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2 **Minutes of the Special Meeting of the Brown's Creek Watershed District Board of**  
3 **Managers, August 22, 2011**

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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	Camilla Correll, EOR
Gerald Johnson, Secretary	Michael Welch, Legal Counsel
Gail Pundsack, Vice-President	Ryan Fleming, EOR
<b>Managers Absent:</b>	
Connie Taillon, Treasurer	

9  
10 **1. Call Special Meeting to order**

11 President Leiser called the Special Meeting to order at 6:40 PM.

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

14 Manager Vanzwol asked to add to the agenda a discussion of the managers' per diems for  
15 the evening's meetings.

16 **Manager Vanzwol, seconded by Manager Johnson, moved to approve the meeting**  
17 **agenda as amended. Motion carried, Vote: 4/0.**

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19 **3. Fish Baffle Project**

20 **a. Select Contractor – Board Action**

21 Ryan Fleming, EOR, presented four contractor quotes. Scandia Trucking & Excavating  
22 provided the lowest quote. EOR contacted them to discuss their approach and to confirm  
23 project understanding.

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25 **Manager Vanzwol, seconded by Manager Johnson, moved to accept the quote from**  
26 **Scandia Trucking for the fish baffle construction not to exceed \$7,675 from account**  
27 **947-0002 and for staff to develop appropriate contract documents. Motion carried,**  
28 **Vote 4/0.**

29  
30 **Manager Vanzwol, seconded by Manager Johnson, moved to authorize the purchase**  
31 **of the bolts for the fish baffle project not to exceed \$2,107.40 from account 947-0002.**

1 **Motion carried, Vote 4/0.**  
2

3 **4. Oak Glen Buffer and Stream Restoration Projects – Update**

4 Administrator Kill updated the Board on the revised timeline with a construction start  
5 date of October 31, 2011. The final design and request to let bids will be brought to the  
6 Board at the September 12, 2011 regular meeting.  
7

8 **Manager Vanzwol, seconded by Manager Pundsack, moved to authorize submittal**  
9 **of the public advertisement of the Oak Glen project in the Construction Bulletin no**  
10 **later than September 12, 2011 at 10 AM. Motion carried, vote 4/0.**  
11

12 **5. Stillwater Country Club – Board Action**

13 Administrator Kill provided an update on the Stillwater Country Club and the damage to  
14 the swale after the 3.25” rain in three hours on August 16, 2011. Pete Young,  
15 Washington Conservation District, has reviewed the site and provided a cost estimate for  
16 the repairs.  
17

18 Managers Johnson and Leiser have previously recused themselves from discussion and  
19 voting because they are members at the Stillwater Country Club and to avoid the  
20 appearance of a conflict of interest. In response to a question from Manager Johnson,  
21 counsel advised that the managers' past recusals have been more an expression of  
22 sensitivity to appearances of a conflict, rather than reflecting a judgment of an actual  
23 conflict. Both Managers felt that since the project has already been approved and  
24 installed, and they feel the District is obligated to ensure the maintenance of projects  
25 constructed with District funds, they are comfortable participating in the discussion and  
26 voting on the needed repairs.  
27

28 **Manager Vanzwol, seconded by Manager Johnson, moved to authorize seeding and**  
29 **staking of the turf mat not to exceed \$300 from account 947-0001. Motion carried,**  
30 **vote 4/0.**  
31

32 **Manager Vanzwol, seconded by Manager Pundsack, moved to authorize**  
33 **replacement plants for area H not to exceed \$750 from account 947-0001. Motion**  
34 **carried, vote 4/0.**  
35

36 **Manager Vanzwol, seconded by Manager Johnson, moved to authorize**  
37 **administrator to seek quotes for the repairs of the swale and to enter into a contract**  
38 **for the repairs not to exceed \$11,000 from account 947-0001. \$11,000 should be**  
39 **transferred from 947-0002 to account 947-0001. Motion carried, vote 4/0.**  
40

41 **6. Per Diem**

42 After discussion and input from counsel, the managers confirmed that managers would  
43 receive a single per diem for the evening's special projects and budget meetings.  
44

45 **Manager Johnson, seconded by Manager Vanzwol, clarified that the Managers will**  
46 **receive a total of one per diem payment for both special meetings held August 22,**  
47 **2011. Motion carried, vote 4/0.**

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7. **Adjournment**  
**Manager Vanzwol, seconded by Manager Pundsack, moved to adjourn at 7:38 PM.**  
**Motion Carried, Vote 4/0.**

Respectfully submitted by  
Karen Kill, Administrator