47 minutes 16 seconds West a distance of 55.21 feet; thence North 02 degrees 59 minutes 20 seconds West a distance of 25.46 feet to the southerly right-of-way line of State Trunk Highway No. 101, the same being a line 131.00 feet southerly of and parallel with the centerline of the east-bound lane of said Trunk Highway; thence North 89 degrees 51 minutes 59 seconds West, along said southerly right-of-way line, a distance of 92.54 feet; thence South 06 degrees 21 minutes 35 seconds East a distance of 118.52 feet; thence South 17 degrees 07 minutes 49 seconds East a distance of 51.98 feet; thence South 15 degrees 10 minutes 05 seconds East a distance of 89.47 feet; thence South 41 degrees 04 minutes 22 seconds East a distance of 46.12 feet; thence South 74 degrees 33 minutes 29 seconds East a distance of 58.39 feet, more or less, to the point of beginning.

EXHIBIT C
SURVEY DRAWING OF EASEMENT AREA

**EASEMENT EXHIBIT PREPARED FOR:
PRIOR LAKE / SPRING LAKE WATERSHED DISTRICT
15815 FRANKLIN TRAIL SE
PRIOR LAKE, MN. 55372**

Valley Surveying Co., P.A.
Phone (952) 447-2570 Suite 250
Fax (952) 447-2571 16870 Franklin Trail S.E.
Prior Lake, Minnesota 55372

STATE TRUNK HIGHWAY NO. 101

**P.I.D. NO. 2790.30070
EXISTING EASEMENT AREA
7,611 SQUARE FEET
OR
0.175 ACRES**

**P.I.D. NO. 2790.30070
PROPOSED EASEMENT AREA
30,472 SQUARE FEET
OR
0.699 ACRES**

CHICAGO AND NORTHWESTERN RAILROAD

PROPOSED LEGAL DESCRIPTION

An easement for drainage purposes over, under and across that part of the Southeast Quarter of Section 3, Township 11S, Range 2S, South Dakota Minnesota described as follows: Commencing at the intersection of the east line of the East 363.32 foot of said Southeast Quarter with the northern right-of-way line of the Chicago and Northwestern Railroad as shown on the Right of Way and Track Map dated June 30, 1917, the same being a 363.32 foot northerly of and parallel with the existing main track; thence North 00 degrees 02 minutes 31 seconds East, assumed bearing along said east line of the East 363.32 foot a distance of 89.29 feet to the point of beginning of the land to be described; thence continuing North 00 degrees 02 minutes 31 seconds East along said east line of the East 363.32 foot a distance of 100.17 feet; thence North 13 degrees 18 minutes 08 seconds West a distance of 34.30 feet; thence North 18 degrees 47 minutes 16 seconds West a distance of 53.21 feet; thence North 02 degrees 09 minutes 20 seconds West a distance of 28.46 feet to the southern right-of-way line of State Trunk Highway No. 101, the same being a 110.00 foot southerly of and parallel with the centerline of the east-bound lane of said State Trunk Highway; thence North 02 degrees 21 minutes 35 seconds East, a distance of 116.52 feet; thence South 17 degrees 07 minutes 42 seconds East a distance of 91.98 feet; thence South 15 degrees 10 minutes 50 seconds East a distance of 80.47 feet; thence South 41 degrees 04 minutes 22 seconds East a distance of 16.12 feet; thence South 74 degrees 43 minutes 29 seconds East a distance of 56.33 feet, more or less, to the point of beginning.

I hereby certify that this Easement Exhibit was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

[Signature]
Minnesota License Number 20030
Dated this 22nd day of July, 2008

FILE 10554 INVC 32 PAGE 12

PREP. BY: [Name] CHECKED BY: [Name] DATE: 7/22/08

This document drafted by:

Smith Partners PLLP – MW
250 Marquette Avenue South
Suite 250
Minneapolis MN 55401
(612) 344-1400



Subject 	Amazed Acres LLC. Declaration of Conservation Easement	
Board Meeting Date 	Thursday, August 18, 2022	Item No: 6.7
Prepared By 	Allison Weyer, Permit Coordinator	
Attachments 	1) Project Location Map 2) Amazed Acres LLC. Declaration of Conservation Easement	
Proposed Action 	A motion to approve the Amazed Acres LLC. Declaration of Conservation Easement.	

Background

PLSLWD Rule J that was in place during the development of the conservation easement requires a 25' wide minimum buffer around wetlands with a 30' average buffer width that helps maintain the long-term health and function of wetland basins.

The Board of Managers approved the District entering into a development agreement with Keyland Homes on June 14, 2022. The development agreements provide a way for the District to recover costs associated with the acquisition of the easements including title work, staff time, and engineering review, as well as to ensure that the easement areas are properly established with native plants that filter stormwater. The development agreement was executed by both parties and recorded with Scott County on July 21, 2022.

Project Overview

District staff is working with the property owner and Scott County to establish a wetland buffer area and to permanently protect with a conservation easement. The location of the project is shown on the attached map.

The attached conservation easement document is based on a template developed by the District Attorney and will be recorded in the Scott County Land Records Office. It will protect the wetland buffers in perpetuity from landowner to landowner. There may be minor revisions to the conservation easement document language as per legal advisement.

Action Requested

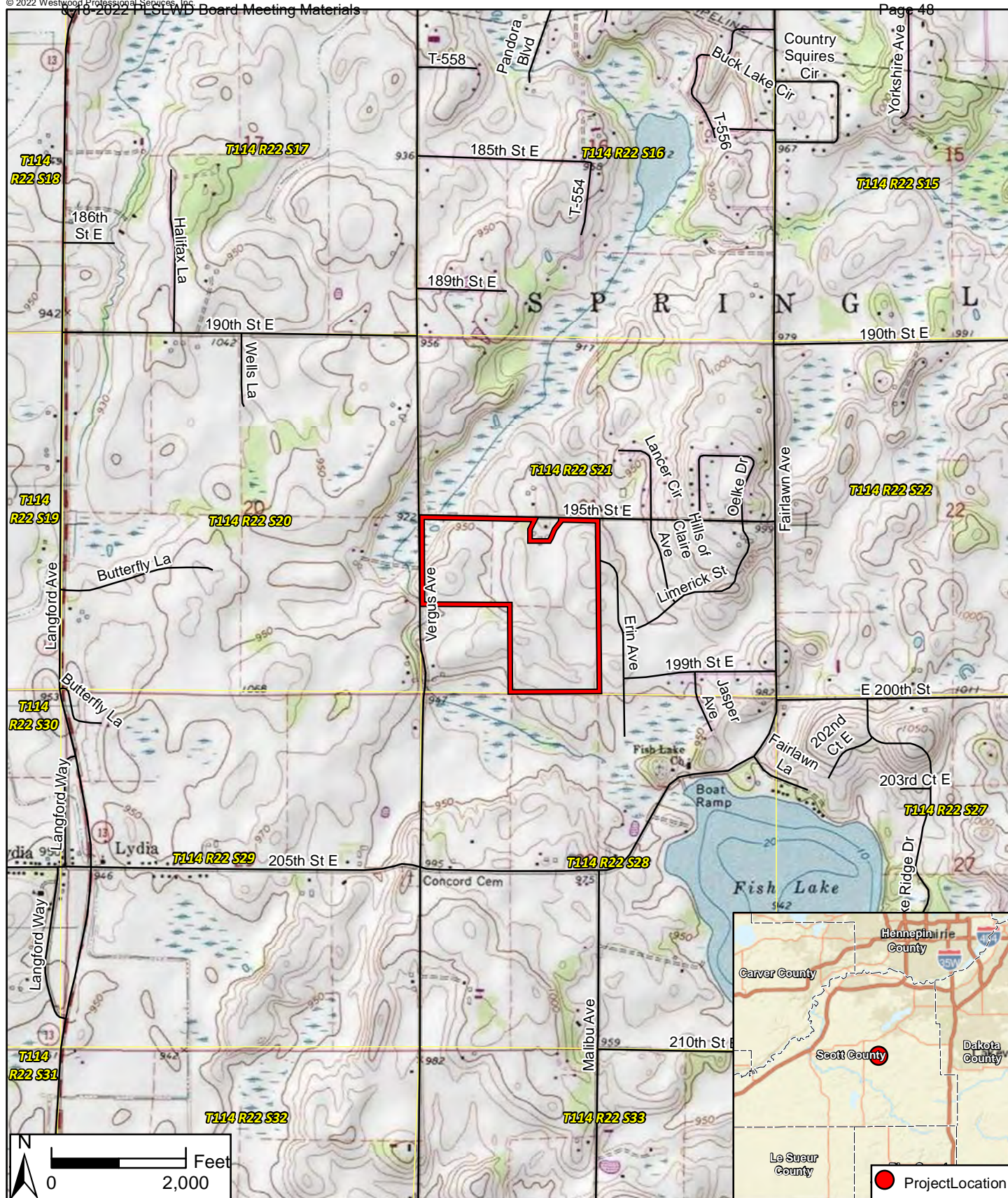
District staff is requesting that the Board of Managers approve the attached conservation easement for execution by the District Administrator and recording in the Scott County Land Records Office.

Excerpt from Wetland Delineation Report to Depict Project Location

© 2022 Westwood Professional Services, Inc.

8/18/2022 PLSWD Board Meeting Materials

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Data Source(s): Westwood (2022); ESRI WMS USA Topo Basemap Imagery (Accessed 2019); Minnesota DNR - Minerals Division/Section of Wildlife (2015); Census Bureau (2018).

Westwood

Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

Legend

- Delineation Area
- County Boundary
- City/Civil Township Boundary
- PLSS Section Boundary
- Roads

Amazed Acres

Spring Lake Township
Scott County, MN

**Project Location &
USGS Topography**

EXHIBIT 1

DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this _____ day of _____, 2022, by Amazed Acres Development LLC, a Minnesota Limited Liability Company, (the “Declarant”).

RECITALS

Declarant owns land related to the development of Amazed Acres in Scott County, Minnesota, described on the attached Exhibit A (the “Property”). As conditions of the approval of the plats of Amazed Acres, Scott County required that the Declarant establish, to the benefit of the Prior Lake-Spring Lake Watershed District (“Watershed District”), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District’s Rules (“Rules”). Declarant desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described on the attached Exhibit B (“Easement Area”) and depicted in Exhibit C (“Easement Surveyed Drawings”) shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the “Conservation Easement”), which shall be perpetual and run with the Property and bind each owner (“Owner”) and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation

shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Monuments will be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules and with a two week advance written notice to the Watershed District. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards with written consent from the Watershed District.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the buffer strip or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the buffer strip have been avoided or minimized to the extent possible.

(b) Construction, maintenance, repair, reconstruction, or replacement of existing and future public roads crossing the buffer strip, so long as any adverse impacts of the road on the function of the buffer strip have been avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidity of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this _____ day of _____, 2022.

OWNER:

Amazed Acres Development LLC.
A Minnesota limited liability company

By: _____
Mike Bassett

Its: Owner

STATE OF MINNESOTA)
)SS
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Mike Bassett, the Owner of Amazed Acres Development LLC., a Minnesota Limited Liability Company, on behalf of the Company.

Notary Public: _____

My Commission Expires: _____

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this _____ day of _____, 2022.

Its: District Administrator

This instrument was drafted by:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE, Prior Lake, MN 55372

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Amazed Acres Development LLC

The North One-Half of the Southwest Quarter (N $\frac{1}{2}$ of the SW $\frac{1}{4}$) of Section 21, Township 114, Range 22, Scott County, Minnesota, except the plat of Muellers Farmstead Addition.

Outlot A, Muellers Farmstead Addition, Scott County, Minnesota.

The East 1346.35 feet of the South One-Half of the Southwest Quarter of Section 21, Township 114, Range 22, Scott County, Minnesota.

Abstract Property.

EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT AREAS

Conservation Easement lying over, under and across those parts of Lot 1 through Lot 4, inclusive, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northerly and northwesterly of the following described line:

Commencing at the southwest corner of said Lot 1; thence North 00 degrees 24 minutes 07 seconds West, assumed bearing along the west line of said Lot 1, a distance of 146.47 feet to the point of beginning of the line to be described; thence North 48 degrees 04 minutes 50 seconds East, a distance of 110.42 feet; thence North 29 degrees 07 minutes 14 seconds East, a distance of 622.06 feet to the northeasterly line of said Lot 4 and said line there terminating.

A Conservation Easement lying over, under and across that part of Lot 6, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northeasterly and easterly of the following described line:

Commencing at the northwest corner of said Lot 6; thence South 88 degrees 55 minutes 09 seconds East, assumed bearing along the north line of said Lot 6, a distance of 195.99 feet to the point of beginning of the line to be described; thence South 33 degrees 00 minutes 32 seconds East, a distance of 224.53 feet; thence South 01 degree 04 minutes 51 seconds West, a distance of 108.05 feet to the south line of said Lot 6 and said line there terminating.

A Conservation Easement lying over, under and across the West 30.00 feet of Lot 7, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota.

TOGETHER WITH

A Conservation Easement lying over, under and across that part of Lot 7, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northeasterly of the following described line:

Commencing at the northwest corner of said Lot 7; thence South 88 degrees 55 minutes 09 seconds East, assumed bearing along the north line of said Lot 7, a distance of 283.30 feet to the point of beginning of the line to be described; thence South 11 degrees 27 minutes 35 seconds East, a distance of 67.30 feet; thence South 44 degrees 55 minutes 42 seconds East, a distance of 117.73 to the southeasterly line of said Lot 7 there terminating.

Conservation Easement lying over, under and across those parts of Lot 1 through Lot 7, inclusive, Block 5, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Commencing at the southwest corner of said Lot 1; thence South 89 degrees 35 minutes 16 seconds East, assumed bearing along the south line of said Lot 1, a distance of 474.56 feet to the point of beginning of the easements to be described; thence North 36 degrees 33 minutes 03 seconds West, a distance of 156.10 feet; thence North 60 degrees 07 minutes 41 seconds West, a distance of 153.06 feet; thence North 22 degrees 49 minutes 08 seconds West, a distance of 168.05 feet; thence North 30 degrees 16 minutes 52 seconds West, a distance of 149.40 feet; thence North 04 degrees 01 minute 07 seconds East, a distance of 95.36 feet; thence North 56 degrees 00 minutes 46 seconds East, a distance of 257.26 feet; thence North 16 degrees 12 minutes 52 seconds East, a distance of 197.67 feet to the north line of said Lot 4; thence South 88 degrees 55 minutes 09 seconds East, along said north line of Lot 4 and along the north line of said Lot 5, a distance of 120.95 feet; thence South 05 degrees 21 minutes 46 seconds West, a distance of 138.05 feet; thence South 07 degrees 25 minutes 18 seconds East, a distance of 74.78 feet; thence South 24 degrees 31 minutes 05 seconds East, a distance of 143.04 feet; thence South 20 degrees 23 minutes 29 seconds West, a distance of 134.86 feet; thence South 18 degrees 05 minutes 10 seconds East, a distance of 273.46 feet; thence South 01 degree 11 minutes 25 seconds East, a distance of 184.86 feet to said south line of Lot 1; thence North 89 degrees 35 minutes 16 seconds West, a distance of 127.79 feet to the point of beginning.

A Conservation Easement lying over, under and across that part of Lot 1, Block 3, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northerly, of the following described line:

Commencing at the northeast corner of said Lot 1; thence South 00 degrees 37 minutes 00 seconds East, assumed bearing along the east line of said Lot 1, a distance of 132.17 feet to the point of beginning of the line to be described; thence South 49 degrees 01 minute 05 seconds West, a distance of 139.12 feet; thence North 59 degrees 02 minutes 43 seconds West, a distance of 61.66 feet to the northwesterly line of said Lot 1 and there terminating.

A conservation easement lying, over, under and across that part of Lot 1, Block 2, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Commencing at the northeast corner of said Lot 1; thence South 00 degrees 37 minutes 00 seconds East, assumed bearing along the east line of said Lot 1, a distance of 166.02 feet to the point of beginning of the easement to be described; thence continuing along the east line of said Lot 1, South 00 degrees 37 minutes 00 seconds East, a distance of 115.21 feet; thence South 73 degrees 27 minutes 57 seconds West, a distance of 156.48 feet; thence North 00 degrees 37 minutes 00 seconds West, a distance 115.21 feet; thence North 73 degrees 27 minutes 57 seconds East, a distance of 156.48 feet to the point of beginning.

A conservation easement lying, over, under and across those parts of Lot 3, Lot 7, and Lot 8, Block 3, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Commencing at the southeast corner of said Lot 8; thence North 00 degrees 37 minutes 00 seconds West, assumed bearing along the east line of said Lot 8, a distance of 185.34 feet to the point of beginning of easement being described; thence North 00 degrees 37 minutes 00 seconds West, continuing along the east of line of said Lot 8, a distance of 254.20 feet, to the most northerly corner of said Lot 8; thence South 58 degrees 35 minutes 45 seconds West, along the northwesterly line of said Lot 8, a distance of 64.65 feet; thence North 67 degrees 28 minutes 34 seconds West, a distance of 213.27 feet to a point on the northeasterly line of said Lot 7; thence North 32 degrees 08 minutes 39 seconds West, along said northeasterly line, a distance of 25.68 feet to the northeast corner of said Lot 7; thence South 89 degrees 44 minutes 46 seconds West, along the north line of said Lot 7, a distance of 65.61 feet; thence South 60 degrees 47 minutes 23 seconds West along the northwesterly line of said Lot 7, a distance of 218.15 feet; thence South 49 degrees 08 minutes 54 seconds East, a distance of 252.36 feet to a point on said northwesterly line of Lot 8; thence South 81 degrees 07 minutes 23 seconds East, a distance of 337.76 to the point of beginning.

A Conservation Easement lying over, under and across that part of Lot 1, Block 6, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying southwesterly of the following described line:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 24 minutes 07 seconds East, assumed bearing along the west line of said Lot 1, a distance of 261.99 feet to the point of beginning of the line to be described; thence South 35 degrees 53 minutes 08 seconds East, a distance of 204.37 feet to the south line of Lot 1 and there terminating.

A Conservation Easement lying over, under and across that part of Lot 13, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northwesterly of the following described line:

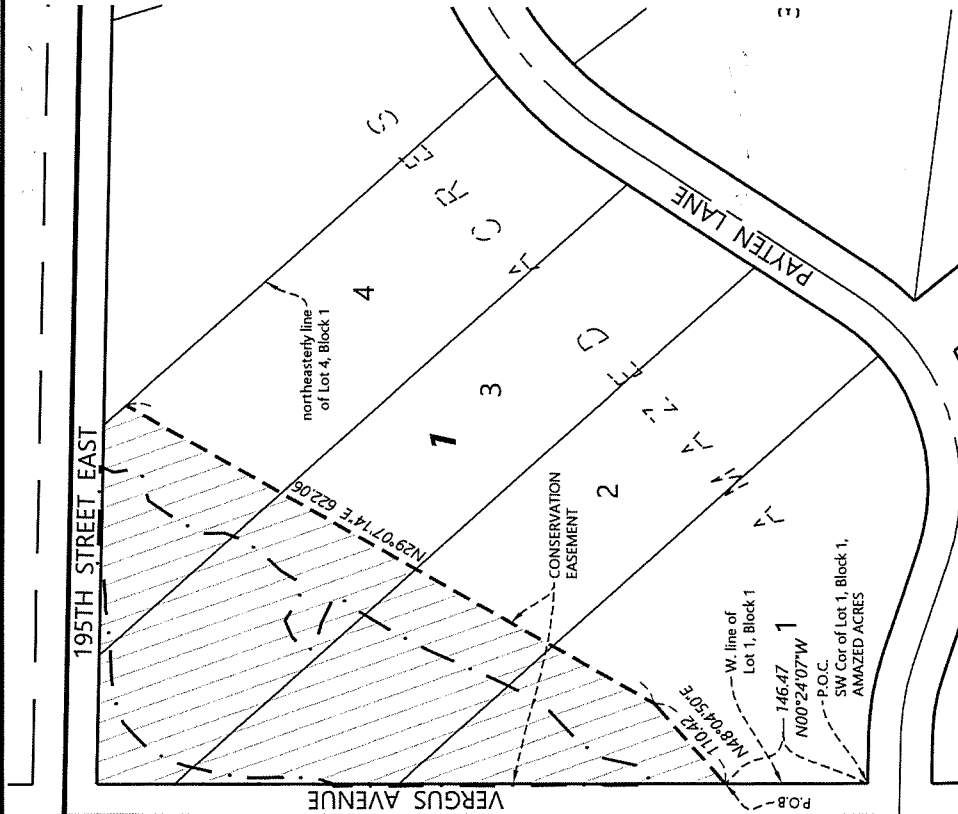
Commencing at the southwest corner of said Lot 13; thence North 00 degrees 37 minutes 00 seconds West, assumed bearing along the west line of said Lot 13, a distance of 176.42 feet to the point of beginning of the line to be described; thence North 43 degrees 46 minutes 33 seconds East, a distance of 303.16 feet; thence North 18 degrees 17 minutes 33 seconds East, a distance of 96.18 to the north line of Lot 13 there terminating

EXHIBIT C

EASEMENT SURVEYED DRAWINGS

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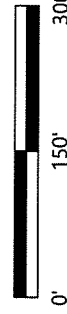
LEGAL DESCRIPTION

A Conservation Easement lying over, under and across those parts of Lot 1 through Lot 4, inclusive, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northerly and northwesterly of the following described line:

Commencing at the southwest corner of said Lot 1; thence North 00 degrees 24 minutes 07 seconds West, assumed bearing along the west line of said Lot 1, a distance of 146.47 feet to the point of beginning of the line to be described; thence North 48 degrees 04 minutes 50 seconds East, a distance of 110.42 feet; thence North 29 degrees 07 minutes 14 seconds East, a distance of 622.06 feet to the northeasterly line of said Lot 4 and said line there terminating.



CONSERVATION EASEMENT



Westwood

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Fax (652) 937-5822 Minneapolis, MN 55433
Toll Free (888) 937-5150 www.westwoodps.com
Westwood Professional Services, Inc.

AMAZED ACRES
SPRING LAKE TOWNSHIP, MINNESOTA

DESIGNED: _____
CHECKED: _____
DRAWN: _____
FIELD CRW: _____
FIELD WORK DATE: _____

SHEET NUMBER:

1 OF 1

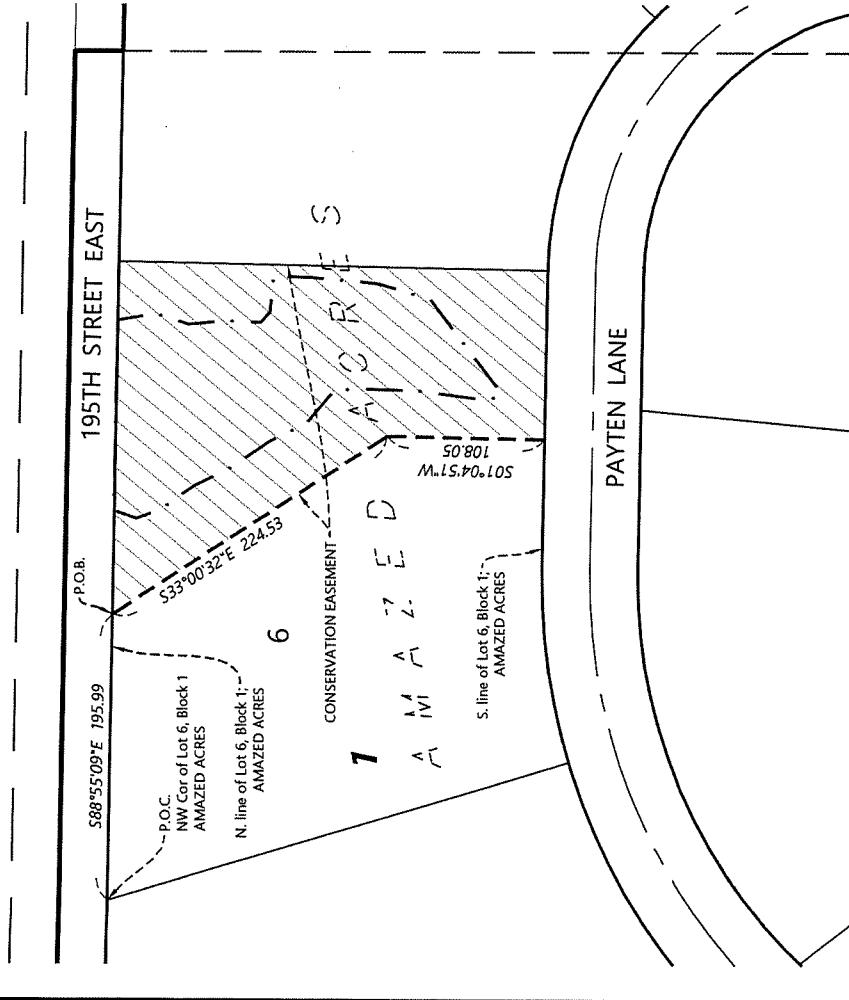
CONSERVATION EASEMENT

DATE: 04/20/2022

PROJECT NUMBER: 003147800

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LEGAL DESCRIPTION

A Conservation Easement lying over, under and across that part of Lot 6, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northeasterly and easterly of the following described line:

Commencing at the northwest corner of said Lot 6; thence South 88 degrees 55 minutes 09 seconds East, assumed bearing along the north line of said Lot 6, a distance of 195.99 feet to the point of beginning of the line to be described; thence South 33 degrees 00 minutes 32 seconds East, a distance of 224.53 feet; thence South 01 degree 04 minutes 51 seconds West, a distance of 108.05 feet to the south line of said Lot 6 and said line there terminating.



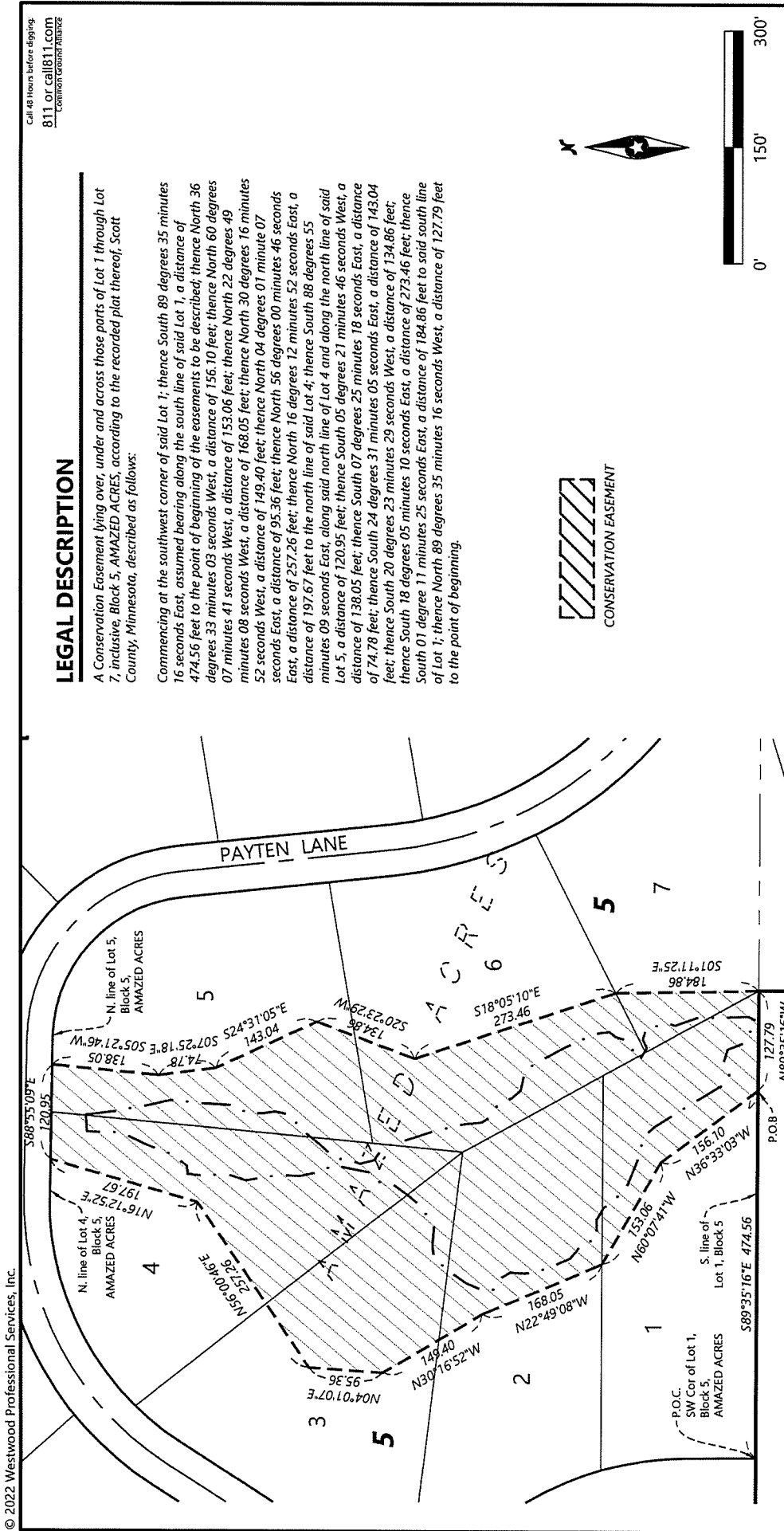
DESIGNED	_____
CHECKED	_____
DRAWN	_____
FIELD CROW	_____
FIELD WORK DATE	_____

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AMAZED ACRES
SPRING LAKE TOWNSHIP, MINNESOTA

CONSERVATION EASEMENT

SHEET NUMBER: 1 OF 1
DATE: 04/20/2022
PROJECT NUMBER: 003147800



LEGAL DESCRIPTION

A Conservation Easement lying over, under and across those parts of Lot 1 through Lot 7, inclusive, Block 5, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Commencing at the southwest corner of said Lot 1; thence South 89 degrees 35 minutes 16 seconds East, assumed bearing along the south line of said Lot 1, a distance of 474.56 feet to the point of beginning of the easements to be described; thence North 36 degrees 33 minutes 03 seconds West, a distance of 156.10 feet; thence North 60 degrees 07 minutes 41 seconds West, a distance of 153.06 feet; thence North 22 degrees 49 minutes 08 seconds West, a distance of 168.05 feet; thence North 30 degrees 01 minute 07 seconds East, a distance of 95.36 feet; thence North 56 degrees 00 minutes 46 seconds East, a distance of 257.26 feet; thence North 16 degrees 12 minutes 52 seconds East, a distance of 197.67 feet to the north line of said Lot 4; thence South 88 degrees 55 minutes 09 seconds East, along said north line of Lot 4 and along the north line of said Lot 5, a distance of 120.95 feet; thence South 05 degrees 21 minutes 46 seconds West, a distance of 138.05 feet; thence South 07 degrees 25 minutes 18 seconds East, a distance of 74.78 feet; thence South 24 degrees 31 minutes 05 seconds East, a distance of 143.04 feet; thence South 20 degrees 23 minutes 29 seconds West, a distance of 134.86 feet; thence South 18 degrees 05 minutes 10 seconds East, a distance of 273.46 feet; thence South 01 degree 11 minutes 25 seconds East, a distance of 184.86 feet to said south line of Lot 1; thence North 89 degrees 35 minutes 16 seconds West, a distance of 127.79 feet to the point of beginning.



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AMAZED ACRES

SPRING LAKE TOWNSHIP, MINNESOTA

SHEET NUMBER:

1

OF

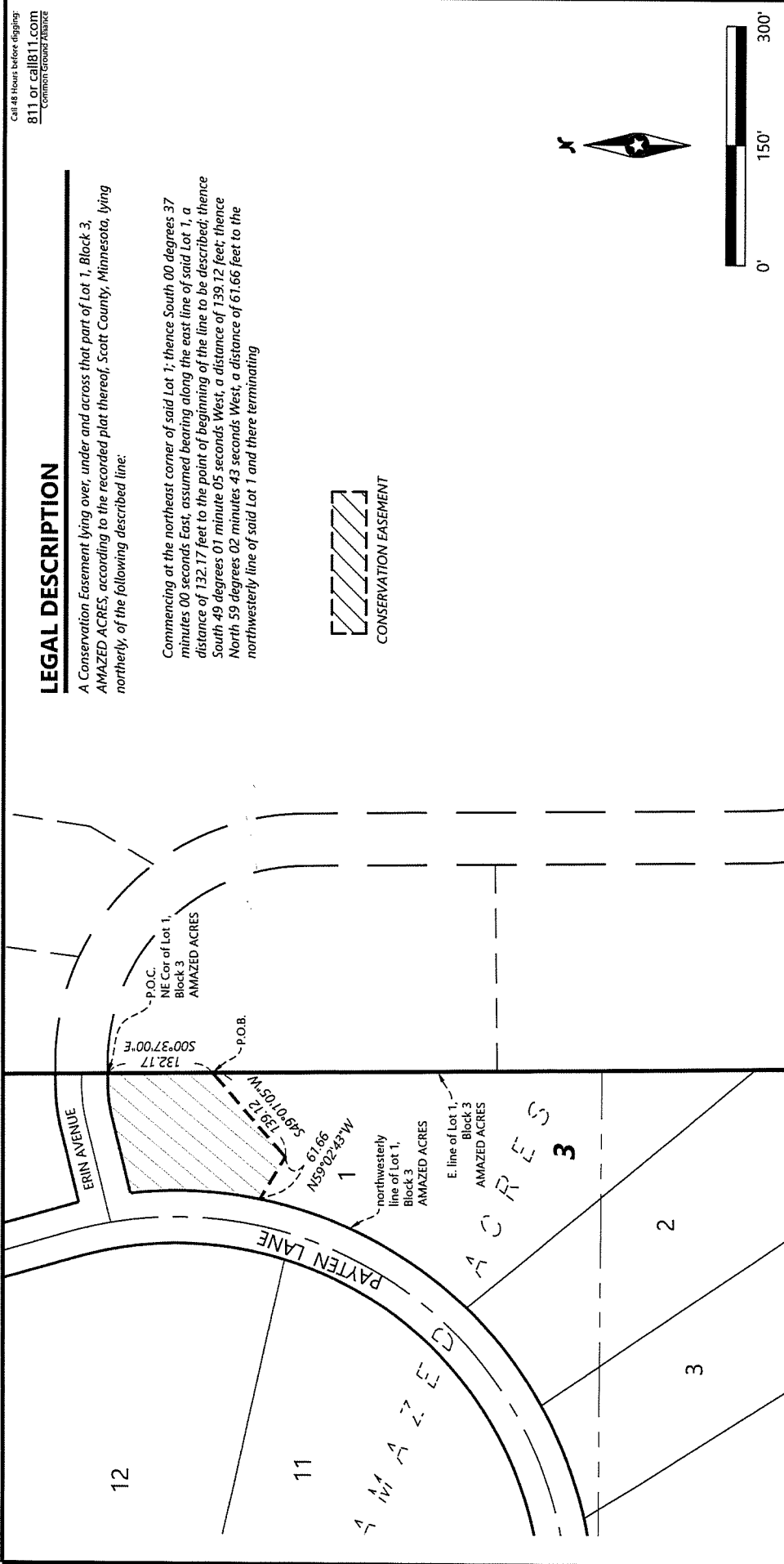
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DATE: 04/20/2022

PROJECT NUMBER: 003147800

DESIGNED: _____
CHECKED: _____
DRAWN: _____
FIELD CREW: _____
FIELD WORK DATE: _____

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DESIGNED:	_____
CHECKED:	_____
DRAWN:	_____
FIELD CEN:	_____
FIELD WORK DATE:	_____

AMAZED ACRES
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CONSERVATION EASEMENT

SHEET NUMBER: **1** OF **1**
DATE: 06/03/2022
PROJECT NUMBER: 0031478.00

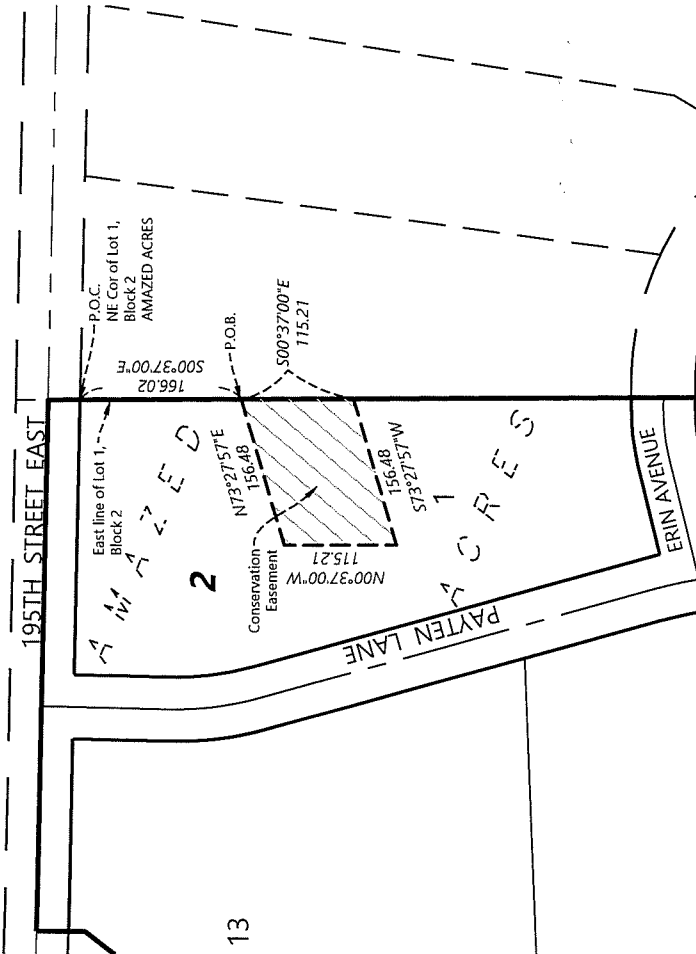
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Common Ground Alliance

LEGAL DESCRIPTION

A conservation easement lying, over, under and across that part of Lot 1, Block 2, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows:

Commencing at the northeast corner of said Lot 1; thence South 00 degrees 37 minutes 00 seconds East, assumed bearing along the east line of said Lot 1, a distance of 166.02 feet to the point of beginning of the easement to be described; thence continuing along the east line of said Lot 1, South 00 degrees 37 minutes 00 seconds East, a distance of 115.21 feet; thence South 73 degrees 27 minutes 57 seconds West, a distance of 156.48 feet; thence North 00 degrees 37 minutes 00 seconds West, a distance of 115.21 feet; thence North 73 degrees 27 minutes 57 seconds East, a distance of 156.48 feet to the point of beginning,



Westwood

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Toll Free (888) 937-5150 www.westwoodps.com
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AMAZED ACRES
SPRING LAKE TOWNSHIP, MINNESOTA

SHEET NUMBER:

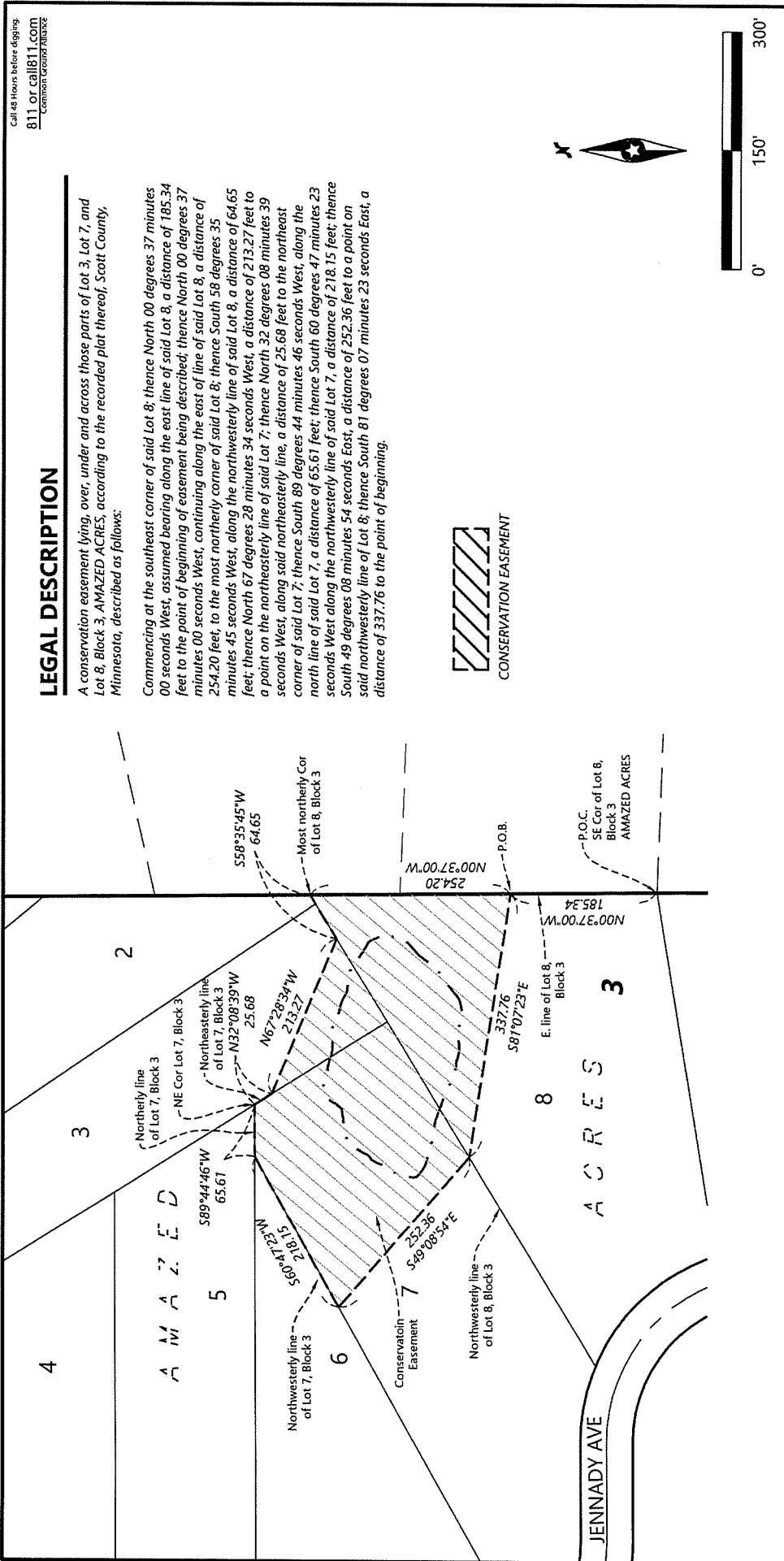
1 OF 1

CONSERVATION EASEMENT

DATE: 06/03/2022
PROJECT NUMBER: 0031478.00

DESIGNED: _____
CHECKED: JMW
DRAWN: JMW
FIELD CREW: _____
FIELD WORK DATE: _____

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DESIGNED: _____

CHECKED: _____

DRAWN: _____

FIELD CREW: _____

FIELD WORK DATE: _____

AMAZED ACRES

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Westwood

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 Fax (852) 937-5022 Minneapolis, MN 55433
 Toll Free (888) 937-5150 westwoodga.com

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CONSERVATION EASEMENT

SHEET NUMBER: 1 OF 1

DATE: 04/20/2022

PROJECT NUMBER: 003147800

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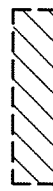
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CONSENT TO PLOTTING

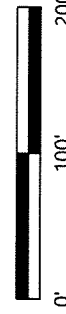
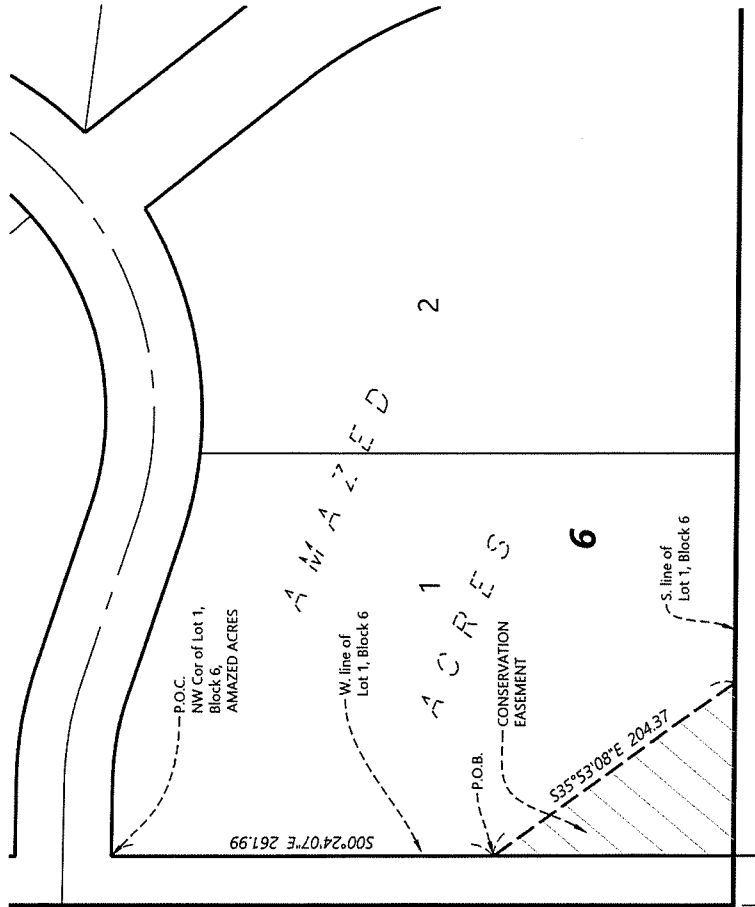
LEGAL DESCRIPTION

A Conservation Easement lying over, under and across that part of Lot 1, Block 6, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying southwesterly of the following described line:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 24 minutes 07 seconds East, assumed bearing along the west line of said Lot 1, a distance of 261.99 feet to the point of beginning of the line to be described; thence South 35 degrees 53 minutes 08 seconds East, a distance of 204.37 feet to the south line of Lot 1 and there terminating.



CONSERVATION EASEMENT



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AMAZED ACRES
SPRING LAKE TOWNSHIP, MINNESOTA

DESIGNED: _____
CHECKED: _____
DRAWN: _____
FIELD CREW: _____
FIELD WORK DATE: _____

SHEET NUMBER:

1 OF 1

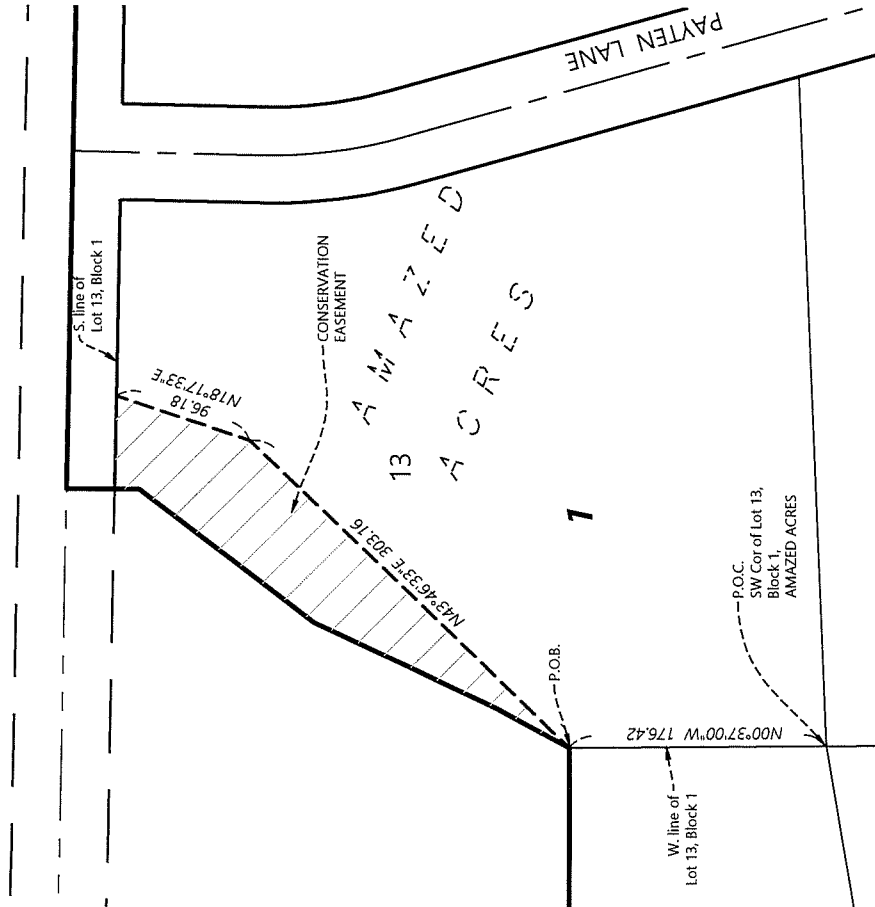
DATE: 06/03/2022

PROJECT NUMBER: 0031478.00

CONSERVATION EASEMENT

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LEGAL DESCRIPTION

A Conservation Easement lying over, under and across that part of Lot 13, Block 1, AMAZED ACRES, according to the recorded plat thereof, Scott County, Minnesota, lying northwesterly of the following described line:

Commencing at the southwest corner of said Lot 13; thence North 00 degrees 37 minutes 00 seconds West, assumed bearing along the west line of said Lot 13, a distance of 176.42 feet to the point of beginning of the line to be described; thence North 43 degrees 46 minutes 33 seconds East, a distance of 303.16 feet; thence North 18 degrees 17 minutes 33 seconds East, a distance of 96.18 to the north line of Lot 13 there terminating.



DESIGNED: _____		DRAWN: _____		FIELD CREW: _____		FIELD WORK DATE: _____	
<p>AMAZED ACRES</p> <p>SPRING LAKE TOWNSHIP, MINNESOTA</p>							
<p>Westwood</p> <p>Phone (852) 937-5150 12701 Whitewater Drive, Suite #300 Fax (852) 937-5822 Minnetonka, MN 55343 Toll Free (888) 937-5150 www.westwood.com Westwood Professional Services, Inc.</p>							
<p>CONSERVATION EASEMENT</p>				<p>SHEET NUMBER: 1 OF 1</p>			
<p>PROJECT NUMBER: 0031478.00</p>				<p>DATE: 06/03/2022</p>			

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Subject 	Keyland Development LLC. Declaration of Conservation Easement	
Board Meeting Date 	Thursday, August 18, 2022	Item No: 6.8
Prepared By 	Allison Weyer, Permit Coordinator	
Attachments 	1) Project Location Map 2) Keyland Development LLC. Declaration of Conservation Easement	
Proposed Action 	A motion to approve the Keyland Development LLC Declaration of Conservation Easement.	

Background

PLSLWD Rule J that was in place during the development of the conservation easement requires a 25' wide minimum buffer around wetlands with a 30' average buffer width that helps maintain the long-term health and function of wetland basins.

The Board of Managers approved the District entering into a development agreement with Keyland Homes on June 14, 2022. The development agreements provide a way for the District to recover costs associated with the acquisition of the easements including title work, staff time, and engineering review, as well as to ensure that the easement areas are properly established with native plants that filter stormwater. The development agreement was executed by both parties and recorded with Scott County on July 21, 2022.

Project Overview

District staff is working with the property owner and Scott County to establish a wetland buffer area and to permanently protect with a conservation easement. The location of the project is shown on the attached map.

The attached conservation easement document is based on a template developed by the District Attorney and will be recorded in the Scott County Land Records Office. It will protect the wetland buffers in perpetuity from landowner to landowner. There may be minor revisions to the conservation easement document language as per legal advisement.

Action Requested

District staff is requesting that the Board of Managers approve the attached conservation easement for execution by the District Administrator and recording in the Scott County Land Records Office.

Excerpt from Wetland Delineation Report to Depict Project Location

8-18-2022 PLSLWD Board Meeting Materials

Page 69



Legend

 PLA Property Boundary

0 0.25 0.5 1 Miles

Aerial Photo Source: 2013 USDA NAIP Color Aerial Photograph

Site Locator Map
Prior Lake Aggregate, Inc.
Wetland Delineation



Figure 1

DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this _____ day of _____, 2022, by Keyland Development LLC, a Minnesota Limited Liability Company, (the “Declarant”).

RECITALS

Declarant owns land related to the development of Keyland Development in Scott County, Minnesota, described on the attached Exhibit A (the “Property”). As conditions of the approval of the plats of Keyland Development, the City of Savage required that the Declarant establish, to the benefit of the Prior Lake-Spring Lake Watershed District (“Watershed District”), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District’s Rules (“Rules”). Declarant desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described on the attached Exhibit B (“Easement Area”) and depicted in Exhibit C (“Easement Surveyed Drawings”) shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the “Conservation Easement”), which shall be perpetual and run with the Property and bind each owner (“Owner”) and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation

shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Monuments will be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules and with a two week advance written notice to the Watershed District. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards with written consent from the Watershed District.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the buffer strip or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the buffer strip have been avoided or minimized to the extent possible

(b) Construction, maintenance, repair, reconstruction, or replacement of existing and future public roads crossing the buffer strip, so long as any adverse impacts of the road on the function of the buffer strip have been avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidity of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this _____ day of _____, 2022.

OWNER:

Keyland Development LLC.
A Minnesota limited liability company

By: _____
Rodney W. Just

Its: Broker

STATE OF MINNESOTA)
)SS
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Rodney W. Just, the Broker of Keyland Development LLC., a Minnesota Limited Liability Company, on behalf of the Company.

Notary Public: _____

My Commission Expires: _____

ACCEPTANCE

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this _____ day of _____, 2022.

PRIOR LAKE - SPRING LAKE WATERSHED DISTRICT

By: _____
Joni Giese

Its: District Administrator

STATE OF MINNESOTA)
)SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Joni Giese, the Administrator of the PRIOR LAKE-SPRING LAKE WATERSHED DISTRICT, a political subdivision under Minnesota law, on its behalf.

Notary Public: _____

My Commission Expires: _____

This instrument was drafted by:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE, Prior Lake, MN 55372

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Big Sky Estates Second Addition:

Wetland is located within Outlot A, Big Sky Estates Second Addition, according to the record plat thereof, on file at the County Recorder, Scott County, Minnesota.

Big Sky Estates Third Addition:

Lot 1, Block 4 Big Sky Estates Third Addition was Outlot B, Big Sky Estates Second Addition, according to the record plat thereof, on file at the County Recorder, Scott County, Minnesota.

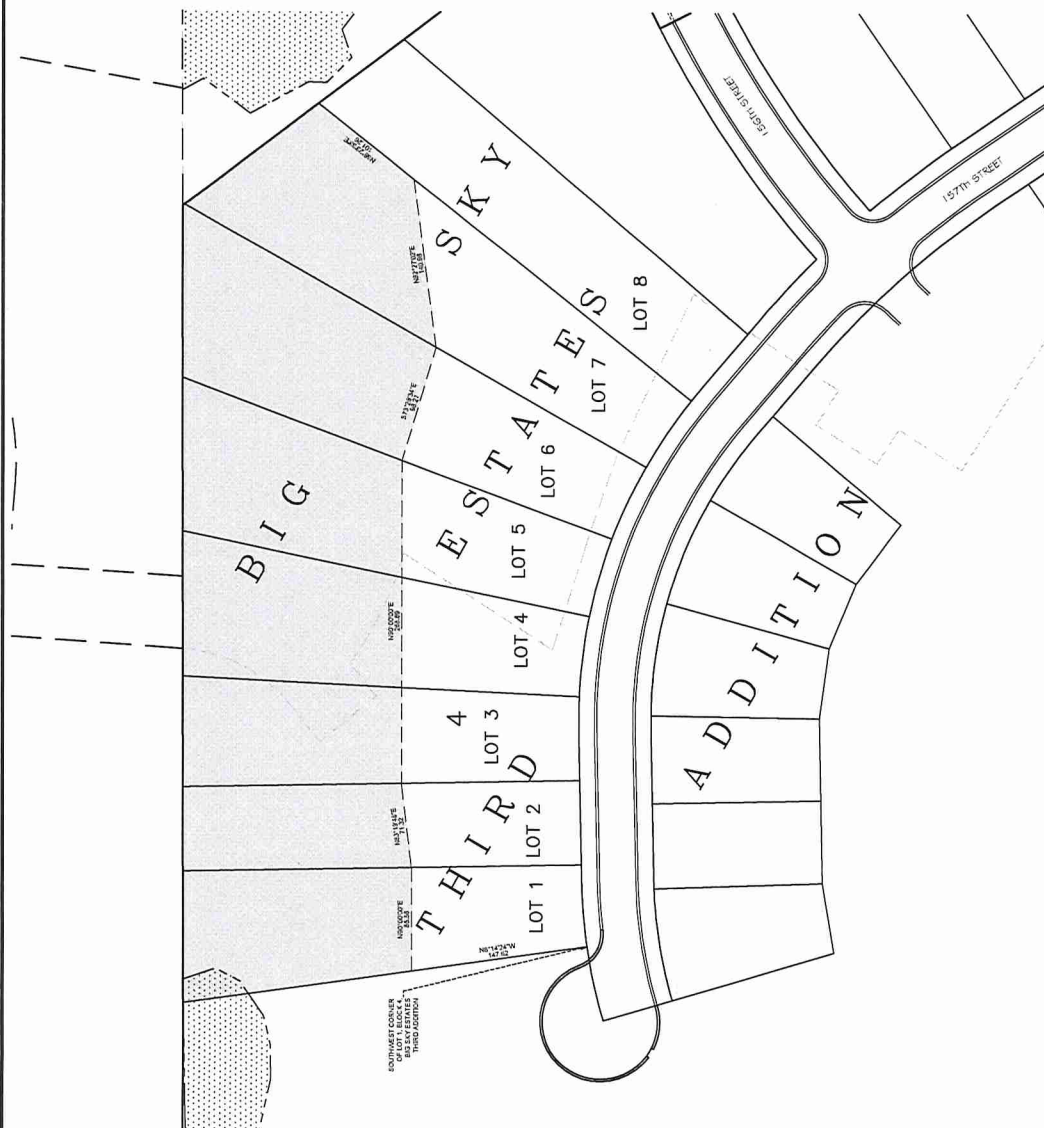
EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT AREAS

(LOTS 1 THROUGH 7 INCLUSIVE, BLOCK 4)

A perpetual easement for conservation purposes over, under and across that part of Lots 1 through 7 inclusively, all in Block 4, BIG SKY ESTATES THIRD ADDITION, according to the recorded plat thereof, Scott County, Minnesota lying northerly and northwesterly of a line described as commencing at the southwest corner of said Lot 1, Block 4; thence on an assumed bearing of North 8 degrees 14 minutes 24 seconds West, along the westerly line thereof, a distance of 147.62 feet to the point of beginning of said line to be described; thence North 90 degrees 00 minutes 00 seconds a distance of 85.86 feet to the easterly line of said Lot 1, Block 4; thence North 83 degrees 19 minutes 48 seconds East a distance of 71.32 to the easterly line of Lot 2, Block 4; thence North 90 degrees 00 minutes 00 seconds East a distance of 268.69 to the southeasterly line of Lot 5, Block 4; thence South 73 degrees 28 minutes 34 seconds East a distance of 98.27 feet to the southeasterly line of Lot 6, Block 4; thence North 82 degrees 27 minutes 02 seconds East a distance of 140.98 feet to the southeasterly line of said Lot 7, Block 4; thence North 38 degrees 23 minutes 33 seconds East, along said southeasterly line, a distance of 101.26 feet and said line there terminating.

EXHIBIT C
EASEMENT SURVEYED DRAWINGS



☐ ☐ DENOTES CONSERVATION / SCENIC EASEMENT AREA

CONSERVATION / SCENIC EASEMENT DESCRIPTION
(LOTS 1 THROUGH 7 INCLUSIVE, BLOCK 4)

A perpetual easement for conservation purposes over, under and across that part of lots 1 through 7 inclusive, all in Block 3, BIG SKY ESTATES THIRD ADDITION, according to the recorded plat thereof, Scott County, Minnesota lying northerly and westerly of a line described as commencing at the southwest corner of said lot 1, Block 4; thence on an assumed bearing of North 8 degrees 14 minutes 24 seconds West, along the westerly line thereof, a distance of 147.62 feet to the point of beginning of said line to be described; thence North 90 degrees 00 minutes 00 seconds a distance of 85.86 feet to the easterly line of said lot 1, Block 4; thence North 83 degrees 19 minutes 48 seconds a distance of 71.32 to the easterly line of Lot 2, Block 4; thence North 90 degrees 00 minutes 00 seconds a distance of 208.69 to the southeasterly line of Lot 3, Block 4; thence South 73 degrees 28 minutes 34 seconds East a distance of 98.27 feet to the southeasterly line of Lot 6, Block 4; thence North 82 degrees 27 minutes 02 seconds East a distance of 140.98 feet to the southeasterly line of said Lot 7, Block 4; thence North 38 degrees 23 minutes 33 seconds East, along said southeasterly line, a distance of 101.26 feet and said line there terminating.

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