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3 **Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of**
4 **Managers, May 9, 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
Connie Taillon, Treasurer	Chuck Holtman, Legal Counsel
Gerald Johnson, Secretary, <i>arrived 6:36 PM</i>	Camilla Correll, EOR
Gail Pundsack, Vice-President	Jane Harper, Washington County
	Jay Riggs, Washington CD

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

12 President Leiser called the Regular Meeting to order at 6:33 PM.

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14 **2. Approve Regular Meeting Agenda and Discussion Agenda**

15 **Manager Vanzwol, seconded by Manager Pundsack, moved to approve the Regular**
16 **Meeting agenda and discussion agenda as amended. Motion carried, vote 4/0.**

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18 **3. Public Comments**

19 There were no public comments.

20
21 *Manager Johnson arrived at 6:36 PM.*

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

24 **a) April 5, 2011 Special Meeting—Board Action**

25 **Manager Vanzwol, seconded by Manager Taillon, moved to approve the Special**
26 **Meeting minutes as presented. Motion carried, vote 4/0/1. Manager Pundsack**
27 **abstained because she was not present at the April 5, 2011 meeting.**

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29 **b) April 18, 2011 Regular Meeting—Board Action**

30 **Manager Taillon, seconded by Manager Johnson, moved to approve the Regular**
31 **Meeting minutes as amended. Motion carried, vote 5/0.**

1 **5. Treasurer's Report**

2 **a) Review Authorized Funds Spreadsheet**

3 Administrator Kill reported that several changes are reflected in the spreadsheet.

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5 **Manager Vanzwol moved, seconded by Manager Taillon, to accept the May 9, 2011 spreadsheet report as presented. Motion carried, vote 5/0.**

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8 **b) Permit Fee Statements Review**

9 Administrator Kill reported that she will be sending out bills.

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11 **Manager Pundsack moved, seconded by Manager Johnson, to accept the permit fee statement as presented. Motion carried, vote 5/0.**

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14 **c) Current Items Payable -- Board Action**

15 **Manager Taillon moved, seconded by Manager Johnson, to approve the current items payable in the amount of \$112,068.96. Motion carried, roll call vote 5/0.**

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18 It was noted that the unrecorded deposits are interest.

19
20 **d) CD -- Board Action**

21 Administrator Kill reported that a \$50,000 CD matured yesterday. Interest rates have continued to decline. A spreadsheet summarized bank rates and a cash flow analysis. Discussion focused on cash flow in November, the possibility of purchasing two CDs to minimize interest loss if one CD would need to be cashed out early and the option of a money market account.

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27 **Manager Vanzwol moved, seconded by Manager Johnson, to purchase two six-month CDs from Eagle Valley Bank in the amounts of \$200,000 and \$49,000 at an interest rate of 0.6 percent. Motion carried, vote 5/0.**

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31 **Manager Pundsack moved, seconded by Manager Taillon, to roll over the current CD of \$50,000 plus the accrued interest of \$1,094.54 to a nine-month CD with an interest rate of 0.9 percent at Lake Area Bank. Motion carried, vote 5/0.**

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35 **6. Public Hearing—Brown's Creek Thermal Reduction Projects**

36 **Manager Vanzwol moved, seconded by Manager Johnson, to recess the Regular Meeting at 6:50 PM. Motion carried, vote 5/0.**

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39 President Leiser called the Thermal Reduction Projects public meeting open and noted that this portion of the meeting is being recorded. Administrator Kill reported that there were no public comments submitted, just a question of clarification from Washington Country to confirm the projects will be funded from a district-wide levy rather than countywide levy.

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45 **Since there is no public testimony, Manager Vanzwol moved, seconded by Manager Johnson, to close the public hearing. Motion carried, vote 5/0.**

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1 President Leiser declared the public meeting closed at 6:51 PM.
2

3 **7. Projects/Programs**

- 4 a) **Oak Glen – Brown’s Creek Thermal Reduction – Order Project- Board Action**
5 **Manager Vanzwol moved, seconded by Manager Taillon to approve Resolution**
6 **11-04 for the Brown Creek’s Thermal Reduction Projects as amended. Motion**
7 **carried, roll call vote 5/0.**
8

9 Camilla Correll presented findings on the feasibility analysis on potential retrofits to
10 the golf course ponds. The surface water level of the two ponds is at or above their
11 outlet elevations, suggesting the ponds are routinely discharging to Brown’s Creek.
12 This discharge has been confirmed by EOR staff observations. The lack of weeds and
13 algae growth also suggests continual addition of cool water to the ponds. The
14 northern-most portion of the wetland contains high quality and unique vegetation that
15 might be groundwater dependent. According to golf staff, the course has permits for
16 three wells, which are used routinely for irrigation and the ponds do not discharge to
17 the creek. EOR’s retrofit proposal provides a cost estimate for the retrofit and
18 coordination with the golf course.
19

20 Administrator Kill commented that it appears that a retrofit can be done at anytime,
21 funds for the work are not in the current budget, discussion about the retrofit could
22 begin at the next meeting with the golf course and additional procedures are required
23 if retrofits are done as a capital improvement project. The Managers suggested the
24 possibility of pumping water only when irrigation is needed, using this as a model for
25 other golf courses and watershed districts and providing general management of the
26 ponds as a better alternative. It was agreed that the next step is to discuss this project
27 with the golf course staff.
28

- 29 b) **Washington County Conservation Plan – Presentation by Jay Riggs and Jane**
30 **Harper**

31 Ms. Harper provided an overview of the Land and Water Legacy Program
32 Conservation Plan. In 2006, residents passed a referendum authorizing the County to
33 bond to improve water quality. The plan—developed by the County Board—provides
34 goals and sets criteria to evaluate projects for funding. The plan maps high priority
35 areas for protection with the focus on surface water, drinking water, ecological
36 (wetland, rare habitats, woodland, grasslands) and connectivity modules. A modeling
37 process layered these four modules on a weighted basis. The Washington
38 Conservation District (WCD) identified 20 top areas that best meet all four modules.
39 Mr. Riggs reviewed these critical areas and asked for feedback. Are the boundaries
40 current? Are the area names appropriate? Were any major areas missed? Should any
41 areas be eliminated?
42

43 The Managers and staff mentioned several parcels—Schuneman Marsh, the gorge,
44 the Kismet Basin and the adjacent property and the Mendel wetland—as possible
45 critical areas. Mr. Riggs responded that he will re-look at the property adjacent to the
46 Kismet Basin and the Mendel wetland. He clarified that although the critical areas
47 will be the targets for outreach, individual parcels outside these areas can still be

1 considered. Ms. Harper also clarified that the potential for development was a factor
2 in the critical area designation, while zoning was not. She noted that this is a
3 voluntary program and that local priorities might not be a County priority. Mr. Riggs
4 asked for additional comments by the first week in June. The critical area list will be
5 presented to the County Board later this summer. President Leiser suggested this
6 program would make a good presentation at the MAWD annual meeting.

7
8 **c) Brown's Creek Implementation Plan– Board Action**

9 Administrator Kill reported that she and Ms. Correll will forward a memo. The memo
10 and plan will be on the June meeting agenda.

11
12 **d) Weather Station Location & Photo – Board Action**

13 Administrator Kill reported that a specific station location has not yet been
14 determined. Because the station is not vandal proof, John Barry of EOR suggested
15 installing a chain link fence around the station. Options will be brought to the Board
16 in June.

17
18 Ms. Correll reported that Mr. Barry received the thermal loggers and will install them
19 next week.

20
21 **e) Hwy 96 & 95 Culvert Fish Baffles—Schedule Public Hearing June 13, 2011 –**
22 **Board Action**

23 **Manager Vanzwol moved, seconded by Manager Johnson, to approve Resolution**
24 **11-05 to order a public hearing for the Brown's Creek Fish Baffles Project.**
25 **Motion carried, roll call vote 5/0.**

26
27 Administrator Kill stated that the cost estimate for the project is about \$50,000, but
28 cannot be approved until after the hearing. Manager Pundsack noted that there is only
29 \$40,000 in account 947-0002. Funds will need to be moved or the contingency used.

30
31 **f) BMP Projects—Board Action**

32 Manager Taillon recused herself from the discussion and voting on the Tangen and
33 Holly BMP cost shares.

34
35 **Manager Johnson moved, seconded by Manager Pundsack to approve 100**
36 **percent of the design costs of \$300 and 50 percent of the Tangen cost share not to**
37 **exceed \$2,500 from account 914-0000. Motion carried, vote 4/0/1. Manager**
38 **Taillon abstained.**

39
40
41 Administrator Kill presented the Holly BMP project with a policy issue for two
42 proposed curb cuts.

43
44 **President Leiser moved, seconded by Manager Vanzwol, to approve paying 100**
45 **percent of curb cut costs on rain garden projects that meet the criteria for the**
46 **District Cost Share Program and are approved by the Subcommittee. Motion**
47 **carried, vote 5/0.**

1 **President Leiser moved, seconded by Manager Pundsack, to authorize the BMP**
2 **Subcommittee to consider larger plants, at 100 percent of the additional cost, for**
3 **a project if the Subcommittee feels this will lead to better community acceptance**
4 **and project implementation. Motion carried, vote 4/0/1. Manager Taillon**
5 **abstained.**
6

7 **Manager Johnson moved, seconded by Manager Vanzwol, to approve the Holly**
8 **cost share project not to exceed \$1,400 from cost share account 914-0000 and to**
9 **provide larger plants at a cost of \$750 from account 940-000 and 100 percent of**
10 **curb cut costs not to exceed \$1,200 from account 914-0000. Motion carried, vote**
11 **4/0/1. Manager Taillon abstained.**
12

13 **g) 2011 BCWD Monitoring Changes**

14 Administrator Kill reported that an independent lab is being used for analysis of
15 dissolved phosphorous that requires a separate courier for a fee of about \$15.
16

17 *Recess at 8:45- 8:53 p.m.*
18

19 **8. New Business**
20

21 **a) MAWD Summer Tour**

22 **Manager Vanzwol moved, seconded by Manager Johnson, to pay registration**
23 **and costs of the Managers and the Administrator attending the MAWD summer**
24 **tour and pay one half the costs for the President. Motion carried, vote 5/0.**
25

26 **b) BCWD 2012 Budget Workshop—Schedule Date – Board Action**

27 The Board agreed to hold budget workshops on August 8 at 5 PM and August 22 at 7
28 PM. The CAC will be invited to the August 22 workshop.
29

30 **c) 2011 BCWD Conservationist of the Year Award—Board Action**

31 After discussion about the four nominations—the Boettchers, Paul Spilseth of the
32 Stillwater Country Club, the Richtmans and Mr. Bradshaw of the Bradshaw Funeral
33 Home— Mr. Bradshaw was selected as the 2011 Conservationist of the Year because of
34 his community leadership and persistence over three years to engage property owners in
35 BMPs. Manager Vanzwol suggested exploring the idea of recognizing Stillwater
36 Country Club as the Project of the Year and inviting Paul Spilseth to accept the award.
37

38 **Manager Vanzwol moved, seconded by Manager Johnson, to authorize**
39 **President Leiser to purchase the award and plaque not to exceed \$300 from**
40 **account 910-0000. Motion carried, vote 5/0.**
41

42 **d) July 11th Board Meeting Date—Consider Rescheduling for July 18th – Board**
43 **Action**

44 It was agreed that the meeting would held on the regular July 11th date.
45
46

1 **9. Old Business**

2 **a) BCWD Annual Report—Board Action**

3 The Managers commended Administrator Kill for a reformatted, very readable report.

4
5 **President Leiser moved, seconded by Manager Vanzwol, to accept the 2010 Annual**
6 **Report & 2011 Annual Plan and authorize its distribution. Motion carried, vote 5/0.**

7
8 **b) BCWD Summer Tour—St. Anthony Fall—Sat., Sept 10th –Mark Your Calendar**

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

11 **a) Administrator Updates**

12 Administrator Kill reported the following:

13
14 **a. Permit Updates**

15 Auto Zone has been quick to respond.

16
17 **b. Winter Fish Kills**

18 The monitoring crew reported a lot of fish kills this winter, especially Woodpile
19 Lake. A fish survey was done last year for the Woodpile Lake Management Plan.
20 The number and species of fish affected by the fish kill were documented for the
21 plan.

22
23 **c. Eastern Hugo Natural Resource Inventory**

24 The City of Hugo will soon release a final map identifying high priority natural
25 areas. This inventory process was similar to the County's Conservation Plan
26 process and utilized many of the same data.

27
28 **d. MPCA Assessment Meeting**

29 The District participated in Minnesota Pollution Control Agency (MPCA)
30 assessment meeting. Brown's Creek is proposed to be listed for E-coli impairment.
31 More information will be shared with the Board as it becomes available.

32
33 **e. Herberger's Pond—**

34 The filter was replaced last week. Dan Fabian of EOR provided suggestions for
35 maintenance. The District is working with the City of Stillwater on maintenance.

36
37 **f. Spring Projects**

38 The Minnesota Conservation Corp is planting the stormwater buffer at Long Lake
39 Villas. The series of raingardens at Community Thread will be completed in the
40 next week. The Long Lake shoreline restoration area will be sprayed one more
41 time this spring prior to seeding and planting plugs. Buckthorn removal is
42 scheduled in Brown's Creek Trails Park.

43
44 **g. Rainfall Frequency Data**

45 Ms. Correll stated that NOAH is looking at using new data, which should be
46 available early next year.

47

1 **b) Communications & Manager Reports**

2 President Leiser reported on a discussion regarding TMDLs and alternative methods
3 for assessing water resources that lead to more cost-effective and timely
4 implementation.
5

6 **c) June 2011 BCWD Board Agenda**
7

8 **11. Adjournment**

9 **Manager Johnson moved, seconded by Manager Vanzwol, to adjourn the Regular**
10 **Meeting at 9:43 PM. Motion carried, vote 5/0.**
11

12
13 Respectfully Submitted by
14 Debbie Meister, Recorder
15