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Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of Managers, January 11, 2010

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

APPROVED

ROLL CALL

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Rick Vanzwol, Vice-President	Debbie Meister, Recorder
Connie Taillon, Treasurer	Louis Smith, Legal Counsel
Gerald Johnson, Secretary	Pat Conrad, EOR
Gail Pundsack, Vice-President	Camilla Correll, EOR
	Mike Majeski, EOR
	Ryan Fleming, EOR
	Jim Shaver, CMSCWD

1. Call Regular Meeting to Order @ 6:30 PM

President Leiser called the Regular Meeting to order at 6:30 PM.

2. Approve Regular Meeting Agenda and Discussion Agenda

President Leiser recommended adding Grant City Issues under New Business item c.

Manager Johnson, seconded by Manager Taillon, moved to approve the Regular Meeting agenda and discussion agenda as amended. Motion carried, vote 5/0.

3. Public Comments

There were no public comments.

4. Approve Board Meeting Minutes December 14, 2009 Annual & Regular Meeting – Board Action

Manager Vanzwol recommended several changes to the minutes.

Manager Johnson, seconded by Manager Vanzwol, moved to approve the minutes of the December 14, 2009 Annual and Regular Meeting as amended. Motion carried, vote 5/0.

1 **5. Treasurer's Report**

2 **a) Review Authorized Funds Spreadsheet**

3 Administrator Kill presented the fund spreadsheet, noting that the only change in the
4 2009 budget was account 942-0000 and the integrated 2009-2010 spreadsheet will be
5 presented next month.
6

7 **b) Current Items Payable – Board Action**

8 **Manager Taillon, seconded by Manager Vanzwol, moved to pay bills in the**
9 **amount of \$121,443.24. Motion carried, roll call vote 5/0.**

10 Administrator Kill will clarify inspections versus reviews in the EOR invoice.
11
12

13 **c) CD Recommendation —Board Action**

14 Administrator Kill reported that she looked at various CD rates at banks. Smaller
15 banks offer better rates and \$250,000 in one bank is FDIC insured through 2013. She
16 provided recommendations for staggered investments. Manager Pundsack
17 recommended putting no more than \$225,000 in any one bank.
18

19 **Manager Pundsack, seconded by Manager Vanzwol, moved to utilize the bank**
20 **fund placement as follows:**
21

<i>Term (months)</i>	<i>Bank</i>	<i>Rate</i>	<i>Amount</i>
4	US Bank	0.26	\$ 50,000
4	US Bank	0.26	\$ 50,251
6	US Bank	0.21	\$ 50,365
6	American Bank	1.37	\$ 75,000
6	Eagle Valley Bank	1.34	\$ 75,000
9	American Bank	1.51	\$ 75,000
12	American Bank	1.66	\$ 75,000
15	Lake Area Bank	1.75	\$ 50,000

22 **Motion carried, vote 5/0.**
23

24 **d) Permit Fee Statements Review**

25 Administrator Kill reported that she will complete the 2009 fee statements and send
26 bills tomorrow. She and Legal Counsel are close to securing a collection agent.
27

28 **President Leiser, seconded by Manager Vanzwol, moved to table the fee**
29 **statements review until the February meeting. Motion carried, vote 5/0.**
30

31 **7. Projects/Programs**

32 a) THPP Infiltration Monitoring Report — Presentation by Mike Majeski, EOR
33 Mike Majeski presented an overview of the THPP Infiltration Monitoring Report
34 including the following recommendations:

- 35 • Continue monitoring surface water elevations in Basins 1, Basin 3 and
36 Wetland C.

- 1 • Mow and seed road edges between Basin 1 and Wetland C in late spring and
- 2 later summer to limit ragweed growth.
- 3 • Cut and de-limb box elder trees throughout the site in March (and treat each
- 4 stump).
- 5 • Install monitoring equipment upgrades at an estimated cost of \$600.

6
7 The Managers requested that a cost for each recommendation be presented next
8 month and that Administrator Kill check with the County to see if the Goggins Lake
9 culvert has been repaired.

10
11 **b) Groundwater Monitoring Program — Board Action**

12 Camilla Correll provided background on the District's intent to develop and
13 implement a groundwater monitoring program and the need to better understand the
14 surface-groundwater interactions in the watershed and a number of groundwater
15 related questions. Before proposing a monitoring program, she recommended
16 reviewing the existing data and identifying the gaps, which would take about three
17 months. Funding the work was then discussed.

18
19 **Manager Vanzwol, seconded by Manager Pundsack, moved to transfer \$6,744**
20 **from the 2009 contingency fund carryover to account 942-0000 and to approve**
21 **Task 1 to identify additional available groundwater information and Task 2 to**
22 **collect and rectify groundwater data not to exceed a total for both tasks of**
23 **\$6,744 from account 942-0000. Motion carried, vote 5/0.**

24
25 **c) Homeowner BMP Program**

26 **i. 2010 Projects — Board Action**

27 Administrator Kill presented the BMP Subcommittee recommended projects for
28 2010 funding.

29
30 **Manager Johnson, seconded by Manager Taillon, moved to approve the**
31 **Boettcher residence cost-share BMP not to exceed \$2,200 from account 914-**
32 **0000. Motion carried, vote 5/0.**

33
34 **Manager Johnson, seconded by Manager Vanzwol, moved to approve the**
35 **Light residence BMP cost-share not to exceed \$2,500 from account 914-0000**
36 **contingent on the changes recommended by the BMP Subcommittee.**
37 **Motion carried, vote 5/0.**

38
39 **Manager Taillon, seconded by Manager Vanzwol, moved to approve the**
40 **Nelson residence BMP cost-share not to exceed \$2,500 from account 914-**
41 **0000 contingent on the design being approved by a structural engineer.**
42 **Motion carried, vote 5/0.**

43
44
45 **ii. Outstanding Project Awards Program Criteria for 2010**

46 Charged with developing criteria for an awards program, Administrator Kill
47 outlined the BMP Subcommittee's recommendations for a program starting in

1 2010. The Managers agreed that awards to enhance landscaping were better than
2 cash and preferred allowing winners to select from a catalog of prizes. The
3 Managers also discussed using signs, plaques and District logos to recognize
4 awards and other BMP projects and involving the CAC in some aspect of the
5 judging.
6

7 **Manager Vanzwol, seconded by Manager Pundsack, moved to accept the**
8 **Awards Program plan and instruct the Administrator and the BMP**
9 **Subcommittee to present to the Board a catalog of enhanced water treatment**
10 **options for awards. Motion carried, vote 5/0.**
11

12 Legal Counsel will review the proposal to ensure that it meets legal criteria.
13

14 **ii. Conservationist of the Year 2009 — Board Action**

15 Administrator Kill outlined the BMP Subcommittee's recommendation that
16 Denise Stephens of Settler's Glen be recognized as the Conservationist of 2009
17 for her 2008 BMP, her encouragement of other BMPs in Settler's Glen and rain
18 gardens through the District LGU/Community BMP and her participation in the
19 September 2009 Citizen Advisory Committee.
20

21 **Manager Johnson, seconded by Manager Vanzwol, moved to recognize**
22 **Denise Stephens as the 2009 Conservationist of the Year and to authorize**
23 **President Leiser to purchase the award and plaque from account 910-0000.**
24 **Motion carried, vote 5/0.**
25

26 Ms Correll displayed a rain garden sign printed on a foam core-like material. The
27 sign was developed by EOR with a grant. The District was invited to co-purchase
28 signs with EOR. The Managers decided to delay a decision and explore various
29 signs, options and safety issues.
30

31 **d) Diversion Drainage Analysis —Board Action**

32 Ryan Fleming presented a revised scope of services for the diversion structure to
33 reflect EOR's 2010 fee schedule.
34

35 **President Leiser, seconded by Manager Vanzwol, moved to approve the**
36 **expenditure for the diversion drainage analysis, including the impact on**
37 **McKusick Lake, not to exceed \$7,793 from account 932-0001—McKusick Lake**
38 **Management Plan--Implementation Fund. Motion carried, vote 5/0.**
39

40 **e) H&H Update —Board Action**

41 Ryan Fleming presented background on and the scope of services for the H&H model
42 update for the McKusick Lake area.
43

44 **Manager Taillon, seconded by Manager Pundsack, moved to approve the**
45 **hydrologic and hydraulic model update for the McKusick Lake area not to**
46 **exceed \$4,250 from account 923-0000. Motion carried, vote 5/0.**
47

1 **f) Fen Trolley Line Repair Report —Board Action**

2 After discussion with Legal Counsel, Administrator Kill recommended delaying
3 going out for bid for the trolley line repair until next month. Ryan Fleming presented
4 the hydrologic analysis and outlined the key project components with the objective to
5 repair the streetcar line in order to limit surface water to the fen. It was agreed that
6 additional information is needed on the how much the flow will increase and who is
7 the property owner down flow. Other issues discussed included estimating the cost of
8 the project to be about \$5,000-\$6,000, removing invasive seed sources and talking
9 with Mike Regan about the new information and the possibility of renting equipment
10 from him.

11
12 **Manager Vanzwol, seconded by Manager Taillon, moved to do further analysis**
13 **on expected flow rates and volumes for downstream property owners not to**
14 **exceed \$1,000 from account 942-0000. Motion carried, vote 5/0.**

15
16 Break 8:40-8:50 p.m.

17
18 **7. Old Business**

19 **a) Official Newspaper —Board Action**

20 Administrator Kill provided information on circulation and rates for area newspapers.
21 It was noted to satisfy legal requirements the official newspaper must be generally
22 distributed in the watershed and the District can post notices of professional services
23 in the State Register, though the fee for this posting was not known.

24
25 **Manager Johnson, seconded by Manager Pundsack, moved to table**
26 **consideration of the District's official newspaper until information about the fee**
27 **for posting in the State Register is determined. Motion carried, vote 5/0.**

28
29 **8. New Business**

30 **a) 2010 LGU/Community Cost-share — City of Stillwater Request — Discussion**

31 Administrator Kill reported that the City of Stillwater is interested in a rain garden
32 cost-share project with the District. The volume control measures would be above the
33 District rule requirements. The total cost estimate for the rain gardens (not including
34 curb cuts) is \$50,000. The Managers were generally supportive of the project as an
35 LGU Community Demonstration Project, provided the City uses the District
36 implementation requirements. The Managers suggested discussing this further at the
37 joint District-City meeting.

38
39 **b) Met Council Grant SG2010-02 for Operating WOMP Station — Board Action**

40 **Manager Vanzwol, seconded by Manager Taillon, moved to approve the Met**
41 **Council WOMP Grant SG2010-02. Motion carried, roll call vote 5/0.**

42
43 **c) Grant City Issues**

44 President Leiser reported on the City of Grant public hearings—at both the Planning
45 Commission and City Council—on grazable acres. He testified that the District has
46 concerns about water quality and the number of impaired water bodies in Grant due to
47 phosphorus from manure.

1
2 Administrator Kill stated that the District has a number of rules that apply if a
3 landowner undertakes a land altering activity, but animals do not trigger the rule. If
4 the District rule is triggered and a buffer is required, the vegetation in the buffer
5 cannot be altered without District approval. Rural landowners may apply for the
6 District BMP Cost-share Program. Administrator Kill also reported that the Grant
7 Trail Rangers asked her to speak about District programs and rules.
8

9 **9. Discussion Agenda – No Action Required**

10 **a) Administrator Updates**

11 • **MPCA Decision on Copper Impairment for TMDL**

12 Administrator Kill stated that the Minnesota Pollution Control Agency will likely
13 identify copper as a stressor in the TMDL report, but not assign waste load
14 allocations or percentage reductions. The copper collection methods approved by
15 the EPA are probably outside the realm of the current District monitoring
16 contracts.
17

18 • **Stormwater Retrofit Assessment Model and BMP Funding**
19 **Opportunities**

20 Administrator Kill and Managers Vanzwol and Taillon reported on a grant the
21 Anoka SWCD received through the Legislature to do an assessment of small
22 subwatersheds using existing data to assess and prioritize the best locations for
23 BMPs on private property. This methodology is less expensive and could be used in
24 the District. There will only be one assessment funded this year in Washington
25 County.
26

27 • **2009 Financial Audit**

28 Work on the audit will start on February 1.
29

30 • **Freshwater Society Celebration on January 26**

31 Will Steger will be speaking.
32

33 **b) Communications & Manager Reports**

34 Manager Vanzwol reported that the Heron Lake Watershed District and conservation
35 districts are sending mailings at nonprofit postage rates. The District should consider
36 using these rates for the newsletter.
37

38 **c) February 2010 BCWD Board Agenda**
39

40 **10. Adjournment**

41 **Manager Taillon, seconded by Manager Pundsack, moved to adjourn at 9:50 PM.**

42 **Motion carried, vote 5/0.**
43

44 Respectfully Submitted by
45 Debbie Meister, Recorder
46