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2 Approved Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday, May 12, 2021 at 6:30 PM
4

5 *Based on Brown's Creek Watershed District President Craig Leiser's determination pursuant to*
6 *Minnesota Statutes section 13D.021, subdivision 1, that it was not prudent to meet in person*
7 *because of health concerns raised by the COVID-19 pandemic, the meeting was held*
8 *electronically, via webcast.*
9

10 ROLL CALL

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Gerald Johnson, Treasurer	Carmen Simonet, Recorder
Klayton Eckles, Vice President (arrived 6:33pm)	Michael Welch, Smith Partners, BCWD counsel
Charles LeRoux, Secretary	Camilla Correll, EOR, BCWD engineer
Celia Wirth, 2 nd Vice President	Cameron Blake, BCWD staff
	Paul Fritton, EOR, BCWD engineer
	Mike Talbot, EOR, BCWD engineer
	Kevin Biehn, EOR, BCWD engineer
	Mike Majeski, EOR, BCWD engineer
	Aaron DeRusha, Washington Conservation District
	Jan Marshall, resident
	Barbara Wohlferd, resident
	Andrea Hammel Wollak, hw2 design
	Ally Mark

- 11
12 **1) Call Regular Meeting to Order @ 6:30PM**
13 President Leiser called the Regular Meeting to order at 6:30PM.
14
15 **2) Approve Regular Meeting Agenda and Discussion Agenda**
16 The following agenda changes were suggested by the administrator:
17 Item 7b) Brown's Creek Bluff Survey Results was deleted.
18 Item 7e) South School Section Lake and Goggins Curly Leaf Pondweed Treatment –
19 Board Action was added.
20 Item 7f) Permitting Database Conversion – Board Action was added.
21 **Manager Johnson moved, seconded by Manager LeRoux, to approve the Regular**
22 **Meeting agenda and discussion agenda as amended.**

	Yea	Nav	Abstain	Absent
Manager Eckles			X	
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			
<u>Motion carried 4/0/1.</u>				

3) **Public Comments**

There were no public comments.

4) **Consent Agenda**

President Leiser noted the excellent information and layout of the newsletter and thanked Cameron Blake for his work.

Manager Johnson moved, seconded by Manager Wirth, to approve the consent agenda:

- **Approve minutes from April 14, 2021 Regular Meeting as presented.**
- **Accept the permit fee statement as presented.**
- **Approve newsletter for distribution.**

	Yea	Nav	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			
<u>Motion carried 5/0.</u>				

5) **Treasurer's Report**

a) **Review Authorized Funds Spreadsheet – Board Action**

Administrator Kill presented the authorized funds spreadsheet and identified the need to transfer funds into two accounts. Manager Eckles asked whether it required a motion and Ms. Kill said the auditor encourages BCWD's practice of board approval of fund transfers.

Manager Leiser moved, seconded by Manager Johnson, to transfer \$5,000 from account 942-0012 (Groundwater - Install Monitoring Wells) to account 942-0004 (Measuring Trends in GW Elevations & Flow).

	Yea	Nav	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			
<u>Motion carried 5/0.</u>				

Manager Leiser moved, seconded by Manager LeRoux, to transfer \$3,500 from account 300-4950 (Management Plan Implementation –miscellaneous) to account 950-0001 (South School Section and Goggins Curly Leaf Pondweed Treatment).

	Yea	Nav	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			

Motion carried 5/0.

Manager Johnson moved, seconded by Manager Wirth, to accept the authorized funds spreadsheet as amended.

	Yea	Nav	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			

Motion carried 5/0.

b) Current Items Payable – Board Action

Manager Johnson moved, seconded by Manager Wirth, to approve payment of bills as presented in the amount of \$88,694.62

	Yea	Nav	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			

Motion carried 5/0.

6) Permits

a) BCWD Permit #21-12 Wohlferd Residence Addition – Board Action

Paul Fritton, EOR reported on the Wohlferd residence permit application for a building addition on Jamaca Avenue in Grant. This is a 25 acre lot with the south portion and driveway draining south to a wetland. The remainder of the site including the home, drains north to an onsite landlocked depression. Runoff from the new impervious surface will be routed to a raingarden, which overflows to the landlocked depression. The engineer recommends approval with conditions outlined in the report.

Manager Eckles asked about the size of the raingarden and costs for developing the stormwater plan. Andrea Hammel Wollak, the architect for the project, estimated fees are currently about \$10,000 – \$3,000 in civil engineering, \$3,000 for the

1 architect, and \$4,000 in permit fees, plus soil-boring costs. The estimated cost for the
2 raingarden installation is \$6,510.

3
4 Jan Marshall lives adjacent to the project site and asked about the direction of offsite
5 overflow drainage and whether her property would be impacted with very large
6 storm events. Paul Fritton, EOR said the project is designed to retain all runoff on
7 site and that it flows to the northwest corner to a low point. If the low point were to
8 overflow it would drain toward Bass Lake West. Karen Kill clarified no additional
9 water will drain to Ms. Marshall’s property because the raingarden provides greater
10 capacity than existing conditions.

11
12 Ms. Marshall’s granddaughter asked if there were measures in place to ensure the
13 stormwater facility will function as proposed. Ms. Kill said BCWD does inspections
14 during construction. Ms. Marshall can also contact BCWD if there are questions.

15 **Manager Eckles moved, seconded by Manager Wirth, to approve the permit**
16 **application for the Wohlferd residence addition with conditions and**
17 **stipulations outlined in the engineers report.**

	Yea	Nay	Abstain	Absent
<u>Manager Eckles</u>	X			
<u>Manager Johnson</u>	X			
<u>Manager Leiser</u>	X			
<u>Manager LeRoux</u>	X			
<u>Manager Wirth</u>	X			

24 **Motion carried 5/0.**

25
26 **7) Projects**

27 **a) Floodplain Vulnerability Assessment – Example from Ontario- Presentation by**
28 **Mike Talbot, EOR**

29 Mike Talbot, EOR reviewed the pros and cons of available tools to perform
30 floodplain risk assessment, and presented a case study of a project using a GIS-based
31 workflow (“Flood Hazard Analysis” or FHA) to examine flood hazard across the
32 District. The FHA is one component of a Flood Risk Assessment (FRA).

33
34 The case study is from a watershed in the greater Toronto area. It used the FHA with
35 three information layers: land surface slope, distance to nearest drainage, and height
36 to nearest drainage. These were combined and used to prioritize different
37 components of flood hazard to come up with different scenarios for prioritizing the
38 allocation of resources.

39
40 Mr. Talbot noted the Federal Emergency Management Agency floodplain maps
41 identify flood hazard, which is only one component of flood risk. Hazard tells us
42 where and how frequently land will flood. A flood risk analysis is used for
43 predicting other risks, including exposure – what will be impacted and to what extent
44 -- and vulnerability – who will be impacted.

1 The managers discussed the presentation and agreed it was informative, but they are
2 not interested in developing a new methodology citing the considerable investment
3 in BCWD's hydrology and hydraulic model. Mike Talbot noted this is a companion
4 tool not a replacement for the H&H model. A FHA is better at predicting flooding at
5 unstudied locations, and can be incorporated into a broader risk assessment. The
6 H&H model is location dependent and needs current development and existing
7 conditions identified. President Leiser noted it is good to know about the
8 possibilities for assessment and at this time it may be a better fit for the One
9 Watershed One Plan work.

10
11 **c) Baseline Monitoring Report Summary – Aaron DeRusha, WCD**

12 Aaron DeRusha of the Washington Conservation District reported on the BCWD
13 2020 water monitoring report. The report focuses on the summary of lake and stream
14 water quality data collected by the WCD in 2020.

15
16 Manager LeRoux asked what stands out the most in the results and Aaron DeRusha
17 noted the improvement in clarity to the South School Section Lake, which he
18 attributes to a combination of factors including the curly-leaf pondweed treatment in
19 2017 and the higher water level last year, allowing the lake to stratify for a longer
20 period of time. President Leiser thanked him for the excellent report.

21
22 **d) Brown's Creek Brown's Creek and Long Lake Implementation- MPCA Grant**
23 **Planning**

24 Karen Kill reported on the MPCA small watershed grant program. The amount of
25 grant funding available to BCWD would be \$324,500 every 4-years for a total of 16
26 years. The amount is dependent on Congressional action and would require a 40%
27 match from BCWD. To be eligible for the grant, BCWD needs to complete a Nine
28 Element Plan indicating what it would take to completely restore water quality in
29 any water bodies included in the plan. Scheduling the Brown's Creek stream
30 assessment and the Brown's Creek and Long Lake Water Quality assessment are
31 included in the management plan and can also help facilitate the grant application.

32
33 **(1) Brown's Creek Stream Assessment – Board Action**

34 Mike Majeski, EOR reported on a scope of services to monitor Brown's Creek
35 and its tributaries to evaluate stream health and identify potential sediment loads
36 to the creek. This assessment is included in the BCWD management plan to be
37 performed on a biennial basis. The last time it took place was 4 years ago.

38 Manager Wirth asked why it's been put off. Mike Majeski reported the short
39 time frame seemed to make it feel like it had just been done and logistically, the
40 high water has made difficult to access the upper half north of Manning.

41 **Manager Eckles moved, seconded by Manager LeRoux, to authorize**
42 **expenditure not to exceed \$8,000 from account 959-0003 (Resource**
43 **Assessment - Brown's Creek) to conduct the Brown's Creek Stream Visual**
44 **Assessment Protocol & Geomorphic Survey for the portion below Manning**
45 **and to review all crossings in the portion above Manning in 2021.**
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	<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 LeRoux</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			
<u>Motion carried 5/0.</u>				

(2) Brown’s Creek and Long Lake Water Quality Assessment Update – Board Action

Karen Kill reported on a scope of services to assess trends found in the monitoring data of Brown’s Creek and Long Lake from 2014-2020. The purpose is to help evaluate progress towards meeting goals at the half way point of BCWD’s 10-year plan and to make management recommendations, additionally it can be used in the Nine Key Element Plan of the MPCA grant.

Manager Eckles questioned the urgency for performing this work. Camilla Correll noted the analysis is called out in the management plan to be performed on a 5-year cycle. Karen Kill added that the timing gives the analysis multiple purpose in that the data can also be used to fulfill the MPCA grant requirement. **Manager LeRoux moved, seconded by Manager Johnson, to approve the scope of services for the Long Lake and Brown’s Creek water quality assessment and trend update; and authorize expenditure not to exceed \$16,524 from account 300-470-2 (Progress to Goals- Watershed Trend Analysis) and to transfer \$7113 from account 300-4710-1 Baseline Monitoring and \$9,411 from account 300-4950 to account 300-470-2.**

	<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 LeRoux</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			
<u>Motion carried 5/0.</u>				

e) South School Section and Goggin Curly Leaf Pondweed Treatment - Board Action

Administrator Kill reported the costs for curly leaf pondweed treatment came in slightly higher than the Board’s not exceed amount that was approved at the Board’s April meeting.

Manager Leiser moved, seconded by Manager Johnson, to authorize extending the budget not to exceed \$1,000 from account 950-0001 (South School Curly

Leaf Treatment) to cover the additional costs for curly leaf pondweed treatment.

	Yea	Nay	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			
<u>Motion carried 5/0.</u>				

f) Permitting Database Conversion – Board Action

Karen Kill reported BCWD’s spends \$900 annually for regulatory database maintenance and the database has limitations. Washington Conservation District and BCWD staff have been reviewing options for a more user-friendly system and are looking at a GIS database that would be shared with Carnelian Marine Saint Croix Watershed District and Middle St. Croix Watershed Management Organization. The Washington Conservation District would do the initial setup and each watershed would have control over its version of the database and forms. In addition to initial setup costs, BCWD would also need to purchase annual subscriptions of Arc-GIS Online Creator and Field Worker apps.

Manager Eckles expressed his support for upgrading the system. Manager Wirth asked about the database and potential future costs. Aaron DeRusha noted it would be a shared online database with each watershed having its own module to customize maps and forms using the Creator app. Administrator Kill said the initial work by WCD can be accomplished by amending the existing contract BCWD has with them for Mapfeeder. The timeline is to develop the database over the summer and to have it up and running beginning 2022.

Manager Wirth moved, seconded by Manager Eckles, to give general support for the permitting database conversion not to exceed \$3,650 and directed the administrator to prepare a detailed contract amendment for approval in June.

	Yea	Nay	Abstain	Absent
Manager Eckles	X			
Manager Johnson	X			
Manager Leiser	X			
Manager LeRoux	X			
Manager Wirth	X			
<u>Motion carried 5/0.</u>				

8) Discussion Agenda – No Action Required

a) Updates

(1) Administrator

Karen Kill reported with the changes loosening Covid-19 restrictions, staff is looking into meeting options, such as whether a hybrid meeting is a possibility and whether Family Means will be available.

(2) Legal

Michael Welch reported the office of Smith Partners is moving at the end of the month. He will get new address information to the managers. Phone numbers and emails will stay the same.

(3) Engineer

No additional reports were given.

(4) Managers

Manager Eckles expressed his dismay over the substantial administrative and technical costs incurred by a homeowner for a small stormwater management project. He plans to look into ways to hopefully bring regulation and measuring success into better balance. President Leiser concurred and asked him to bring his ideas to the June workshop.

Manager Eckles stated that resolutions should prepared and provided to the managers in advance of the meeting to facilitate efficient and clear board actions.

b) June Strategic Planning Workshop – Set Date/Time

The managers scheduled a workshop for 5pm Wednesday, June 23rd to be held with the Citizens Advisory Board and open to the public.

c) June 2021 Regular BCWD Board Agenda

No items were suggested.

9) Adjournment

Manager Wirth moved, seconded by Manager LeRoux, to adjourn the Regular Meeting at 9:44PM.

	Yea	Nay	Abstain	Absent
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Johnson</u>	<u>X</u>			
<u>Manager Leiser</u>	<u>X</u>			
<u>Manager LeRoux</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			
<u>Motion carried 5/0.</u>				

Respectfully Submitted by
Carmen Simonet, Recorder and Charles LeRoux, Recording Secretary