



BROWN'S CREEK WATERSHED DISTRICT

1380 W Frontage Rd, Highway 36, Stillwater, MN 55082 Tel: 651-275-1136 x26 Fax: 651-275-1254

Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of Managers, January 12, 2004.

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

APPROVED

ROLL CALL

Present: Craig Leiser, President
Karen Kilberg, Vice President
Barbara Medinger, Treasurer
Gerald Johnson, Secretary
Ned Gordon

Absent: None

Others Present: Karen Kill, WCD, Administrator
Louis Smith, Legal Counsel
Smith Parker, P.L.L.P.
Pat Conrad, EOR
Camilla Correll, EOR
Don Peterson
John McCarthy

1. **Call to Order**

President Leiser called the meeting to order at 6:30 p.m.

2. **Approve Agenda and Discussion Agenda**

Administrator Kill removed the first two items under Election of Officers and moved the last item to the Treasurer's Report. Item 8f was moved to the discussion agenda and item 8d was removed from the agenda. **Manager Gordon, seconded by Manager Johnson, moved to approve the Agenda as amended. Vote: 5 – 0.**

3. **Election of Officers**

Manager Gordon, seconded by Manager Medinger, proposed the following slate of Officers: Craig Leiser, President; Karen Kilberg, Vice President, Gerald Johnson, Secretary; and Barbara Medinger, Treasurer. Manager Medinger, seconded by Manager Johnson, moved to amend the primary motion to substitute Ned Gordon as Treasurer on the slate of officers. Motion failed 2 – 3; Gordon, Kilberg and Leiser opposed. Primary motion carried 3 – 1 – 1, Johnson abstained and Medinger opposed.

4. **Approve Minutes of December 8, 2003 Regular Meeting**

Discussion was held concerning recording of votes containing abstentions. The Board agreed to record abstentions and omit names on votes if absent. **President Leiser, seconded by Manager Gordon, moved to approve the December 8, 2003 minutes with amendments. Vote: 4/0/1, Kilberg abstained.**

5. **Treasurer's Report**

a) **Current Items Payable**

Discussion was held concerning a check to the City of Hugo for the Don Rice Property. Attorney Smith advised that the check should not be issued until the grant agreement has been acted upon.

Manager Medinger reported on the bank balance as of December 31, 2003 of \$206,274.89 and payables in the amount of \$31,810.05. **Manager Medinger, seconded by Manager Gordon, moved to approve payables in the amount of \$31,810.05 with the exception of \$9,166 to the City of Hugo for the Don Rice Property. Roll call vote taken. Vote: 5/0.**

Manager Johnson left the meeting at 6:55 p.m.

b) **Website Hosting Account**

Administrator Kill requested direction from the Board on the website hosting account payment structure and noted that the website is getting use and is helpful to cities, permit applicants and students. **Manager Kilberg, seconded by Manager Gordon, moved to utilize the twelve-month prepay for the website hosting account. Vote: 4/0.**

c) **Capitalizing Property & Equipment for 2004**

Manger Gordon, seconded by President Leiser, moved to accept the recommended capitalization threshold of \$5,000 and develop a policy under the direction of the Treasurer identifying assets to be included, the accounting methods to be used and the policy for depreciation of individual assets. Vote: 4/0. Manager Gordon stated that he would assist in drafting a policy.

d) **Fund Reserved Balance**

Administrator Kill explained the "Fund Balance" entries under "Net Assets" on the Balance Sheet, noting that these entries represent unspent funds.

e) **Auditor Selection**

Manager Kilberg, seconded by President Leiser, moved to approve Tautges Redpath as auditor for a contract price of \$2,250. Vote: 4/0.

f) **District Savings Account**

- Resolution 04-01 Open Small Business High Impact Savings Account
- Verification of Signatures Required on Financial Instruments

Administrator Kill presented a Resolution for Board approval of establishing a savings account. Administrator Kill explained that online transfers will be restricted to transfers between the District's accounts.

Manager Medinger, seconded by Manager Gordon, moved to adopt the Resolution with a change to correct the first paragraph spelling error and amending the last paragraph to require two signers, subject to the District's By-laws. Roll call vote taken. Vote: 4/0.

6. **Rules/Permits**

a) **#03-13 Blilie Property**

Administrator Kill reported that no Board action is necessary on this item.

b) **Extended Administrative Responsibility to Administratively Permit for Rule 4.0 –Lake, Stream, & Wetland Buffer Requirement**

Administrator Kill presented Resolution 04-02 Delegating Certain Permit Approval Authority to the Administrator for Board approval. Manager Gordon stated that the District's objective with the proposed Resolution is to expedite the permit process.

Manager Gordon, seconded by President Leiser, moved acceptance of the Resolution 04-02 as amended to include monthly reporting under item 5. Roll call vote taken. Vote: 4/0.

c) **#03-14 Jennings State Bank**

Camilla Correll of EOR provided an overview of the application for construction of Jennings State Bank in the Parkwood Lane development. Ms. Correll discussed stormwater management, noting that her firm modified figures provided by the applicant to accurately reflect the hydrologic conditions of the site.

President Leiser, seconded by Manager Gordon, moved approval of permit 03-14 per recommendations by the Engineer and fees indicated. Vote: 4/0.

d) **#01-03 Loggers Trail Amendment**

Camilla Correll of EOR reported on the applicant's proposal to reduce the size of the pond outlet pipe under 80th Street North. John McCarthy of Loggers Trail Golf Course was present and explained that the drainage has been rerouted so the culvert is handling less water.

Manager Gordon, seconded by Manager Kilberg, moved to approval of Permit 01-03 per the recommendations of the District Engineer and an additional condition to lower the culvert invert to 914.1 feet. Vote: 4/0.

- e) **St. Croix River Crossing Meeting to be held Thursday, January 15th 1 – 3 p.m. at the WCD Office**
Administrator Kill reported that the district is primarily affected by the St. Croix River Crossing with the Highway 36 corridor changes.

7. **Project Review and Update**
Nothing to report.

8. **Old Business**

- a) **H & H Preliminary Presentation – Camilla Correll, EOR**
Camilla Correll of EOR provided a brief review of the H & H study and stated that the draft report will be presented at the next meeting. The final report will be available in March. Ms. Correll noted that the two-foot contours allowed for refinement of boundaries and identification of additional subwatersheds.
- b) **Rice Property Grant Agreement**
Tabled to a future meeting.
- c) **BCWD Boundary Changes between RCWD and BCWD**
Administrator Kill presented a proposed Resolution supporting boundary change and identified areas covered under the change. Discussion was held concerning the method used for assigning parcels to a watershed district.

President Leiser, seconded by Manager Gordon, moved to adopt Resolution 04-03 supporting boundary change. Roll call vote taken. Vote: 4/0.

- d) **Washington County Approval of Groundwater Plan on December 16th, 2003**
President Leiser reported that the Groundwater plan has been approved. Leiser added that elements of the Plan tie in to the Second Generation Plan and the District will be asked to report activities in support of the plan on an annual basis.

9. **New Business**

- a) **Long Lake Water Quality Management Study**
Manager Gordon stated that although he has recused himself in the past from Long Lake discussions, he benefits equally from water quality issues and would participate in the discussion.

Pat Conrad of EOR outlined what a lake management plan would involve. Mr. Conrad stated that Stillwater has identified sediment removal and water quality as

items to work on and added that all issues related to water quality should be addressed. Mr. Conrad reviewed proposed components of a management plan and recommended that the District consider funding from the St. Croix Basin Team or the MPCA.

Discussion was held with the Managers expressing concern that Long Lake has not been a high quality lake in the past and questioned how much the quality could be improved. The Board also discussed involving the City of Stillwater in the process.

President Leiser, seconded by Manager Gordon, moved to approve a total of \$3,500: \$2,500 for a sediment survey at the south end of the lake and \$1,000 for a scope sufficient to determine the extent of a Long Lake Management Plan. Vote: 4/0.

- b) **MAWD Legislative Breakfast Thurs., February 12, 2004**
President Leiser reported that he has registered to attend the breakfast. Manager Gordon will also be attending.
- c) **Protecting the St. Croix through Nutrient Management Conference, Thurs. February 12, 2004**
Administrator Kill reported that she will attend the conference.
- d) **February BCWD Board Agenda**
Brief discussion held.

Discussion Agenda

Administrator Kill reported that the TSMP has been approved by all parties and is moving forward. Administrator Kill also noted that an informational memo has been provided on the District's monitoring activities.

10. **Adjournment**

Manager Gordon, seconded by Manager Medinger, moved to adjourn at 9:08 p.m. Vote: 4/0.

Respectfully Submitted,

Julie Johnson
Recording Secretary