



1
2 APPROVED Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Tuesday April 9, 2019 at 6:30 PM

4
5 Family Means, 1875 Northwestern Avenue south
6 Stillwater, MN 55082

7
8 **ROLL CALL**

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Sharon Schwarze, Vice President	Carmen Simonet, Recorder
Klayton Eckles, 2 nd Vice President	Michael Welch, Smith Partners, BCWD counsel
Anne Maule Miller, Secretary	Cameron Blake, BCWD staff
Gerald Johnson, Treasurer (arrived 6:53pm)	Emily Johnson EOR, BCWD engineer
	Cecilio Olivier, EOR, BCWD engineer
	Mike Majeski, EOR, BCWD engineer
	Aaron DeRusha, Washington Conservation District
	Olivia Sparrow, EOR, BCWD engineer
	Zack Sheahan, Summit Management
	Mark Guenther, Fenway Land
	Kyle Ogren, Carlson McCain
	Katie & Brian Haupt, residents
	Brian Krystofiak, Carlson McCain
	Carly Johnson, City of Oak Park Heights
	Karen Richtman, Citizens Advisory Committee
	Paul Richtman, Citizens Advisory Committee
	Stu Grubb, EOR, BCWD engineer (arrived 6:45pm)
	Mark Lambert, Summit Management

- 9
- 10 **1) Call Regular Meeting to Order @ 6:30 PM**
- 11 President Leiser called the Regular Meeting to order at 6:35 PM, noting that Manager
- 12 Johnson is expected to arrive late.
- 13
- 14 **2) Approve Regular Meeting Agenda and Discussion Agenda**
- 15 Manager Maule Miller asked that consent agenda items 4e) approve newsletter, and 4f)
- 16 approve 2019-20 Warner Nature Center Youth Education agreement be removed from
- 17 the consent agenda. Karen Kill noted the need to add item 6d, BMP tour special meeting.

1 **Manager Schwarze moved, seconded by Manager Maule Miller, to approve the**
2 **Regular Meeting agenda and discussion agenda as amended. Motion carried, vote**
3 **4/0 (Johnson absent).**
4

5 **3) Public Comments**

6 There were no public comments.
7

8 **4) Consent Agenda**

9 **Manager Maule Miller moved, seconded by Manager Eckles, to approve the consent**
10 **agenda:**

- 11 • **Approve minutes from the March 20, 2019 Regular Meeting as presented.**
- 12 • **Accept the permit fee statement as presented.**
- 13 • **Approve monitoring equipment repair and replacement scope not to exceed**
14 **\$3,500 from account 300-4640 (Equipment and Upgrades).**
- 15 • **Approve annual report for distribution.**

16 **Motion carried, vote 4/0 (Johnson absent).**
17

18 Manager Johnson arrived 6:53pm.
19

20 **5) Permits**

21 **a) BCWD #19-01 Marylane Meadows – Board Action**

22 Emily Johnson, EOR reported on the permit review for Marylane Meadows, a
23 proposed 5-acre single-family residential redevelopment of 11 homes, and removal of
24 two existing homes. The project is located on Marylane Avenue south of McKusick
25 Road and consists of 1.7 acres of impervious surface. The stormwater management
26 plan includes construction of an infiltration basin, vegetated swale, curb and gutter,
27 storm sewer, and sump manholes.
28

29 Olivia Sparrow, EOR reported that all proposed runoff flows to the northeast corner
30 of the property and then offsite into the Marylane drainage improvement project
31 (MDIP) infrastructure. The City of Stillwater implemented the MDIP to address the
32 increased development in the area and flooding problems in the yards of nearby
33 houses. The engineer recommends approving the permit with the conditions outlined
34 in the engineer's report.
35

36 Administrator Kill reported that BCWD has received calls from citizens concerned
37 about the risk of increased flooding from the development. The managers discussed
38 the concern and the need for the City of Stillwater to confirm that the MDIP has
39 capacity for the additional runoff. Michael Welch, Smith Partners said a condition of
40 the permit requires that the City of Stillwater confirm that increased discharge to the
41 MDIF will not result in flood risk to downstream properties during a 100-year event.
42 On inquiry from Administrator Kill, the managers indicated that they were
43 comfortable acting on the permit without yet having heard from the city as to the
44 capacity of the MDIF.
45

1 President Leiser asked the project representatives if they had any concerns about
2 meeting the conditions outlined in the report. Brian Krystofiak, Carlson McCain said
3 he did not.

4
5 Katherine Haupt asked about the grade elevations along Marylane Ave. Ms. Sparrow
6 said the proposed elevations on the plan are considerably higher than the existing
7 conditions. Brian Haupt asked about the existing trees and what will remain. Ms.
8 Johnson said the plan indicates they will be leaving the vegetation along the east and
9 southeast property lines.

10
11 The District engineer recommends approval of the request for a variance from
12 compliance with BCWD Rule 2.4.1., which requires no increase in peak runoff flow
13 rates from presettlement conditions at all points where discharge leaves the site. In
14 the proposed project, discharge to the Northeast does not match pre-settlement
15 discharge rates for the 10- and 100-year storms. However, Ms. Johnson explained,
16 the aggregate rates from the three discharge points, which come together in the storm
17 sewer downstream of the property boundary, are less than the pre-settlement rates.

18
19 **Manager Eckles moved, seconded by Manager Schwarze, to approve the**
20 **Maryland Meadows permit with conditions outlined in the engineer's report and**
21 **variance from BCWD Rule 2.4.1 based on the engineer's report and**
22 **presentation. Motion carried, voted 5/0.**
23

24
25 **6) Projects**

26 **a) Monitoring Presentation – Aaron DeRusha, Mike Majeski, Stu Grubb, and**
27 **Emily Johnson**

28 Aaron DeRusha, Washington Conservation District gave an overview of the 2018
29 Brown's Creek Watershed District baseline water quality monitoring report. The
30 report focuses on the summary of lake and stream water quality data collected by the
31 Washington Conservation District in 2018. The water quality of most lakes slightly
32 improved from the previous year. Four lakes experienced a slight decline in overall
33 lake grade.

34
35 Mike Majeski, EOR presented the 2018 monitoring performance of the Trout Habitat
36 Preservation Project (THPP) and the recommended scope of services for 2019, to
37 repair small cracks and a separated joint in the basin 3 outlet structure.

38
39 Mr. Majeski presented the 2018 assessment of macroinvertebrates sampled from three
40 sites along Brown's Creek including the headwaters, middle reach and the gorge and
41 compared it with past years. A total of 64 different macroinvertebrate taxa were
42 collected from the creek. Consistencies in taxa found in surveys from 2015-2018
43 indicate stable water quality and habitat in the creek.

44
45 Stu Grubb, EOR gave an overview on the history of BCWD groundwater monitoring
46 and the 2018 monitoring activity of the seven in-stream piezometers located in

1 Brown's Creek and compared the data to previous years. The piezometers provide
2 data on groundwater inflow to and outflow from the creek. The engineer recommends
3 continuing the groundwater monitoring to provide better insight into the
4 groundwater/surface water interactions along the creek. Manager Eckles asked that in
5 the future, precipitation be presented along with the groundwater data.
6

7 Mr. Majeski presented a photo slide show documenting the diversion drainage
8 headcut repair, including the pre-construction bank erosion, grade stabilizing
9 practices, and site restoration work. The project took place in November 2018.
10

11 Ms. Johnson gave an overview of the Norell Pond retrofit installation and restoration
12 project that took place last year, including recommendations for monitoring, and
13 performing an annual survey to determine the volume of sediment captured by the
14 system.
15

16 Ms. Johnson gave an overview on the Settlers Glen iron-enhanced sand filter system
17 that was installed in 2013. The average filter removal efficiency is 72% and total
18 system removal efficiency is 86%. Annual maintenance for the system includes filter
19 surface aeration, vegetation management, and bi-annual check pump inspection.
20 Other maintenance includes removal of accumulated sediment and minor repairs to
21 erosion at the outlet.
22

23 Manager Schwarze asked if there were any performance standards available on iron-
24 enhanced sand filters in other watershed districts. Cecilio Olivier, EOR said there is
25 data and an 86% phosphorus removal is a normal range and indicates the filter media
26 is still effective.
27

28 Mr. Majeski reported on BCWD's weather station monitoring program and the scope
29 for 2019. Manager Eckles asked why BCWD has its own weather station.
30 Administrator Kill reported the station was installed in 2011 because there was a data
31 gap and no available weather station to acquire the data needed. The information from
32 the station supports a number of BCWD projects and the information is also shared
33 with the Washington Conservation District and the University of MN.
34

35 The managers thanked everyone for their presentations and provided feedback.
36 Manager Eckles appreciated the review of the long term trends and recommended
37 shortening the overall presentation by leaving out extraneous details. Manager Maule
38 Miller suggested the reports be spread out over a few meetings.
39

40 Recess 9:52 - 9:59pm
41

42 Manager Eckles asked if there were any metrics on the maintenance items to review.
43 Administrator Kill said she has this information and will send it out to the managers.
44
45
46

1 (1) THPP infiltration retrofit scope – Board Action

2 Manager Maule Miller moved, seconded by Manager Schwarze, to authorize
3 expenditure not to exceed \$1,160 from account 903-0001 (Trout Habitat
4 Preservation Project: Monitoring) to develop an engineer’s estimate of
5 probable cost and solicit bids for the repair of the Basin 3 outlet structure.
6 Motion carried, voted 5/0.
7

8 (2) Macroinvertebrate and Fish survey scope – Will be included in May agenda.
9

10 (3) Weather station scope – Board Action

11 Manager Leiser moved, seconded by Manager Eckles, to table the weather
12 station funding request, and directed staff to find out if there are other
13 nearby weather stations that BCWD can access for data. Motion carried,
14 voted 5/0.
15

16 (4) Norell Ave Pond Performance Monitoring - Will be included in a future
17 agenda.
18

19 (5) Aquatic vegetation surveys – South School Section, Lynch, Bass East, Bass
20 West scopes– Board action

21 Manager Maule Miller moved, seconded by Manager Schwarze, to authorize
22 expenditure not to exceed \$3,052, from account 956-0000 (Bass East & West
23 Management Plan) for Bass East and West Lakes point-intercept survey.
24 Motion carried, voted 5/0.
25

26 Manager Maule Miller moved, seconded by Manager Johnson, to authorize
27 expenditure not to exceed \$3,052 from account 950-0002 (Lynch Lake Fish
28 Management) for North and South Lynch Lakes Point-Intercept Survey, and
29 to transfer \$52 from account 300-4950 (Management Plan Implementation –
30 miscellaneous) to 950-0002 (Lynch Lake Fish Management). Motion carried,
31 voted 5/0.
32

33 Maule Miller moved, seconded by Manager Johnson, to authorize
34 expenditure not to exceed \$11,652 from account 950-0001(South Curly Leaf
35 Treatment) for South School Section Pre & Post-Treatment AIS Focused
36 Meander Survey, South School Section Minnesota DNR APM Permit and
37 herbicide treatment, and to transfer \$1,652 from account 300-4950
38 (Management Plan Implementation –miscellaneous) to 950-0001 (South
39 Curly Leaf Treatment). Motion carried, voted 5/0.
40
41

42 (6) IESF O & M 2019 Scope- Board Action

43 Manager Schwarze moved, seconded by Manager Johnson, to authorize
44 expenditure not to exceed \$12,080 for 2019 operation and maintenance of the
45 Settlers Glen iron-enhanced sand filter from account 948-0000 (CIP
46 Maintenance Fund). Motion carried, voted 5/0.

1 **(2) Permit Process Mapping**

2 Administrator Kill said that staff is working on mapping out the permitting
3 process.

4
5 **(3) Joint Workshop with Stillwater City Council**

6 **Manager Leiser moved, seconded by Manager Eckles to approve a special**
7 **meeting on June 4, 2019 at 4:30pm, with Stillwater City Council at their**
8 **office. Motion carried, voted 5/0.**

9
10 **b) Communications & Manager Reports**

11 President Leiser asked legal counsel to comment on the open meeting law and
12 speaking with citizens. Mr. Welch advised that managers may speak with constituents
13 and others, and express their opinions on watershed matters as long as there is no
14 quorum of managers present. He noted that under the BCWD governance policies, a
15 manager may not speak on behalf of BCWD without authorization from the board.

16
17 Manager Maule Miller gave an update on the Washington County Water Consortium
18 and Legislative Water Commission meetings she recently attended.

19
20 **c) May 2019 Regular BCWD Board Agenda**

21 No additional items were suggested.

22
23 **8) Adjournment**

24 **Manager Eckles moved, seconded by Manager Maule Miller, to adjourn the**
25 **Regular Meeting at 10:55pm Motion carried, vote 5/0.**

26
27 Respectfully Submitted by

28 Carmen Simonet, Recorder and Anne Maule Miller, Recording Secretary