



BROWN'S CREEK WATERSHED DISTRICT

1380 W Frontage Rd, Highway 36, Stillwater, MN 55082 Tel: 651-275-1136 x26 Fax: 651-275-1254

1 **Minutes of the Annual and Regular Meeting of the Brown's Creek Watershed District**
2 **Board of Managers, December 12th, 2005.**

3
4 **WCD Offices, 1380 W. Frontage Road, Hwy. 36**
5 **Stillwater, MN**

APPROVED

6
7 **ROLL CALL**

8 Present: Craig Leiser, President Others Present: Karen Kill, WCD, Administrator
9 Gail Pundsack, Vice President Pat Conrad, EOR
10 Connie Taillon, Treasurer Ryan Fleming, EOR
11 Rick Vanzwol Chuck Holtman, Smith Parker
12 Kim Grosenheider, Recording
13 Secretary
14 Absent: Gerald Johnson, Secretary Tom Henderson, resident
15 Lee Miller, resident
16 Don Peterson, resident
17 Richard Huelsmann, resident
18 Joe Arndt, resident
19

20 **1.) Call Annual Meeting to Order**

21 President Leiser called the Annual meeting to order at 6:34 p.m.

22 **a.) Approve Annual Meeting Agenda**

23 **Manager Vanzwol, seconded by Manager Pundsack moved to approve agenda as presented.**
24 **Vote 4/0.**

25
26 **b.) Review of 2005 Activities**

27 President Leiser went through a summary of the 2005 activities and accomplishments:

- 28 1. Active participant in various Washington County water management initiatives, such as the Water
29 Consortium, Groundwater Management planning and development, summer tour and the County Fair
30 booth.
- 31 2. Active participant in the Minnesota Association of Watershed Districts; two managers and
32 administrator attended the annual meeting as well as several associated meetings during the year.
- 33 3. Water resource monitoring effort including: Baseline Monitoring—Five (5) automated stream-
34 monitoring stations, five (5) lakes, fifteen (15) lake gauges and one (1) biological stream-monitoring
35 site; Infiltration Monitoring—Bradshaw Site & Kern Center Pond; Volunteer Biological Stream
36 Monitoring—2 sites, program administration & QA/QC
- 37 4. Continued education and public outreach: citizen advisory committee, district website and watershed
38 district tour. Began discussions with Water Consortium regarding a shared Storm Water Education
39 position; dedicated \$15,000 of 2006 funds towards position.
- 40 5. Began review and update of rules.
- 41 6. Processed seventeen (17) permits for construction and renovation projects in 2005.

- 1 7. Worked with the City of Oak Park Heights to review the design and construction of the Kern Center
2 pond enhancement. Amended watershed management plan to include project in capital improvement
3 plan and participated in funding construction.
- 4 8. Continued attempts to develop an amicable solution to the long-standing conflict regarding setting of
5 a lake elevation for Long Lake.
- 6 9. Began to develop a Long Lake Strategic Lake Management Plan to improve the water quality of Long
7 Lake in Stillwater. BCWD was awarded a 2006-07 BWSR Challenge Grant to implement the plan;
8 \$150,000 worth of activities will be implemented through this grant.
- 9 10. Began development of a best management practices cost-share program as a method to educate
10 District residents regarding methods to improve water quality.
- 11 11. Initiated the process of developing next generation watershed management plan, which is due for
12 submittal and approval in 2006.
- 13 12. Conducted an internal audit of the permit application and approval process; findings will be
14 considered as a part of the rule revision process.
- 15 13. Board and staff reviewed actions and program achievement of the existing management plan and
16 determined priorities in the 2006 work plan as an element in budget development. After discussion
17 and appropriate public input, a 2006 budget of \$751,450 was established with no increase in levee
18 percentage per \$100,000 assessment.
- 19

20 **c.) Approve 2006 Budget and Tax Levy- Board Action**

21 **President Leiser, seconded by Manager Vanzwol moved to approve Resolution #05-03,**
22 **which would reaffirm resolution #05-02 as the final levy certification. Roll Call Vote 4/0.**

23
24 Manager Taillon reminded potentially interested parties that the District's 2004 and 2005 budget
25 is available at the District's office or downloadable from the District's website.
26

27 **2.) Adjourn Annual Meeting- Board Action**

28 **Manager Vanzwol, seconded by Manager Taillon moved to adjourn the annual meeting at**
29 **6:44pm. Vote 4/0.**

30
31 **3.) Call Regular December Meeting to Order and Approve Agenda**

32 President Leiser called the regular meeting to order at 6:45pm.
33

34 **4.) Approve Regular Meeting Agenda and Discussion Agenda**

35 Three additions were suggested for the agenda: new business items c) audio recording and d) mileage
36 rate and projects item b) structure inspections. **Manager Vanzwol, seconded by President Leiser**
37 **moved to approve the agenda as amended. Vote 4/0.**
38

39 **5.) Approve minutes of the November 14th, 2005 Regularregular Board Minutes- Board Action**

40 Administer Kill reviewed several minor changes to the November minutes with the Board.

41 **Manager Vanzwol, seconded by Manager Taillon moved to approve the minutes as amended.**
42 **Vote4/0.**
43

44 **6.) Treasurer's Report - Current Items Payable-Board Action**

45 Manager Taillon reported to the Board of current payables in the amount of \$88,257.32.

46 **Manager Taillon, seconded by Manager Vanzwol moved to pay items payable in the amount of**
47 **\$88,257.32. Role Call Vote 4/0.**
48
49

1 **7.) Permit/Rules**

2 **a.) Permit Process Internal Audit- Board Action**

3 President Leiser explained to the Board that Mr. Jennings, BCWD Permit #03-14 Jennings State
4 Bank, had contacted him with some concerns regarding the permit process. An *ad hoc* committee
5 was formed consisting of Manager Vanzwol, Legal Counsel, a Representative of the District
6 Engineer, who was not involved in the original permit process, and the Administrator to conduct
7 an internal audit of the permit process for the purpose of determining how the permit process
8 could be improved. Manager Vanzwol explained the results of the audit, and some potential rule
9 changes could be drafted to improve or ease the permit process. Some minor text modifications
10 were added to the summary letter to Mr. Jennings in order to clarify the language. The Board
11 requested that Administrator Kill add these suggested rule changes into the draft rule revisions.
12

13 **President Leiser, seconded by Manager Taillon moved to send response letter as amended.**
14 **3/0/1. Manager Vanzwol abstained due to his involvement on the committee.**
15
16

17 **8.) Project Review and Updates**

18 **a.) Long Lake As-Built Modeling Results**

19 Ryan Fleming from EOR explained to the Board the measured and modeled results for Long
20 Lake's water elevation under existing conditions and under an unrestricted system using the
21 October 2005 rainfall events. Mr. Fleming stated that it took 2.8 days under an un-restricted
22 system and 4.6 days under existing conditions to reach the control elevation of 890.5 feet from
23 the elevated storm condition. Mr. Fleming stated that it took 6.1 days under an un-restricted
24 system and 10.2 days under existing conditions to reach an elevation of 890.0 feet respectively.
25

26 Administer Kill reported that the City of Stillwater has requested a permit from the Board to
27 excavate 1,500 yards of material from the wetland directly north of 72nd Street.
28

29 Richard Huelsmann, Long Lake shoreline resident, explained that the modeling shows that draw
30 down after a rainfall event was not as fast as originally thought by the City.
31

32 Joe Arndt, Long Lake shoreline resident, stated concerns that the overall Long Lake plan was not
33 completely established and therefore the original goals will most likely not be met. Mr. Arndt
34 suggested reviewing previous recommendations made by EOR and questioned the apparent lack
35 of concern from the City.
36

37 President Leiser assured Mr. Arndt that there has been communication with the City and
38 modeling results will be shared with them.
39

40 The Board and attending Long Lake shoreline residents discussed the advantages and
41 disadvantages of stop logs. Administrator Kill clarified that the DNR is opposed to adding stop
42 logs and future use on Long Lake is unlikely.
43

44 **Manager Vanzwol, seconded by Manager Pundsack moved to direct Administrator Kill to**
45 **send the modeling report to the City of Stillwater. Vote 4/0.**
46
47

1 **b.) THPP Kismet and Long Lake Structures**

2 Ryan Fleming updated the Board that no or minimal amounts of sediment were found at the
3 THPP, Kismet and Jackson WMA culvert outlet structures from a personal observation.
4

5 **9.) Old Business**

6 **a.) Lake Elmo Local Water Management Plan/ 2030 Comp Plan**

7 Administrator Kill noted that the Lake Elmo Comprehensive Plan was not submitted as a Local
8 Water Management Plan. A letter was sent to the City of Lake Elmo and the Metropolitan
9 Council indicating what remaining items would be required in Local Water Management Plan.
10

11 **b.) Buffers on Judicial Ditches**

12 President Leiser mentioned learning of a survey of buffers on judicial ditches at the MAWD
13 conference. Administrator Kill stated that the survey was received and returned explaining that
14 the Brown's Creek Watershed District does not have any judicial ditches and therefore this does
15 not currently apply.
16

17 **10.) New Business**

18 **a.) Washington Conservation District 2006-07 Contract for Service- Board Action**

19 Administrator Kill reviewed with the Board the contract for service, indicating that the
20 Washington Conservation District would like to change to a two-year contract. President Leiser
21 suggested that legal council review the document and recommend any changes to be presented at
22 the next meeting.
23

24 **b.) January 2006 BCWD Board Agenda-**

25 Reminder: January 9th meeting rescheduled for Wednesday January 18th, 2006.
26

27 **c.) Audio Recording**

28 Administrator Kill explained the benefits of creating an audio recording of all meetings for legal
29 purposes.
30

31 The Board discussed the benefits of creating an audio recording including the assistance in
32 minute preparation, and legal documentation of decisions. The Board also discussed the
33 disadvantages including the possible misinterpretation of statements made, and the possibility of
34 limiting discussions on topics for fear of misinterpretation.
35

36 The Board directed Administrator Kill and legal council to suggest changes to the data practices
37 act policy and bring forth a board action item at the next meeting.
38

39 **d.) Mileage Rate**

40 **President Leiser, seconded by Manager Vanzwol moved to allow Administrator Kill to draft**
41 **a mileage reimbursement policy that follows the federally approved mileage reimbursement**
42 **rate starting January 1st, 2006. Vote 4/0.**
43
44

1 **11.) Discussion Agenda-No Action Required**

2 a.) **Permit Review**

3 **Current Inspection Update**

4
5 b.) **Project Review and Updates**

6 1.) **Drainage from Washington County Road 115 Drainage Scope**

7 2.) **Kern Center- Erosion/ Monitoring**

8 3.) **Kismet Basin- Manure Spreading**

9 4.) **Goggin's Lake Outlet**

10 5.) **Bradshaw Infiltration Pond**

11 a.) **Subcommittee Updates**

12 b.) **Communications and Reports**

13 **MAWD Annual Meeting Update**

14 President Leiser, Manager Vanzwol and Administrator Kill discussed several items
15 brought up at the MAWD meeting.

16
17 **12.) Adjournment**

18
19 **Manger Vanzwol, seconded by Manger Pundsack moved to adjourn at 8:55pm. Vote**
20 **4/0.**

21
22 Minutes prepared by Kim Grosenheider, Recording Secretary