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2 APPROVED Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday, September 13, 2017 at 6:30 PM

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5 Family Means, 1875 Northwestern Avenue south
6 Stillwater, MN 55082

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8 **ROLL CALL**

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Sharon Schwarze, Vice President	Carmen Simonet, Recorder
Connie Taillon, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Anne Maule Miller, Vice President	Ryan Fleming, EOR, BCWD engineer
	Kristine Maurer, EOR, BCWD engineer
Managers Absent:	
Gerald Johnson, Secretary	

9
10 **1) Call Regular Meeting to Order**
11 President Leiser called the Regular Meeting to order at 6:36 PM.

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

17
18 **3) Board Officer Positions**
19 President Leiser reported Manager Taillon's term will expire next month and she is not
20 seeking reappointment. Manager Johnson may be willing to fill in as treasurer on a
21 temporary basis but since he is absent this evening, president Leiser tabled further
22 discussion until the next meeting. Michael Welch, Smith Partners clarified that Manager
23 Taillon remains a manager until Washington County fills the position. The County will
24 post the position and it's likely it will not be filled until early next year. Manager Taillon
25 confirmed she is able to continue attending meetings until her position is filled.

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27 **4) Public Comments**
28 There were no public comments.

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1 **5) Treasurer’s Report**

2 **a) Review Authorized Funds Spreadsheet**

3 Administrator Kill presented the authorized funds spreadsheet.

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

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7 **b) McKusick Road Stormwater Retrofit Payment #2 & #3 – Board Action**

8 Ryan Fleming, EOR reported there were some corrections the contractor needed to
9 make to the manholes and as of today these corrections are complete. He recommends
10 the entire requested payment be made.

11 **Manager Schwarze moved, seconded by Manager Taillon, to authorize payment**
12 **of \$86,580.68 for payment request #2 and \$215,675.52 for payment request #3 as**
13 **identified in the engineer’s report, from account 947-0012 (Brown’s Creek -**
14 **McKusick Rd Stormwater Retrofit). Motion carried, vote 4/0.**

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16 **c) Brown’s Creek Park Rock Crib – Final Payment and Closure – Board Action**

17 Ryan Fleming, EOR reported this is the final payment and with the closure of the
18 project, the warranty period will begin today, September 13, 2017. Michael Welch,
19 Smith Partners noted the engineer did a nice job putting together the closeout
20 documents for the Brown’s Creek Trail Parking Lot project and also recommends that
21 EOR direct the contractor to keep the bonds in place for one year and 120 days per
22 the contract agreement.

23 **Manager Maule Miller moved, seconded by Manager Schwarze to authorize**
24 **payment of \$13,179.49 from account 947-0016 (Brown’s Creek - BC Trails Park**
25 **Parking Lot) to Peterson Companies for payment application #4, the final**
26 **payment. Motion carried, vote 4/0.**

27
28 **Manager Maule Miller moved, seconded by Manager Schwarze to close out the**
29 **BWSR clean water fund grant for the Brown’s Creek Trail Parking Lot project.**
30 **Motion carried, vote 4/0.**

31
32 **d) Long Lake Raingarden – payment and grant closure – Board Action**

33 **Manager Maule Miller moved, seconded by Manager Schwarze, to close out the**
34 **BWSR clean water fund grant related to the Long Lake raingarden project.**

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

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37 **e) Current Items Payable – Board Action**

38 **Manager Taillon moved, seconded by Manager Schwarze, to approve payment**
39 **of bills as presented in the amount of \$375,131.88.**

	Yea	Nay	Abstain	Absent
<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>			
<u>Manager Taillon</u>	<u>x</u>			

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

Treasurer Taillon reported a total balance of \$361,316.31 after payables.

6) **Consent Agenda**

Manager Schwarze moved, seconded by Manager Maule Miller, to approve the consent agenda:

- **Approve minutes from August 9, 2017 Special Meeting as presented.**
- **Accept the permit fee statement as presented.**

Motion carried, vote 4/0.

7) **Public Hearing – Proposed 2018 Budget and Levy**

President Leiser recessed the regular meeting at 7:07pm and opened the public hearing for the proposed 2018 budget and levy discussion.

a) **2018 Budget Discussion**

Administrator Kill reported the public hearing will be recorded. There was no one from the public in attendance. President Leiser declared the public hearing closed at 7:09pm and called the regular meeting back to order.

President Leiser noted the public will have a final opportunity to comment on the budget at the December public meeting.

b) **Resolution 17-02 – 2018 – Board Action**

Manager Maule Miller moved, seconded by Manager Taillon, to adopt resolution 17-02 Brown’s Creek Watershed District 2018 Budget Resolution with an operating and capital budget totaling \$1,121,790, including \$960,790 for management plan implementation and \$161,000 for operations.

	Yea	Nay	Abstain	Absent
<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>			
<u>Manager Taillon</u>	<u>x</u>			
<u>Motion carried, vote 4/0.</u>				

- 1 c) **Resolution 17-03 Certified 2018 Tax Levy Resolution: All Funds – Board**
 2 **Action**
 3 **Manager Taillon moved, seconded by Manager Schwarze, to adopt**
 4 **resolution 17-03 Brown’s Creek Watershed District Board of Managers**
 5 **Certified 2018 Tax Levy Resolution: All Funds totaling \$1,007,490, including**
 6 **\$156,000 for the general fund as provided by MN Statute 103D.905 and**
 7 **\$851,490 for the management planning fund as provided by the MN Statute**
 8 **103B.241.**

	Yea	Nay	Abstain	Absent
<u>Manager Johnson</u>				x
<u>Manager Leiser</u>	x			
<u>Manager Maule Miller</u>	x			
<u>Manager Schwarze</u>	x			
<u>Manager Taillon</u>	x			
<u>Motion carried, 4/0.</u>				

- 16
 17 d) **County WD/WMO 2018 Budget Workshop – November 14, 2017**
 18 Administrator Kill reported the budget workshop meeting will be held November
 19 14, 2017 and the County will let BCWD know about a week in advance the time
 20 of the meeting. Administrator Kill reported she will be attending. President Leiser
 21 said that he has a conflict and not able to attend and encouraged one or more of
 22 the managers to attend.

- 23
 24 8) **BCWD Board Training – Wetland Management Classifications**
 25 Kristine Maurer, EOR gave a presentation on BCWD’s wetland management
 26 classification process.

27
 28 Recess 7:59pm – 8:06pm

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 30 9) **Projects**

- 31 a) **Countryside BMP maintenance – Board Action**
 32 Ryan Fleming, EOR reported the Countryside Auto Repair stormwater quality
 33 unit needs maintenance to continue working properly. EOR has solicited multiple
 34 quotes for cleaning out using hydro excavation and recommends proceeding with
 35 the low bid.
 36 **Manager Taillon moved, seconded by Manager Maule Miller, to authorize**
 37 **the administrator with advice of counsel to contract with Badger Daylighting**
 38 **for clean out services of the stormwater quality unit at Countryside Auto**
 39 **Repair not to exceed \$3,660 from account 948-0000 (CIP Maintenance) and**
 40 **to contact DNR for approval of maintenance plan and schedule, plus written**
 41 **notice of entry. Motion carried, vote 4/0.**

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 43 b) **Iron Enhanced Sand Filter – maintenance – Board Action**
 44 Ryan Fleming, EOR reported the iron-enhanced sand filter pump wiring has been
 45 damaged by an animal, possibly a muskrat. Tri-State Pump & Control has

provided a quote for replacement of the damaged parts and armoring of the components with stainless steel braided mesh to prevent further damage.
Manager Maule Miller moved, seconded by Manager Taillon, to ratify the administrator's execution of the agreement with Tri-State Pump & Control not to exceed \$5,500 from account 948-0000 (CIP Maintenance) for repair work on the iron enhanced sand filter pump cable. Motion carried, vote 4/0.

10) **New Business**

a) **Resolution 17-04 Administrator spending authority – Board Action**

Administrator Kill reported on a resolution to authorize her with spending authority to allow for such things as CIP maintenance. The managers discussed the amount of the spending authority.

Manager Taillon moved, seconded by Manager Schwarze, to adopt resolution 17-04 Brown's Creek Watershed Board of Managers Delegation spending authority to administrator amended to state "The BCWD administrator must secure the president's written concurrence to enter into a contract or otherwise bind BCWD in an amount between \$5,001 and \$10,000."

	<u>Yea</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</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>			
<u>Manager Taillon</u>	<u>x</u>			

Motion carried, vote 4/0.

b) **BCWD 2017-2026 Management Plan – amendment – Board Action**

Administrator Kill reported on items that warrant modification in the Management Plan and a scope of services to amend the plan.

Manager Maule Miller moved, seconded by Manager Taillon, to transfer \$2,256 from account 300-4950 (Management Plan Implementation - contingency reserve) into account 927-0000 (Management Plan Update) and to authorize expenditure not to exceed \$2,256 from account 927-0000 (Management Plan Update) for a minor amendment review process scope of work. Motion carried, vote 4/0.

11) **Discussion Agenda – No Action Required.**

a) **Administrator Updates**

Administrator Kill reported on current BCWD activities.

b) **Communications & Manager Reports**

President Leiser gave an update on the Minnesota Association of Watershed Districts (MAWD) business.

1 **c) October 2017 BCWD Board Agenda**
2 Administrator Kill directed the managers to review the draft of the BCWD rules in
3 the board packet before the next meeting when the Board will be asked to approve the
4 draft rules for official distribution for the comment period.
5

6 **12) Adjournment**
7 **Manager Taillon moved, seconded by Manager Maule Miller, to adjourn the**
8 **Regular Meeting at 9:27 PM. Motion carried, vote 4/0.**
9

10 Respectfully Submitted by
11 Carmen Simonet, Recorder and Gerald Johnson, Recording Secretary
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