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3 **Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of**
4 **Managers, November 14, 2011**

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

APPROVED

8
9 **ROLL CALL**

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Rick Vanzwol, Vice-President	Debbie Meister, Recorder
Gail Pundsack, Vice-President	Chuck Holtman, Legal Counsel
Gerald Johnson, Secretary	Camilla Correll, EOR
Connie Taillon, Treasurer	

- 10
11 **1. Call Regular Meeting to order @ 6:30 PM.**
12 President Leiser called the Regular Meeting to order at 6:33 PM.
13
14 **2. Approve Regular Meeting Agenda and Discussion Agenda**
15 **Manager Johnson moved, seconded by Manager Vanzwol, to approve the Regular**
16 **Meeting agenda and discussion agenda as amended, adding "8d) Holiday**
17 **Gathering". Motion carried, vote 5/0.**
18
19 **3. Public Comments**
20 There were no public comments.
21
22 **4. Approve Board Meeting Minutes**
23 **a. October 10, 2011 Regular Meeting —Board Action**
24 **Manager Taillon moved, seconded by Manager Vanzwol, to approve the Regular**
25 **Meeting minutes as amended. Motion carried, vote 5/0.**
26
27 **5. Treasurer's Report**
28 a) **Review Authorized Funds Spreadsheet**
29 Administrator Kill reviewed expenses to date and end-of-year projections. Revised
30 carryover estimates will be provided at the December Board meeting.
31

1 **Manager Johnson moved, seconded by Manager Taillon, to accept the November**
2 **14, 2011 authorized fund spreadsheet as presented. Motion carried, vote 5/0.**
3

4 **b) Permit Fee Statements Review**

5 Administrator Kill reported that she received payment for a couple of bills including
6 all of Settlers Glen including the 5th Addition and Millbrook. There are some newer
7 permits with outstanding fees. One permit was closed out this month.
8

9 **Manager Vanzwol moved, seconded by Manager Johnson, to accept the**
10 **November 9, 2011 permit fee statements review. Motion carried, vote 5/0.**
11

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

13 Administrator Kill clarified that the unrecorded deposit of \$8,275.74 is a homestead
14 credit from the State. Manager Taillon presented the report.
15

16 **Manager Taillon moved, seconded by Manager Vanzwol, to approve the current**
17 **items payable in the amount of \$135,425.54. Motion carried, roll call vote 5/0.**
18

19 **6. Projects/Programs**

20 **a) Oak Glen—status update**

21 Administrator Kill reported that the contractor delayed work on the project until
22 after Thanksgiving in the hopes that there will be one to two inches of frost,
23 minimizing damage to the golf course turf during construction. Construction still
24 needs to be completed by the end of the year. The District has received bonds and
25 insurance records. The contract will be signed by President Leiser.
26

27 **b) Stillwater Country Club Repairs—Board Action**

28 Administrator Kill stated that the Board approved repair costs of \$13,850 based on
29 Pete Young's cost estimate. The actual repair was \$21,323.92 or \$7,473.92 above
30 the estimate. The Country Club asked that all invoices be forwarded to the Board to
31 show its contribution to the project including in-kind labor and ask if the District is
32 willing to contribute more toward the cost of repairs. While on-site during
33 construction, Administrator Kill and Mr. Young felt that more excavation and
34 additional boulders to armor the embankments at the culvert crossings were needed.
35 They also felt that the cement wall was needed to further protect against erosion.
36 Both felt the repair changes were needed and done economically.
37

38 Discussion included: the District provided the original design, the repairs were
39 necessary to fix an installation failure and prevent further damage, the project will
40 prevent 48 tons of sediment per year from reaching Brown's Creek and the St.
41 Croix, the District inspected and approved the excavation before additional riprap
42 (boulders) was installed and a general consensus that the Country Club should
43 contribute to the repair.
44

45 **Manager Vanzwol moved, seconded by Manager Pundsack, to approve paying**
46 **an additional \$5,000, with a transfer of funds from account #947-0002 to**

1 **account #947-0001, for a total cost share of \$18,850 to ensure the project**
2 **operates as required. Motion carried, vote 4/0/1. President Leiser abstained.**
3

4 **c) Brown's Creek Implementation Plan—Board Action**

5 Ms. Correll stated the draft plan was presented to stakeholder groups and the
6 comments were incorporated into the plan. She provided a summary of the Plan
7 including goals for each LGU/Agency, implementation activities that will address
8 total suspended solids (TSS) and thermal loads, TSS accounting tables, partner roles
9 and responsibilities and education and outreach. Once the Plan is approved by the
10 Board, it will be submitted to the Minnesota Pollution Control Agency (MPCA) for
11 the official review and approval.
12

13 Manager Vanzwol stated that this is a terribly complicated subject and the report
14 was well organized and very well written. President Leiser suggested several
15 changes including the opportunity and benefits of the new Brown's Creek State
16 Trail, the benefits of restoring the Mendel Wetland and stating the overall goal of
17 the plan in lay terms.
18

19 **President Leiser moved, seconded by Manager Vanzwol, to authorize the**
20 **Brown's Creek Implementation Plan to be submitted to the Minnesota**
21 **Pollution Control Agency after EOR makes the changes recommended and the**
22 **Administrator and two Managers review and approve these changes. Motion**
23 **carried, vote 5/0.**
24

25 **Recess from 8:14-8:24 PM**
26

27 **d) Brown's Creek Trail Development Process**

28 Ms. Correll reported that she and Administrator Kill met with Department of
29 Natural Resources (DNR) staff about the trail. DNR staff requested that BCWD
30 provide the DNR with a statement of intent as well as a list of activities that BCWD
31 would like the DNR to consider during the trail development process. Ms. Correll
32 presented a draft of the Statement of Intent, Compliance with the District Rules and
33 Regulations and Implementation Plan Activities (Proposed Projects) to be provided
34 to the DNR. Managers and Legal Counsel provided several changes to the
35 document including: consider the DNR's point-of-view as you reread and amend
36 the document, clarify that BCWD is willing to pay for survey work and projects,
37 and if the DNR contracts for construction work, rather than doing it in-house,
38 include recommended bid criteria, which Legal Counsel will draft for inclusion in
39 the document.
40

41 **President Leiser moved, seconded by Manager Vanzwol, to accept the**
42 **document as a statement of BCWD interest in converting the Zephyr Railroad**
43 **Line to the Brown's Creek Trail and to direct Administrator Kill to approve**
44 **changes to the document before it is submitted to the DNR. Motion carried,**
45 **vote 5/0.**
46

1 Suggestions to engage the public in implementation activities included involving
2 the CAC in TSS monitoring and recruiting organizations such as Rotary, 4-H, Boys
3 and Girls clubs and Scout troops to participate in cleanups.
4

5 **7. Old Business**

6 **a) 2012 Budget—Updates & County Loan Discussion**

7 Administrator Kill reported that if the District raises its levy by \$129,000 to cover
8 the Brown's Creek Trail project expenses, the overall levy will increase by 25
9 percent. As another option, the County suggested the District borrow \$130,000
10 from the County as a loan. Interest would be 2-4 percent and flexible on terms. The
11 paperwork for this could be in place by the December Board meeting. Manager
12 Vanzwol noted that if the trail realignment work is not done in 2012, the \$130,000
13 would not be needed and the District could instead apply for a grant to do the work
14 in 2013. Questions raised included: can the loan be done incrementally as needed,
15 how quickly can the loan be obtained, what are the project costs up to the
16 Stonebridge portion of the trail and to stabilize the bluffs and ravines within the
17 "gorge"? Statements in support of a loan were: The County will have a financial
18 interest in the projects, the loan only needs to be executed if realignment work is
19 done in 2012 and a loan would reduce spikes in the levy. Legal Counsel clarified
20 that the District budget has already been adopted so a public hearing is not
21 necessary to decrease the levy. Administrator Kill will get questions answered from
22 the County and she and Ms. Correll will provide cost estimates for the specific trail
23 projects at next month's meeting.
24

25 **8. New Business**

26 **a) Auditing Services—Board Action**

27 Administrator Kill reported that the HLB Tautges Redpath's bid for auditing service
28 has gone up and, for the first time, another accountant responded to the request for
29 proposal. Manager Pundsack stated that the new accountant seems to provide
30 services to many government agencies and offered economies of scale.
31

32 **Manager Pundsack moved, seconded by Manager Vanzwol, to engage Abdo,**
33 **Eick & Mevers, LLP to produce the 2011, 2012, 2013 audits for BCWD with**
34 **the District having an annual option to extend the contract. Motion carried,**
35 **vote 5/0.**
36

37 **b) MAWD Resolutions & 2011 Certificate of Membership & Delegate**
38 **Appointment—Board Action**

39 **Manager Vanzwol moved, seconded by Manager Pundsack, to nominate**
40 **Gerald Johnson and Craig Leiser as the BCWD voting delegates to the MAWD**
41 **Annual Meeting. Motion carried, vote 5/0.**
42

43 President Leiser reported that Ray Bohn, on behalf of the MAWD board, is drafting
44 a resolution for the creation of a uniform water plan. Comments/input on this and
45 the seven other resolutions submitted to BWSR should be provided to President
46 Leiser or Manager Johnson.

1 **c) Stillwater Township Joint Board Meeting**

2 The joint meeting will be held on January 26, 2012.

3
4 **d) Holiday Gathering**

5 Administrator Kill stated that she will coordinate the holiday gathering at Sal's.

6
7 **9. Discussion Agenda – No Action Required**

8 **a) Administrator Updates**

9 Administrator Kill reported the following:

10
11 **a. MCC Grant**

12 Administrator Kill is preparing several grant proposals to utilize MCC crews for
13 buffer work and plantings. The grants will cover the cost of a five-person crew
14 at \$975 per day. A 25 percent match—in-kind, materials, etc.— is needed.

15
16 **b. Kismet Basin Update**

17 A manhole cover with the entire casing was removed from the Sterner/Surles
18 property. It is not known if this was an accident or vandalism. The cover and
19 casing were replaced. Administrator Kill will work with the property owner to
20 ensure that the cover and casing are visible to minimize the potential for damage
21 and accidents.

22
23 **c. Permits**

24 Erosion control issues have been corrected.

25
26 **d. Appointments**

27 Managers Vanzwol and Johnson are up for appointment next year.

28
29 **b) Communications & Manager Reports**

30 **a. Environmental Initiative Conference**

31 President Leiser reported that there were good presentations including
32 containing feedlots in Stearns County, involving lake associations in Itasca
33 County to get things done, successful BMPs presented by Shawn Tracy who
34 used Lily and McKusick lakes as examples and drainage law presented by Louis
35 Smith, plus a panel discussion on which President Leiser participated.

36
37 **b. Water Roundtable**

38 President Leiser reported that the group is moving forward. The last meeting
39 was at the RWMWD office.

40
41 **c. MAWD Commissioners Meeting**

42 President Leiser reported that the Washington County Water Consortium was
43 used as an example of sharing information and resources to get water projects
44 done.

45
46

1 **d. Woodpile Lake**

2 Manager Vanzwol reported that, with permission from the road commissioner,
3 he talked to the grading crew working on 83rd Street about gravel washing into
4 the lake. The crew will explore what can be done to prevent this and the
5 associated cost.
6

7 **e. Water Resources Conference**

8 Manager Taillon reported that she and Administrator Kill attended the
9 conference and praised Administrator Kill and Rusty Schmidt for their excellent
10 presentation on the Stillwater Country Club.
11

12 **e. BWSR Grants**

13 President Leiser reported that grant requests submitted to BWSR totaled \$48
14 million from around the state, though only \$12 million is available. Grant
15 recipients will be announced on December 14.
16

17 **c) December 2011 BCWD Board Agenda**
18

19 **10. Adjournment**

20 **Manager Johnson moved, seconded by Manager Vanzwol, to adjourn the Regular**
21 **Meeting at 10:00 PM. Motion carried, vote 5/0.**
22

23 Respectfully Submitted by
24 Debbie Meister, Recorder
25