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2 **Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of**  
3 **Managers, December 12, 2011**

4  
5 WCD Offices, 1380 W. Frontage Road, Hwy. 36  
6 Stillwater, MN 55082

**APPROVED**

7  
8 **ROLL CALL**

<b>Managers Present:</b>	<b>Others Present:</b>
Craig Leiser, President	Karen Kill, Administrator
Rick Vanzwol, Vice-President	Debbie Meister, Recorder
Gail Pundsack, Vice-President	Louis Smith, Legal Counsel
Gerald Johnson, Secretary	Camilla Correll, EOR
Connie Taillon, Treasurer	Pat Conrad, EOR

9  
10 **1. Call Regular Meeting to order @ 6:30 PM.**

11 President Leiser called the Regular Meeting to order at 6:34 PM.

12  
13 **2. Approve Regular Meeting Agenda and Discussion Agenda**

14 **Manager Johnson moved, seconded by Manager Vanzwol, to approve the Regular**  
15 **Meeting agenda and discussion agenda as amended, adding 9c- Strategic Planning**  
16 **and removing 7b – Brown's Creek Implementation Plan – Board Action. Motion**  
17 **carried, vote 5/0.**

18  
19 **3. Public Comments**

20 There were no public comments.

21  
22 **4. Approve Board Meeting Minutes**

23 **a. November 14, 2011 Regular Meeting —Board Action**

24 **Manager Vanzwol moved, seconded by Manager Johnson, to approve the**  
25 **Regular Meeting minutes as presented. Motion carried, vote 5/0.**

26  
27 **5. Treasurer's Report**

28 **a) Review Authorized Funds Spreadsheet**

29 Administrator Kill presented the authorized fund spreadsheet reflecting the changes  
30 made in November and updates made to the Homeowners BMP Program based on  
31 follow-up with homeowners and estimates from the project designer.

1  
2  
3 **Manager Johnson moved, seconded by Manager Taillon, to accept the December**  
4 **12, 2011 authorized fund spreadsheet as presented. Motion carried, vote 5/0.**  
5

6 **b) Permit Fee Statements Review**

7 Administrator Kill did not have any further comment.  
8

9 **c) Current Items Payable — Board Action**

10 **Manager Taillon moved, seconded by Manager Vanzwol, to approve the current**  
11 **items payable in the amount of \$37,297.86. Motion carried, roll call vote 5/0.**  
12

13 **d) CDs—Board Action**

14 Administrator Kill presented current rates on CDs at local banks and the 2012 cash  
15 flow projections with one scenario including a \$129,000 loan or levy for projects  
16 related to the Brown's Creek Trail and one scenario without this revenue. In either  
17 scenario, there will be a cash flow issue in November 2012. President Leiser stated  
18 that with the interest rates being so low, cashing in a CD early if necessary would not  
19 sacrifice much interest.  
20

21 **Manager Vanzwol moved, seconded by Manager Johnson, to take out three**  
22 **nine-month CDs—one for \$100,000 and two for \$49,000 each—at Lake Area**  
23 **Bank at an interest rate of 0.85 percent. Motion carried, vote 5/0.**  
24

25 **6. Permits**

26 **a) BCWD Permit #04-16 Millbrook—Surety Reduction Request—Board Action**

27 Ms. Correll reported that the District is currently holding \$100,000 of Millbrook's  
28 original \$200,000 surety. During the year, Ryan Fleming noticed a discrepancy with  
29 the approved design for the storm sewer system that diverts flow to Infiltration Basin  
30 #1. The as-built survey found a 0.2 foot difference in elevation between the conduit  
31 diverting stormwater to the infiltration basin and the one directing flow to Brown's  
32 Creek while the approved plan indicated 0.6 feet. A retrofit to the storm sewer  
33 system tied to the surety would provide the design amount of volume control through  
34 infiltration in Infiltration Basin #1. Administrator Kill noted that Millbrook was  
35 provided with this memo and was invited to attend this meeting.  
36

37 **President Leiser moved, seconded by Manager Johnson, to decrease the**  
38 **Millbrook surety by \$20,000 if the developer meets the recommended two**  
39 **conditions outlined by EOR in the November 30, 2011 memo. Motion carried,**  
40 **vote 5/0.**  
41

42 **7. Projects/Programs**

43 **a) Oak Glen—Status Update**

44 Administrator Kill reported that a preconstruction meeting was held. Although  
45 construction will not start until after December 19, the contractor still feels that the  
46 project can be completed by the December 31 deadline. Administrator Kill will supply

1 vests to Managers wishing to tour the construction site and will e-mail the Board when  
2 the work is completed.

3  
4 **b) Brown's Creek Implementation Plan**

5 Administrator Kill reported that the Minnesota Pollution Control Agency has not  
6 finished the plan review.

7  
8 **c) Brown's Creek Implementation**

9 **i. Survey Work/H&H Updates—Board Action**

10 Administrator Kill stated that in September the Board approved 16 culverts for  
11 surveying if the Minnesota Department of Natural Resources (DNR) was not  
12 going to do the work. Since that time, the DNR has indicated that Washington  
13 County will only perform the boundary survey and the DNR will only perform a  
14 survey on a limited number of culvert points. Because of this, Administrator Kill  
15 authorized EOR to complete the survey work of the culverts along the proposed  
16 Brown's Creek Trail and to complete the Bluff and Ravine Stabilization and  
17 Brown's Creek Rehabilitation surveys to save costs and ensure the work is  
18 completed before the snow falls. Administrator Kill recommended performing  
19 survey work on the area near the Countryside Auto Repair. Once the survey work  
20 is completed the Auto Repair will be approached about BMP projects.

21  
22 **Manager Vanzwol moved, seconded by Manager Johnson, to approve**  
23 **expending an additional \$54.15 for the Bluff and Ravine Stabilization and**  
24 **\$1,140 for survey work required for the Countryside Auto Repair**  
25 **Stormwater BMPs with funds from budget item 923-0000. Motion carried,**  
26 **vote 5/0.**

27  
28 **Manager Vanzwol moved, seconded by Manager Pundsack, to approve**  
29 **finishing the H & H Model upgrade in 2012 not to exceed \$14,070 from**  
30 **account 923-0000. Motion carried, vote 5/0.**

31  
32 **ii. 2012 Project Scope—Board Action**

33 Ms. Correll stated that in response to the Board discussion in November about  
34 other work needed to prepare for Brown's Creek Trail projects, she prepared  
35 scopes for three projects. She noted that some of the survey and development  
36 work was completed on the projects, which reduces the project development costs.  
37 The DNR plans to complete the first segment of the Trail—downtown Stillwater  
38 to County Road 5— in 2012. All of bluff and ravine stabilizations (Project #1) are  
39 adjacent to this trail segment. If the Minnesota Legislature approves funding for  
40 the entire trail in 2012, all three projects will be in the trail area.

41  
42 The Managers agreed that all three projects should be ready for construction in  
43 case state trail funds are allocated in 2012 and in order to submit grant proposal(s).  
44 Legal Counsel noted that the projects are identified in the Management Plan and a  
45 public hearing is required before construction funds can be approved. President  
46 Leiser reported that he spoke with Washington County Administrator Jim Schug

1 about a County loan of up to \$160,000 for trail projects and to enable the District  
2 to keep its levy flat. The loan could be a three to five-year term at a two to four  
3 percent interest rate. The County would prefer one loan instead of a number of  
4 smaller loans. Administrator Kill provided revised 2012 budget information  
5 including a carryover update. If a loan is obtained, the District would need to  
6 budget for principal and interest payback starting in 2013.

7  
8 **Manager Vanzwol moved, seconded by Manager Johnson, to authorize EOR**  
9 **to complete tasks 1,2, 4 through 40 percent of the construction documents**  
10 **(concept plans) for the Bluff and Ravine Stabilization Projects in 2012 at a**  
11 **cost not to exceed \$5,250 from account 947-0006. Motion carried, vote 5/0.**

12  
13 **Manager Vanzwol moved, seconded by Manager Johnson, to authorize EOR**  
14 **to complete tasks 1-4 on the Brown's Creek Rehabilitation Project in 2012**  
15 **not to exceed \$18,400, which should be transferred from budget account 947-**  
16 **0009 to 947-0010 Motion carried, vote 5/0.**

17  
18 **Manager Vanzwol moved, seconded by Manager Pundsack, to authorize**  
19 **EOR to complete tasks 1-4 through 40 percent of the construction documents**  
20 **(concept plans) on the Countryside Auto Repair Stomwater BMPs in 2012**  
21 **not to exceed \$9,110, which should be transferred from budget account 947-**  
22 **0009 to account 947-0011. Motion carried, vote 5/0.**

23  
24 **iii. 2012 Synoptic Monitoring Scope—Board Action**

25 Correll Camilla reported that synoptic monitoring of total suspended solids and  
26 turbidity during storm events at multiple sites along Brown's Creek would  
27 provide information about sediment loads and sources. This would allow  
28 development of plans to address the loads. EOR suggested two sampling dates—  
29 one in spring during snowmelt conducted by professionals and one in summer  
30 with professional paired with volunteers. Discussion included recruiting CAC  
31 and/or Andy Weaver's Stillwater High School students to help with the summer  
32 monitoring, creating a budget account for this project and delaying the Bass West  
33 Lake Management Plan scope to free funds for the monitoring.

34  
35 **Manager Vanzwol moved, seconded by Manager Johnson, to approve**  
36 **\$17,200 in the 2012 budget for synoptic monitoring with transferred funds of**  
37 **\$15,000 from the Bass West account and \$2,200 from account 947-0009 into**  
38 **new account 958-0000. Motion carried, vote 5/0.**

39  
40 *Recess at 8:25-8:34 PM*

41  
42 **d) Bass West Lake Management Plan Scope — Board Action**

43 **Manager Johnson moved, seconded by Manager Vanzwol, to delay the Bass**  
44 **West Lake Management Plan until 2013. Motion carried, vote 5/0.**

45  
46 **8. Old Business**

1 a) **2012 Budget—Discussion & Board Action**

2 Administrator Kill presented a draft 2012 budget.

3  
4 **Manager Vanzwol moved, seconded by Manager Pundsack, to adopt the Final**  
5 **2012 Budget Resolution No. 11-10. Motion carried, roll call vote 5/0.**

6  
7 **Manager Taillon moved, second by Vanzwol, to adopt the Certified 2012 Final**  
8 **Tax Levy Resolution No. 11-11. Motion carried, roll call vote 5/0.**

9  
10 Administrator Kill will draft and President Leiser will sign a letter thanking the  
11 Washington County Board for the offer of a loan.

12  
13 **9. New Business**

14 a) **Special Budget Workshop December 19<sup>th</sup>—Board Action**

15 **Manager Vanzwol moved, seconded by Manager Johnson, not to hold a special**  
16 **board meeting. Motion carried, vote 5/0.**

17  
18 b) **Metropolitan Council WOMP Grant—Board Action**

19 **Manager Vanzwol moved, seconded by Manager Johnson, to approve the**  
20 **Metropolitan Area Watershed Outlet Monitoring Program (WOMP 1) grant**  
21 **agreement. Motion carried, vote 5/0.**

22  
23 **Manager Pundsack moved, seconded by Manager Taillon, to make the following**  
24 **changes to the 2011 budget:**

25

<b><u>Transfer From</u></b>	<b><u>Transfer To</u></b>	<b><u>Amount</u></b>
<b><u>Contingency Reserve</u></b>	<b><u>300-4703 Permitting Engineer Review</u></b>	<b><u>\$17,753</u></b>
<b><u>Contingency Reserve</u></b>	<b><u>200-4410 Legal Fees- General</u></b>	<b><u>\$1,500</u></b>
<b><u>200-4000 Manager Per Diem</u></b>	<b><u>200-4250 Dues and Subscriptions</u></b>	<b><u>\$250</u></b>
<b><u>200-4000 Manager Per Diem</u></b>	<b><u>200-4290 Printing and Notices</u></b>	<b><u>\$860</u></b>
<b><u>200-4000 Manager Per Diem</u></b>	<b><u>300-4703 Permitting Engineer Review</u></b>	<b><u>\$1,390</u></b>
<b><u>200-4220 Secretarial</u></b>	<b><u>200-4410 Legal Fees - General</u></b>	<b><u>\$500</u></b>
<b><u>910-0000 Education</u></b>	<b><u>Grant Prep</u></b>	<b><u>\$2,300</u></b>
<b><u>914-0000 Homeowner BMP</u></b>	<b><u>300-4703 Permitting Engineer Review</u></b>	<b><u>\$4,860</u></b>
<b><u>951-0000 Woodpile Lake</u></b>	<b><u>946-0000 Masterman Lake</u></b>	<b><u>\$500</u></b>
<b><u>Management Plan</u></b>	<b><u>Management Plan</u></b>	

26  
27 **Motion carried, vote 5/0.**

28  
29 c) **Strategic Planning Meeting**

30 President Leiser stated that the current District-wide Management Plan was approved  
31 in 2006. He suggested a strategic planning meeting with the CAC after April 15 to  
32 review the 10-year plan, reassess where we are and provide guidance to the  
33 Administrator and Engineer. The Managers also suggested meeting with the District  
34 communities before the strategic planning meeting to get input from the LGUs.  
35 President Leiser noted that on-going meetings and joint projects with LGUs and

1 agencies such as the DNR is one way to alleviate the Legislature's concern about  
2 overlapping and competing work. It was agreed that Administrator Kill will contact  
3 the Grant City Clerk about a meeting and draft agendas for the meetings with the  
4 LGUs.  
5

6 **10. Discussion Agenda – No Action Required**

7 **a) Administrator Updates**

8  
9 **a. Permit Updates**

10 Manager Vanzwol stated that the permit reports show our inspection program  
11 is working. He thanked Ryan Fleming and Sam Westlund for their work.  
12

13 Administrator Kill reported the following:  
14

15 **b. Stillwater Armory**

16 After reviewing the concept designs, the wetland, depending on the size, could  
17 impact the project and stormwater rules could be triggered.  
18

19 **c. Scanning Files**

20 A seasonal worker started scanning permit files and will continue until 2011  
21 funds are expended.  
22

23 **d. Stillwater Country Club Grant Close-out**

24 The grant has been completed and paperwork will be filed to close out to  
25 receive the final 10% payment of \$6,200 from BWSR.  
26

27 President Leiser reported that the Stillwater Country Club project was selected as  
28 the Minnesota Association of Soil and Water Conservation Districts State-wide  
29 Project of the Year.  
30

31 **e. Long Lake Grant Close-out**

32 The grant of just under \$35,000 is being closed out.  
33

34 **f. Sanctuary Berm**

35 Legal Counsel has provided a revised letter providing the developer with the  
36 option to either fix the berm elevation or release the surety so the District can  
37 fix it.  
38

39 **g. MAWD Conference**

40 The U.S. Geological Survey staffer who did the Rice Creek turbidity analysis is  
41 interested in making a site visit to Brown's Creek in spring and possibly helping  
42 identify sediment loads.  
43

44 **b) Communications & Manager Reports**

45 President Leiser reported that he received updated Manager handbook materials  
46 from MAWD, was reelected to the MAWD Board as treasurer, provided a summary

1 of the MAWD conference and reported that he and Administrator Kill attended the  
2 Water Consortium meeting where discussion included how to revitalize the  
3 Consortium.  
4

5 c) **January 2012 BCWD Board Agenda**  
6

7 **11. Adjournment**

8 **Manager Johnson moved, seconded by Manager Taillon, to adjourn the Regular**  
9 **Meeting at 9:37 PM. Motion carried, vote 5/0.**  
10

11 Respectfully Submitted by  
12 Debbie Meister, Recorder  
13