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2 APPROVED Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday June 13, 2018 at 6:30 PM

4
5 Family Means, 1875 Northwestern Avenue South, Stillwater, MN 55082

6
7 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	Camilla Correll, EOR, BCWD engineer
	Cameron Blake, BCWD staff
Managers Absent:	Jared Fabian, EOR, BCWD engineer
Connie Taillon	Ryan Fleming, EOR, BCWD engineer
	Tom Collins, RFC
	Todd Ganz, Integrity
	Ken Heifort, Heifort Estates Property Owner
	Jason Kehren, BCWD Resident
	Jim and Linda Law, BCWD Residents
	Fred and Ruth Bruns, BCWD Residents
	George Vania, BCWD Resident
	Trent Mayberry, TOLD Development Company
	Dan Parks, Westwood Professional Services
	Eric Johnson, City Administrator Oak Park Heights
	Mike Runk, Oak Park Heights City Council

8
9 **1) Call Regular Meeting to Order**
10 President Leiser requested that Manager Schwarze serve as chairperson for the meeting.
11 Manager Schwarze called the Regular Meeting to order at 6:31PM.

12
13 **2) Approve Regular Meeting Agenda and Discussion Agenda**
14 **Manager Maule Miller moved, seconded by Manager Johnson, to approve the**
15 **Regular Meeting agenda and discussion agenda as presented. Motion carried, vote**
16 **4/0.**

17
18 **3) Public Comments**
19 There were no public comments.

1 **4) Consent Agenda**

2 Item 4a), Board Minutes from May 9, 2018 Regular Meeting, were pulled from the
3 consent agenda and put under old business as item 8b).

4 **Manager Leiser moved, seconded by Manager Johnson, to approve the consent**
5 **agenda as amended:**

- 6 • **Accept the permit fee statement as presented.**
- 7 • **Approve the Washington County Metro Watershed Based Funding**
8 **Memorandum of Agreement.**
- 9 • **Approve the review and comment letter of the Washington County 2040**
10 **Comprehensive Plan for distribution.**

11 **Motion carried, vote 4/0.**

12
13 **5) Permits**

14 **a) BCWD Permit 18-02 Heifort Estates – Board Action**

15 Jared Fabian, EOR reported on the permit review for Heifort Estates, a proposed
16 single-family residential development with 24 homes on 10.9 acres, located in the
17 City of Stillwater, on Neal Avenue North, about one mile east of Manning Avenue.
18 Reconstruction of a portion of Neal Avenue under the terms of the development
19 agreement with the city is also included in the permit. Because the project takes place
20 in both BCWD and Carnelian-Marine-St. Croix Watershed District (CMSCWD), at
21 the request of the applicant the entities have entered a joint powers agreement
22 providing that BCWD will exercise regulatory authority over the entirety of the
23 project.

24
25 The stormwater management plan for the redevelopment includes an infiltration
26 basin, stormwater pond, a vegetated swale, as well as curb and gutter conveyance to a
27 storm sewer system that includes sump manholes.

28
29 Ruth Bruns who lives on Neal Avenue asked if the project will direct stormwater
30 towards South Twin Lake. She said she is concerned with a blocked culvert on Hwy
31 96 that causes water to back up, raising the elevation of South Twin Lake. Mr. Fabian
32 said the proposed plan does not send stormwater towards South Twin Lake. Instead,
33 it redirects stormwater away from South Twin Lake using a combination of curb and
34 gutter, underground stormwater piping, and overland flow into pretreatment areas
35 including a vegetated swale, infiltration basin and small detention pond. About 8.4
36 acres will discharge into Heifort Pond and about 0.4 acres will discharge into a
37 Manage 3 Wetland that will be vegetated with native groundcover.

38
39 Administrator Kill stated the Minnesota Department of Transportation (MnDOT) is
40 aware of the culvert blockage and they are planning to replace the culvert. CMSCWD
41 has met with MnDOT to address the problem because the culvert is in their
42 jurisdiction. Todd Ganz said he is the developer for Heifort Estates and was at a
43 meeting earlier today with the City of Stillwater engineer and can also confirm
44 MnDOT is working on a design to correct the problem.

45

1 Manager Schwarze asked Mr. Ganz if he had any comments or issues with the
2 engineer's report. and he said he did not have any questions or concerns about
3 complying with the conditions in the report.

4 **Manager Maule Miller moved, seconded by Manager Johnson, to approve the**
5 **application for permit 18-02 Heifort Estates with the recommended conditions**
6 **and stipulations outlined in the engineer's report. Motion carried, vote 4/0.**
7

8 **b) BCWD Permit 18-06 Nottingham Village – Board Action**

9 Jared Fabian reported on the permit review for Nottingham Village, a proposed
10 single-family residential development with 15 homes on 5.3 acres, located on
11 McKusick Road North, about a quarter mile east of Manning Avenue North. The site
12 is within the annexation area included in the agreement between BCWD and the city
13 whereby stormwater volume control is provided by the McKusick Lake diversion
14 structure.
15

16 The proposed stormwater plan includes vegetated swales, an infiltration basin and a
17 retention pond. About 0.03 acres of the site will flow offsite in the northeast corner
18 across the neighboring property to the east and then into the ditch along McKusick
19 Road. The remaining 5.27 acres will be directed to an infiltration basin in the
20 southwest corner of the site or to a retention pond in the southeast corner and
21 discharge into the ditch along McKusick Road.
22

23 The managers discussed the plan. Manager Schwarze asked the managers for further
24 questions and there were none. Manager Schwarze asked if anyone in attendance if
25 they had questions and there were none. The developer was not present at the
26 meeting.

27 **Manager Leiser moved, seconded by Manager Johnson, to approve the**
28 **application for permit 18-06 Nottingham Village with the recommended**
29 **conditions and stipulations in the engineer's report. Motion carried, vote 4/0.**
30

31 Manager Schwarze delayed discussion of agenda item 5c) Oak Park Heights Regional
32 Stormwater System – Discussion to allow time for officials from Oak Park Heights to
33 arrive.
34

35 **6) Treasurer's Report**

36 **a) Review Authorized Funds Spreadsheet**

37 Administrator Kill presented the authorized funds spreadsheet.

38 **Manager Johnson moved, seconded by Manager Leiser, to accept the authorized**
39 **funds spreadsheet as presented. Motion carried, vote 4/0.**
40

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

42 **Manager Johnson moved, seconded by Manager Maule Miller, to approve**
43 **payment of bills as presented in the amount of \$76,023.39.**
44
45
46

	Yea	Nay	Abstain	Absent
Manager Johnson	X			
Manager Leiser	X			
Manager Maule Miller	X			
Manager Schwarze	X			
Manager Taillon				X

Motion carried 4/0.

Treasurer Johnson reported a total balance of \$394,097.40 after payables.

Manager Schwarze redirected the managers to agenda item 5c).

c) Oak Park Heights Regional Stormwater System – Discussion

Administrator Kill reported she met with Eric Johnson, the city administrator of Oak Park Heights, and the city engineer to discuss the possibility of developing a regional stormwater plan for the frontage road of Highway 36 and Norrell Avenue area. She invited them to attend tonight’s BCWD meeting to discuss the city’s plans and concerns with the managers.

Mr. Johnson introduced Dan Parks from Westwood Professional Services and Mike Runk, a member of the city council, as well as Trent Mayberry from TOLD, which intends to redevelop a parcel in the area, then gave a short presentation on a concept for a possible road redesign project. He noted the potential costs and identified key issues for Oak Park Heights including: improving water quality, protecting the drinking-water supply capture area, and creating safer streets. He said he looks forward to working with BCWD to improve the area. The managers also look forward to collaboration and acknowledged the need for safer streets as well as improving water quality. They see this as an opportunity for innovation to address the complex issues.

7) Projects

a) Riparian Shading Feasibility Projects

i. Feasibility Report Presentation

Camilla Correll, EOR reported project cost and benefit analyses of four potential capital improvement projects to reduce thermal and nutrient loads to Brown’s Creek. The proposed projects were previously identified by the BCWD riparian shading study and the goal of the analysis was to help prioritize the projects and potentially pursue funding for implementation.

ii. Watershed-Based Funding Pilot Grant Submittal – Board Action

Administrator Kill reviewed the priority rankings and recommendations of the four potential projects to pursue grant funding, and noted the Minnesota Board

1 of Water and Soil Resources has a July 2nd submittal deadline. The BCWD
2 has the funds available for the required grant match.

3
4 Of the four sites, Site 13 has the highest priority ranking but the landowner is
5 not currently supporting the project and for that reason she recommended not
6 including it in the submittal. Sites 11 and 10B were next in priority; they are
7 both within the Millbrook Homeowners Association and recommended for
8 inclusion in the submittal. Site 12 does not have owner support and pursuing
9 the project at this time was not recommended.

10
11 The managers discussed other projects to consider including in the grant
12 submittal.

13
14 **Manager Leiser moved, seconded by Manager Johnson, to authorize the**
15 **administrator to move forward with projects 10b and 11 for a total of**
16 **\$87,100 in the grant submittal with matching funds taken from account**
17 **947-0022 (Brown's Creek - Buffer and Stream Restoration) and to**
18 **include a water reuse project with local golf courses in the submittal for**
19 **any remaining available grant funds. Motion carried 4/0.**
20

21 **b) Wolf Marina Sediment Sampling Results**

22 Ryan Fleming, EOR reported on sediment samples collected from three locations in
23 the Wolf Marina sediment delta and analyzed for phosphorus. EOR estimates that 127
24 to 170 pounds of phosphorus could potentially be removed from the St. Croix River
25 with annual dredging.

26
27 Mr. Fleming reviewed possible next steps including further investigating the sediment
28 with monthly and post rainfall site visits and determining the cost of annually
29 dredging for phosphorus removal.

30
31 Meeting recess 8:38 - 8:42pm
32

33 **8) Old Business**

34 **a) Board Meeting Recording - Discussion**

35 Administrator Kill reported Commissioner Gary Kriesel is encouraging all the
36 watershed districts to be more transparent by video recording their meetings. The
37 managers discussed what this might involve and administrator Kill suggested they
38 contact managers in other watershed districts that are video recording to learn from
39 their experience. President Leiser will follow up.
40

41 **b) Approval of May 9, 2019 Minutes – Board Action**

42 Michael Welch, legal counsel presented written revisions to the minutes.

43 **Manager Leiser moved, seconded by Manager Maule Miller, to approve the May**
44 **9, 2019 minutes as amended. Motion carried, vote 4/0.**
45
46

1 **9) Discussion Agenda – No Action Required**

2 **a) Administrator Updates**

3 Administrator Kill reported on current BCWD activities.

4

5 **b) Communications & Manager Reports**

6 President Leiser reported on MAWD business.

7

8 Manager Maule Miller requested approval to work up to 30 hours for the remainder
9 of 2018 on various initiatives with Cameron Blake, the new BCWD staff person. No
10 per diem was requested.

11 **President Leiser moved, seconded by Manager Schwarze, to authorize manager**

12 **Maule Miller 30 hours of staff time. Motion carried, vote 4/0.**

13

14 **c) July 2018 Regular BCWD Board Agenda**

15 No items were suggested.

16

17 **10) Adjournment**

18 **Manager Leiser moved, seconded by Manager Johnson, to adjourn the Regular**

19 **Meeting at 9:28PM. Motion carried, vote 4/0.**

20

21 Respectfully Submitted by

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

23