



1
2 APPROVED Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday September 11, 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, 2 nd Vice President	Camilla Correll, EOR, BCWD engineer
	Paul Fritton, EOR, BCWD engineer
	Mark Lambert, Summit Management
	Nathan Arnold, Washington County Public Works

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 **2) Approve Regular Meeting Agenda and Discussion Agenda**
14 **Manager Maule Miller moved, seconded by Manager Schwarze, to approve the**
15 **Regular Meeting agenda and discussion agenda as amended. Motion carried, vote**
16 **5/0.**

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

20
21 **4) Consent Agenda**
22 **Manager Schwarze moved, seconded by Manager Johnson, to approve the consent**
23 **agenda:**
24

- **Approve minutes from August 14, 2019 Regular Meeting as presented.**
- **Accept the permit fee statement as presented.**
- **Authorize President Leiser to Execute the Stillwater Water Department**
27 **Cost-Share Agreement.**

28 **Motion carried, vote 5/0.**
29

1 **5) Treasurer’s Report**

2 **a) Review Authorized Funds Spreadsheet**

3 Administrator Kill presented the authorized funds spreadsheet.

4 **Manager Johnson moved, seconded by Manager Schwarze, to accept the**
 5 **authorized funds spreadsheet as presented. Motion carried, vote 5/0.**

6
 7 **b) Current Items Payable – Board Action**

8 **Manager Johnson moved, seconded by Manager Eckles, to approve payment of**
 9 **bills as presented in the amount of \$81,815.29.**

	Yea	Nay	Abstain	Absent
10 <u>Manager Eckles</u>	<u>X</u>			
11 <u>Manager Johnson</u>	<u>X</u>			
12 <u>Manager Leiser</u>	<u>X</u>			
13 <u>Manager Maule Miller</u>	<u>X</u>			
14 <u>Manager Schwarze</u>	<u>X</u>			
15 <u>Motion carried 5/0.</u>				

16
 17
 18 Treasurer Johnson reported a total balance of \$1,476,245.29 after payables.

19 **Manager Schwarze moved, seconded by Manager Maule Miller, to accept the**
 20 **treasurer’s report. Motion carried 5/0.**

21
 22 **6) Projects**

23 **a) Rule Revision – Community Meeting #3 Update and Discussion**

24 Camilla Correll, EOR presented a summary of the rule revision discussion with the
 25 communities identifying the items where there is general agreement, items needing
 26 further discussion, and sticking points: rate control on redevelopment, and the
 27 requirements for linear projects.

28
 29 Administrator Kill noted having the communities take over permitting requires their ordinances protect
 30 water resources as well or better than BCWD’s rules. BCWD requires rate-control to a presettlement
 31 standard, and the cities wish to continue to require no increase from existing rates for the 2, 10, and
 32 100-year events.

33 Administrator Kill reviewed the timeline and noted the Board has previously
 34 expressed their immediate goal is addressing the diversion drainage area and to have
 35 an agreement with the cities by the end of 2019.

36
 37 Discussion:

- 38 • Manager Eckles expressed a concern that by shifting the baseline for BCWD
 39 rate-control standard to predevelopment rather than existing, BCWD may not
 40 be gaining any real-world increase in resource protection. He suggested that
 41 BCWD perhaps could better address the concern by doing something
 42 measurable that will make a difference, such as implement regional
 43 stormwater management projects to address known problems.
- 44 • Manager Maule Miller suggested taking a targeted approach with the rules
 45 and a need to be consistent with the other watersheds on rate control
 46 standards. She suggested requiring pre-development rate control, but
 47 providing flexible treatment options.

- Manager Eckles suggested a fee-in-lieu system to accomplish needed projects such as tributary headcut repairs.
- The managers agreed they'd like to see examples of using a flexible treatment option with a predevelopment rate. The managers agreed if the project can meet predevelopment rates, they shouldn't be charged a fee. It should be a choice between pre-development rates and existing rates along with a fee to implement regional projects. The managers would also like to identify regional projects within the diversion drainage area that BCWD could address with an assessment from a fee-in-lieu, such as revisiting the Marketplace ponds plan or expanding the Menards pond.

Mark Lambert, Summit Management said he supports flexible treatment options such as an assessment to collect funds to be used on targeted projects, as an alternative to requiring costly stormwater infrastructure on redevelopment projects with limited space.

b) THPP – Tree Removal Scope – Board Action

Manager Maule Miller moved, seconded by Manager Johnson, to authorize expenditure of \$1,250 from account 948-0000 (CIP Maintenance) for tree removal at the THPP outlet structure. Motion carried, vote 5/0.

c) Community Event – September 14th at Brown's Creek Park 10am-1pm – update from Cameron Blake

Cameron Blake, BCWD staff, reported BCWD's annual community event will be held at Brown's Creek Park, 10am-1pm on September 14, 2019. Large signs will be put up in the park to advertise the event. The managers were encouraged to volunteer at the event. President Leiser plans to participate but is unable to volunteer.

President Leiser recessed the regular meeting at 8:20pm

7) 2020 Budget

a) Public Hearing

President Leiser opened a public hearing for the 2020 budget and levy discussion at 8:27pm. The public hearing was recorded.

b) Budget Discussion

President Leiser noted the 2020 levy is less than the 2019 levy. Any change to per diem for 2020 will be discussed in December during the policy discussion. The county meeting to discuss the budget will be October 15, 2019 and Manager Johnson will be attending. Manager Schwarze noted the watershed plan has done a good job guiding the budget.

President Leiser asked the public if there were any further comments. Hearing no further questions or comments, president Leiser declared the public hearing closed at 8:35pm and called the regular meeting back to order.

- 1
2
3 c) **Resolution 19-05 Adopting 2020 Budget – Board Action**
4 **Manager Johnson moved, seconded by Manager Schwarze, to adopt resolution**
5 **19-05 Brown’s Creek Watershed District 2020 Budget Resolution with an**
6 **operating and capital budget totaling \$2,107,077, including \$1,939,137 for**
7 **management plan implementation and \$167,940 for operations.**

	<u>Yea</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>
8 Manager Eckles	X			
9 Manager Johnson	X			
10 Manager Leiser	X			
11 Manager Maule Miller	X			
12 Manager Schwarze	X			
13 <u>Motion carried, 5/0.</u>				

- 14
15 d) **Resolution 19-06 Adopting 2020 Levy – Board Action**
16 **Manager Johnson moved, seconded by Manager Schwarze, to adopt resolution**
17 **19-06 Brown’s Creek Watershed District Board of Managers Certified 2020 Tax**
18 **Levy Resolution: All Funds totaling \$1,099,812, including \$164,690 for the**
19 **general fund as provided by MN Statute 103D.905 and \$935,122 for the**
20 **management planning fund as provided by the MN Statue 103B.241.**

	<u>Yea</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>
21 Manager Eckles	X			
22 Manager Johnson	X			
23 Manager Leiser	X			
24 Manager Maule Miller	X			
25 Manager Schwarze	X			
26 <u>Motion carried, 5/0.</u>				

27
28
29 President Leiser noted the public will have a final opportunity to comment on the budget
30 and levy at the December public meeting.

31
32 **8) Discussion Agenda – No Action Required**

33 **a) Administrator Updates**

34 **(1) Permit Updates**

35 Paul Fritton, EOR is the BCWD’s new permit inspector.

36
37 **(2) Reuse Projects Updates**

38 Administrator Kill noted she met with representatives from Washington County
39 and MnDOT and working on a possible partnership with Applewood Golf Course
40 on a reuse project.

41
42 Nathan Arnold, Washington County Public Works gave an update on the
43 Manning/Highway 36 interchange project. The preliminary layout is currently
44 being reviewed by MnDOT, following approval the final design will be
45 developed.

1 Manager Eckles suggested a presentation on a water reuse project would be
2 helpful to learn about the design and the various issues.
3

4 **(3)319 Small Watershed Grant**

5 Administrator Kill reported BCWD has been selected to participate in the Section
6 319 Small Watershed Focus Program. This is a federally funded grant with a
7 matching component. Greg Johnson, MPCA will give an overview of the grant at
8 a future BCWD meeting.
9

10 **b) Communications & Manager Reports**

11 Manager Schwarze reported they have their home up for sale and will be moving out
12 of BCWD.
13

14 President Leiser reported on a recent presentation he gave on One Watershed One
15 Plan.
16

17 **c) October 2019 Regular BCWD Board Agenda**

18 No items were suggested.
19

20 **9) Adjournment**

21 **Manager Maule Miller moved, seconded by Manager Johnson, to adjourn the**
22 **Regular Meeting at 9:02 PM. Motion carried, vote 5/0.**
23

24 Respectfully Submitted by

25 Carmen Simonet, Recorder and Anne Maule Miller, Recording Secretary
26