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2 Approved Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday May 8, 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
Gerald Johnson, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Anne Maule Miller, Secretary	Cameron Blake, BCWD staff
Klayton Eckles	Emily Johnson EOR, BCWD engineer
	Camilla Correll, EOR, BCWD engineer
	Brett Emmons, EOR, BCWD engineer
	Nathan Arnold, Washington County Publics Works
	Dan Fleming, Resident McKusick Lake
	Mark Lambert, Summit Management
	Andy Weaver, Stillwater High School
	Bethany Olson, Stillwater High School
	Ike Gunderson, Stillwater High School
	Jim and Colleen Baldrice, Residents
	Drew and Laurie Arnold, McKusick area resident
	Bruce Werre, McKusick area resident
	Roger Ruetten, McKusick area resident
	Heather Rutledge, Resident

9
10 **1) Call Regular Meeting to Order @ 6:30 PM**
11 President Leiser called the Regular Meeting to order at 6:30PM.

12
13 President Leiser noted that an updated lake report on Goggins Lake and a newsletter
14 listing upcoming events are available on the BCWD website.

15
16 **2) Approve Regular Meeting Agenda and Discussion Agenda**
17 Administrator Kill proposed adding two items to the agenda:
18 4.5) Raising Rainbow Trout – Presentation by Stillwater High School Students

1 6e) License Agreement between City of Stillwater and Brown's Creek Watershed
2 District for the Brown's Creek Riparian Shading Project – Board Action
3 **Manager Maule Miller moved, seconded by Manager Schwarze, to approve the**
4 **Regular Meeting agenda and discussion agenda as amended. Motion carried, vote**
5 **5/0.**
6

7 **3) Public Comments**

8 There were no public comments.
9

10 **4) Consent Agenda**

11 **Manager Schwarze moved, seconded by Manager Eckles, to approve the consent**
12 **agenda:**

- 13 • **Approve minutes from April 9, 2019 Regular Meeting as presented.**
- 14 • **Accept the permit fee statement as presented.**
- 15 • **Approve 2019 fish and macroinvertebrate survey scope not to exceed \$9,200**
16 **from account 947-0018 (Brown's Creek - Biological Survey**
17 **(Fish/Macroinvertebrate) and to transfer \$1,200 from account 300-4950**
18 **(Management Plan Implementation –miscellaneous) to 947-0018.**
- 19 • **MIDS Evaluation Third Party Coordination contracts with Barr and WCD –**
20 **approve Barr agreement and WCD agreement amendment.**
- 21 • **Approve reducing the BCWD Permit 18-06 Nottingham financial assurance**
22 **by \$82,611, and retain \$37,989 as recommended by the District Engineer.**

23 **Motion carried, vote 5/0.**
24

25 **4.5) Raising Rainbow Trout – Presentation by Stillwater High School Students**

26 Bethany Olson and Ike Gunderson, seniors at Stillwater High School gave a
27 presentation on raising rainbow trout in their science class which they'll release in
28 Brown's Creek this spring. They began with 358 eggs in December and have been
29 caring and monitoring to maintain the health of the fish. Administrator Kill asked that
30 they provide BCWD with the number of fish released and their lengths. The students
31 said they will follow-up once they have the data.
32

33 President Leiser noted BCWD has been working with Andy Weaver for 15 years
34 helping support science based activities at the high school. Mr. Weaver thanked the
35 managers for their time and support of his classroom. The managers thanked the
36 students for their presentation.
37

38 **5) Treasurer's Report**

39 **a) Review Authorized Funds Spreadsheet**

40 Administrator Kill presented the authorized funds spreadsheet.

41 **Manager Johnson moved, seconded by Manager Schwarze, to approve the**
42 **authorized funds spreadsheet as presented. Motion carried, vote 5/0.**
43

44 **b) Current Items Payable – Board Action**

45 **Manager Johnson moved, seconded by Manager Maule Miller, to approve**
46 **payment of bills as presented in the amount of \$65,035.02.**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Johnson</u>	<u>X</u>			
<u>Manager Leiser</u>	<u>X</u>			
<u>Manager Maule Miller</u>	<u>X</u>			
<u>Manager Schwarze</u>	<u>X</u>			

Motion carried 5/0.

Treasurer Johnson reported a total balance of \$1,293,969.72 after payables.

6) **Projects**

a) **Regional treatment option in NW quadrant of Hwy 36/CSAH 15 – Update**

Brett Emmons, EOR gave an update on potential collaboration opportunities with the CSAH 15 (Manning Avenue) – Hwy 36 intersection project where Washington County and MnDOT are planning a grade-separated interchange.

Nathan Arnold of Washington County Public Works gave an overview of the preferred alternative layout for the interchange. The project is planned for 2021. The proposed stormwater drainage for the interchange is a pretreatment cell and filtration bed.

Administrator Kill noted the purpose for this overview is informational, to learn about the interchange planning and potential opportunities for collaboration. BCWD is looking at the possibilities for regional treatment of the stormwater and engaging stakeholders. Mr. Emmons noted at this early stage, many questions remain to be answered on how a reuse project would be funded and operated. Mark Lambert acknowledged being contacted; he is developing property south of the intersection and said that he has no interest in participating. He is moving forward with plans this year.

The managers discussed various challenges with water reuse and structuring partnerships. Manager Eckles said that chloride levels were found to be much higher than expected in the Woodbury project. The administrator plans to follow-up with the City of Woodbury to obtain any data on this. Manager Maule Miller asked about potential information on treatments for chloride, as well as on structuring agreements between the golf course and public entities. President Leiser noted that these large issues will need to be addressed to determine what can be done. The Board offered general support for continuing to investigate regional stormwater treatment opportunities.

b) **CWF19 Harvest and Reuse at Oak Glen Golf Course – Update**

Administrator Kill reminded the managers that BCWD was awarded a Clean Water Fund grant and noted that the engineer has been evaluating the diversion drainage/McKusick wetland system to better understand how it is connected to

1 Brown's Creek and its potential for a water-reuse project irrigating the Oak Glen Golf
2 Course.

3
4 Brett Emmons, EOR gave an overview on the data collected and the analysis used to
5 refine and calibrate the model of the hydrology and hydraulics of the watershed. The
6 model was used to estimate how much water would be available for irrigation reuse
7 and the benefits to Brown's Creek and other downstream resources. However, the
8 model showed unexpected flow-volume results, likely due to a combination of
9 unknown things happening upstream. Mr. Emmons noted the uncertainty in the flow
10 volumes makes estimating load reductions difficult. He recommends further
11 investigation to accurately understand the dynamics in the tributary system, both for
12 reuse design and quantifying the potential benefits. This is needed to evaluate and act
13 on the grant opportunity.

14
15 Bruce Werre and Roger Ruetten commented on the uncertainties impacting the water
16 level in McKusick Lake/wetland system including an observation that silt is building
17 up where the diversion water is entering McKusick Lake.

18
19 The engineer reviewed potential next steps including a closer look at the corridor by
20 walking the tributaries and reviewing more closely the drone flight footage.

21
22 Manager Eckles proposed that the engineer develop a design based on current
23 conditions rather than looking back at past years. Mr. Emmons said there is a need to
24 know whether there will be enough water to meet the demand for irrigation reuse.

25
26 Mr. Werre, Mr. Ruetten and others asked various questions related to the golf
27 courses, McKusick Lake water level, and why BCWD was getting involved in
28 providing irrigation water.

29
30 Manager Maule Miller explained that BCWD is looking at ways to protect
31 groundwater resources and reduce both temperature and nutrient loading to Brown's
32 Creek and the St. Croix River. Another project BCWD is working on with the City of
33 Stillwater is a program to save water using irrigation smart controllers. The
34 administrator noted this is an informational meeting to update the Board. If the
35 project moves forward there will be an announcement for a public hearing prior to
36 ordering the project.

37
38 The managers directed the administrator to follow-up with next steps: staff to walk
39 the tributaries and analyze the drone flight to identify potential reasons for water loss,
40 before the next Board meeting.

41
42 Recess 8:20 pm – 8:25pm

43
44 **c) Special June meeting to present MIDS Evaluation– Board Action**

45 The managers scheduled a special meeting for June 25, 2019 at 6:30pm for a
46 presentation on the Minimal Impact Design Standards evaluation. Mark Lambert with

Summit Management asked for a copy of the draft report prior to the meeting. The Administrator said it will be available to the public on the website.

d) Weather Station Scope – Board Action

Camilla Correll, EOR provided information on the weather station monitoring program. The program began in 2011 and collects data every 15 minutes. There are two other nearby weather stations that collect data on a daily basis.

Manager Eckles raised concerns over fiscal responsibility and the need for the District to maintain its own weather station. The managers discussed his concerns. The lack of accuracy of one of the other weather stations was raised and whether either of the stations are regularly maintained and calibrated for accuracy.

Manager Leiser moved, seconded by Manager Johnson, to authorize expenditure not to exceed \$3,075 from account 957-0000 (Weather Station) to implement the 2019 weather station monitoring program. Motion carried, vote 4/1. Manager Eckles opposed.

e) License Agreement between City of Stillwater and Brown’s Creek Watershed District for the Brown’s Creek Riparian shading Project – Board Action

Administrator Kill reported the agreement allows BCWD to access property owned by the City of Stillwater for the purpose of planting and maintaining native vegetation to shade a portion of Brown’s Creek on city property just downstream of Hwy 96 and CSAH 15. Michael Welch noted that the city decided to record the license agreement and made other changes that, although not recommended, are not significant. Mr. Welch stated that he does not have reason to recommend further discussion with the city on the matter.

Manager Eckles moved, seconded by Manager Johnson, to approve the license agreement between the City of Stillwater and Brown’s Creek Watershed District for the Brown’s Creek Riparian Shading Project. Motion carried, vote 5/0.

7) New Business

a) Lake Elmo Surface Water Management Plan – Resolution 19-02 - Board Action

Manager Schwarze moved, seconded by Manager Maule Miller, to adopt resolution 19-02 conditionally approving the Lake Elmo Local Water Management Plan

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Johnson</u>	<u>X</u>			
<u>Manager Leiser</u>	<u>X</u>			
<u>Manager Maule Miller</u>	<u>X</u>			
<u>Manager Schwarze</u>	<u>X</u>			

Motion carried 5/0.

1 **b) Grant Local Surface Water Management Plan- Resolution 19-03 - Board Action.**
2 **Manager Maule Miller moved, seconded by Manager Johnson, to adopt**
3 **resolution 19-03 conditionally approving the Grant Surface Water Management**
4 **Plan**

	Yea	Nay	Abstain	Absent
<u>Manager Eckles</u>	X			
<u>Manager Johnson</u>	X			
<u>Manager Leiser</u>	X			
<u>Manager Maule Miller</u>	X			
<u>Manager Schwarze</u>	X			

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10 **Motion carried 5/0.**

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13 **8) Discussion Agenda – No Action Required**

14 **a) Administrator Updates**

15 Administrator Kill reported on permit inspections and inquired whether the Board
16 was interested in continuing the practice of assigning letter grades for the purpose of
17 understanding compliance status of permits. The Board expressed support for the
18 letter grade system as a tool to understand and encourage compliance.

19
20 Mark Lambert, Summit Management noted his objections with the District’s
21 inspection process, including the lack of warning of an inspector’s visit, and having
22 the permit grade inspection report available to the public in the monthly Board packet
23 on the BCWD website. Manager Eckles said the grade is feedback. It’s what the
24 condition is at the time of the site inspection. It’s not a compliance order.

25
26 **b) Communications & Manager Reports**

27 Manager Maule Miller noted two recent articles in the Pioneer Press that call
28 attention to water quality and the work of BCWD.

29
30 Michael Welch discussed the Minnesota Court of Appeals decision to overturn the
31 District Court ruling on White Bear Lake water levels.

32
33 Karen Kill asked the managers if they had any specific agenda items for the special
34 meeting. Suggestions included city maintenance.

35
36 **c) June 2019 Regular BCWD Board Agenda**

37 No additional items were suggested.

38
39 **8) Adjournment**

40 **Manager Maule Miller moved, seconded by Manager Eckles, to adjourn the**
41 **Regular Meeting at 9:24PM. Motion carried, vote 5/0.**

42
43 Respectfully Submitted by
44 Carmen Simonet, Recorder and Anne Maule Miller, Recording Secretary