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2 Approved Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday, June 10, 2020 at 6:30 PM
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5 *Based on Brown's Creek Watershed District President Craig Leiser's determination pursuant to*
6 *Minnesota Statutes 13D.021, subdivision 1, that because of health concerns raised by the*
7 *COVID-19 pandemic it was not prudent to meet in person, the meeting was held electronically,*
8 *via webcast.*
9

10 ROLL CALL

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Sharon Schwarze, 2 nd Vice President	Carmen Simonet, Recorder
Gerald Johnson, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Charles LeRoux, Secretary	Camilla Correll, EOR, BCWD engineer
Klayton Eckles, 1 st Vice President (arrived 6:50pm)	Cameron Blake, BCWD staff
	Paul Fritton, EOR
	Ryan Fleming, EOR
	Derek Lash, EOR
	Cecilio Olivier, EOR
	Brett Emmons, EOR
	Nathan Arnold, Washington County Public Works
	Rick Vanzwol, Resident
	Maureen Hoffman, Washington County Public Health & Environment

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12 **1) Call Regular Meeting to Order @ 6:30PM**
13 President Leiser called the Regular Meeting to order at 6:30PM.
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15 **2) Approve Regular Meeting Agenda and Discussion Agenda**
16 Item 4c) approve contractor for two-year maintenance contract, was removed from the
17 consent agenda and added to agenda as item 6c.
18 **Manager Johnson moved, seconded by Manager Schwarze, to approve the Regular**
19 **Meeting agenda and discussion agenda as presented.**

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

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1 Manager Leiser X
 2 Manager LeRoux X
 3 Manager Schwarze X
 4 Motion carried 4/0.

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 6 3) **Public Comments**
 7 There were no public comments.

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 9 4) **Consent Agenda**

10 Manager Johnson moved, seconded by Manager LeRoux, to approve the consent
 11 agenda as amended, consisting of:

- 12 • Approve minutes from May 13, 2020 Regular Meeting as presented.
- 13 • Accept the permit fee statement as presented.
- 14 • Approve and authorize administrator to execute amendment of Washington
 15 conservation District service agreement to include permit inspection
 16 database updates, to include up to \$1,100 from account 300-4704 (Permitting
 17 Inspection Database) and transferring \$1,100 from account 300-4640
 18 (Equipment Maint and Upgrade) to account 300-4704 (Permitting Inspection
 19 Database).
- 20 • Approve Manager per diems from account 200-4000 and Administrator Kill
 21 and Cameron Blake attendance at online Salt symposium August 4-5, 2020
 22 from account 200-4265 (Admin Conference Registrations).

	Yea	Nav	Abstain	Absent
23 <u>Manager Eckles</u>				X
24 <u>Manager Johnson</u>	X			
25 <u>Manager Leiser</u>	X			
26 <u>Manager LeRoux</u>	X			
27 <u>Manager Schwarze</u>	X			
28 <u>Motion carried 4/0.</u>				

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 31 5) **Treasurer's Report**

32 a) **Review Authorized Funds Spreadsheet**

33 Administrator Kill presented the authorized funds spreadsheet.

34 Manager Johnson moved, seconded by Manager Schwarze, to approve the
 35 authorized funds spreadsheet as presented.

	Yea	Nav	Abstain	Absent
36 <u>Manager Eckles</u>				X
37 <u>Manager Johnson</u>	X			
38 <u>Manager Leiser</u>	X			
39 <u>Manager LeRoux</u>	X			
40 <u>Manager Schwarze</u>	X			
41 <u>Motion carried 4/0.</u>				

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

Manager Johnson moved, seconded by Manager Schwarze, to approve payment of bills as presented in the amount of \$70,896.07.

	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 Schwarze</u>	<u>X</u>			
<u>Motion carried 4/0.</u>				

6) Projects

a) Applewood Hills Reuse Project

President Leiser recessed the regular meeting at 6:39pm and opened the public hearing for the proposed Applewood Hills stormwater-reuse project. The public hearing was recorded.

(1) Public Hearing

President Leiser asked if there was any public comment on the proposed project. There was no comment. He reported the managers have received a draft resolution in the Board packet and asked if there were any questions. There were no questions.

President Leiser declared the public hearing closed at 6:45pm and called the regular meeting back to order.

(2) Resolution 20-03 - Order Project – Board Action

Manager LeRoux moved, seconded by Manager Johnson, to adopt resolution 20-03 Brown’s Creek Watershed District ordering the Applewood Hills reuse project, and directing and authorizing other necessary actions to implement the project.

	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 Schwarze</u>	<u>X</u>			
<u>Motion carried 4/0.</u>				

Michael Welch, Smith Partners said anticipates having the project agreement with Applewood Hills Golf Course ready for the July meeting.

Staff is also working on a non-binding memorandum of understanding for BCWD to work with Washington County. He added that the county attorney reviewed the description of the plans for the reconstruction of the County State Aid Highway 15 and State Highway 36 intersection in the draft resolution and is fine with the description and anticipated course of events.

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2 Manager Eckles arrived (6:50pm).
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4 **President Leiser moved, seconded by Manager Johnson, to assign Manager**
5 **Eckles to be the BCWD liaison for the agreement with Applewood Golf**
6 **Course, and to authorize per diem for any necessary meetings.**

	Yea	Nay	Abstain	Absent
7 <u>Manager Eckles</u>	X			
8 <u>Manager Johnson</u>	X			
9 <u>Manager Leiser</u>	X			
10 <u>Manager LeRoux</u>	X			
11 <u>Manager Schwarze</u>	X			
12 <u>Motion carried 5/0.</u>				

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15 **Manager LeRoux moved, seconded by Manager Johnson to authorize the**
16 **administrator to obtain a legal description of the easement property not to**
17 **exceed \$250 from account 929-0010 (Long Lake -Implementation - regional**
18 **treatment).**

	Yea	Nay	Abstain	Absent
19 <u>Manager Eckles</u>	X			
20 <u>Manager Johnson</u>	X			
21 <u>Manager Leiser</u>	X			
22 <u>Manager LeRoux</u>	X			
23 <u>Manager Schwarze</u>	X			
24 <u>Motion carried 5/0.</u>				

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27 b) **Brown’s Creek Conservation Area – restoration update– Cameron Blake**
28 Cameron Blake reported on restoration activities at the Brown’s Creek Conservation
29 Area. In late 2019 and early 2020 woody invasive species including buckthorn and
30 red cedar were removed in various areas to improve habitat quality for native trees
31 and herbaceous vegetation. The work was performed using funds from a grant with
32 Great River Greening through June 2023.

33
34 President Leiser asked about site access. Mr. Blake noted BCWD has an access
35 agreement with the property owner on the corner that allows staff to bring in
36 maintenance equipment. Manager Eckles asked about the overall plan for site use.
37 Administrator Kill reported that the Board approved a management plan that
38 recommends no managed trails or off-street parking. Feedback from community
39 engagement meetings informed this decision. Manager Eckles expressed interest in
40 making the land more accessible with off-street parking and a designated trail to
41 discourage people from trampling and making trails throughout. Ms. Kill noted
42 parking is available on the shoulder of the road and an information sign near the road
43 identifies BCWD as owner and the permitted activities. Manager Schwarze raised a
44 concern that providing site improvements like trails and parking moves away from
45 the primary purpose of BCWD which is to protect the creek and water quality.

1 President Leiser acknowledged the need for further discussion and proposed the
2 managers meet at the site later this summer.

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4 **c) Maintenance Quotes**

5 Administrator Kill reported on the quotes for on-going maintenance of BCWD
6 stormwater improvement projects. Only two quotes were submitted and they are
7 higher than expected. Manager Eckles asked about the performance of the sumps.
8 Ryan Fleming, EOR reported the sumps have baffles that help prevent sediment
9 from being flushed out during a heavy rain. The rate they are filling with sediment
10 varies, some filling at the expected rate and others slower. In order to track
11 performance in the future, Mr. Eckles asked the engineer to have the amount of
12 sediment removed from each sump recorded when cleaned out.

13
14 Ms. Kill has begun a discussion with the City of Stillwater to enter into an agreement
15 about doing the maintenance.

16
17 Michael Welch, Smith Partners asked the managers whether they want to consider
18 reissuing the request for quote. Mr. Fleming noted the request was sent to eleven
19 contractors and two quotes were submitted and were very similar in price. Camilla
20 Correll, EOR suggested that giving the contractors a longer period of time to return
21 the quote could yield better results. Manager Eckles added also giving them more
22 time to schedule and complete the work could help.

23 **Manager Eckles moved, seconded by Manager LeRoux, to direct the**
24 **administrator to send out a revised request for quote package that gives the**
25 **contractors more time in scheduling the work; and to continue discussion with**
26 **the city about their crews doing the work; and to contact the contractors who**
27 **responded and give them an option to revise their quotes in response to the new**
28 **request.**

	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 Schwarze</u>	<u>X</u>			
<u>Motion carried 5/0.</u>				

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37 **7) Discussion Agenda – No Action Required**

38 **a) Administrator Updates**

39 Additional items reported by the Administrator:

- 40 – There is a budget meeting planned for July 29th (online using Zoom)
- 41 – The thermal loading analysis requested at the May meeting is in the Board
42 packet.
- 43 – Continuing to move forward on the Oak Glen Golf Course project.
- 44 – Banking proposals will be brought to future meeting.

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b) Communications & Manager Reports

President Leiser reported all meetings will be held online with Zoom through July and most likely longer. Family Means space is not available for the rest of 2020 because of the pandemic. Following new protocols the Washington Conservation District meeting space will only fit up to 8 people. Manager LeRoux suggested looking into a local hotel meeting room as a possible option. Michael Welch noted the governor’s office strongly encourages local governments to continue with online meetings.

Michael Welch reported he will be presenting comments on the draft joint powers agreement to the One Watershed One Plan Lower St. Croix policy committee. President Leiser noted he is on the policy committee.

c) July 2020 Regular BCWD Board Agenda

No additional items were suggested.

8) Adjournment

Manager Schwarze moved, seconded by Manager Johnson, to adjourn the Regular Meeting at 7:51 PM.

	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 Schwarze</u>	<u>X</u>			
<u>Motion carried 5/0.</u>				

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