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2 Approved Minutes of the Regular Meeting of the Brown’s Creek Watershed District Board of  
3 Managers, Wednesday, October 14, 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 it was not prudent to meet in person because of*  
7 *health concerns raised by the COVID-19 pandemic, the meeting was held electronically, via*  
8 *webcast.*  
9

10 ROLL CALL

<b>Managers Present:</b>	<b>Others Present:</b>
Craig Leiser, President	Karen Kill, Administrator
Sharon Schwarze, 2 <sup>nd</sup> Vice President	Carmen Simonet, Recorder
Gerald Johnson, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Klayton Eckles, 1 <sup>st</sup> Vice President	Camilla Correll, EOR, BCWD engineer
Charles LeRoux, Secretary	Cameron Blake, BCWD staff
	Paul Fritton, EOR, BCWD engineer
	Emily Johnson, BCWD engineer
	Derek Lash, EOR, BCWD engineer
	Kyle Crawford, EOR, BCWD engineer
	Ryan Fleming, EOR, BCWD engineer
	Nathan Arnold, Washington County Public Works
	Jeremy Nielson, SRF Consulting
	Ben Backberg, resident
	Lori Hermann, resident

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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.  
14

15 **2) Approve Regular Meeting Agenda and Discussion Agenda**  
16 **Manager LeRoux moved, seconded by Manager Johnson, to approve the Regular**  
17 **Meeting agenda and discussion agenda as presented.**

	<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 Schwarze</u>	<u>X</u>			

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24 **Motion carried 5/0.**

1 3) **Public Comments**  
 2 There were no public comments.

4 4) **Consent Agenda**  
 5 **Manager Johnson moved, seconded by Manager Schwarze, to approve the consent**  
 6 **agenda:**

- 7 • **Approve minutes from September 9, 2020 Regular Meeting as presented.**
- 8 • **Accept the permit fee statement as presented.**
- 9 • **Approve continuation of George Vania to the Citizen Advisory Committee.**
- 10 • **Approve reduction of \$11,130 in the financial assurance held for BCWD**  
 11 **Permit #17-14 Parkwood Townhomes, leaving a remaining amount held by**  
 12 **BCWD of \$19,790.**

	Yea	Nay	Abstain	Absent
13 <b><u>Manager Eckles</u></b>	X			
14 <b><u>Manager Johnson</u></b>	X			
15 <b><u>Manager Leiser</u></b>	X			
16 <b><u>Manager LeRoux</u></b>	X			
17 <b><u>Manager Schwarze</u></b>	X			
18 <b><u>Motion carried 5/0.</u></b>				

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 21 5) **Treasurer's Report**

22 a) **Review Authorized Funds Spreadsheet**  
 23 Administrator Kill presented the authorized funds spreadsheet.  
 24 **Manager Johnson moved, seconded by Manager Eckles, to approve the**  
 25 **authorized funds spreadsheet as presented.**

	Yea	Nay	Abstain	Absent
26 <b><u>Manager Eckles</u></b>	X			
27 <b><u>Manager Johnson</u></b>	X			
28 <b><u>Manager Leiser</u></b>	X			
29 <b><u>Manager LeRoux</u></b>	X			
30 <b><u>Manager Schwarze</u></b>	X			
31 <b><u>Motion carried 5/0.</u></b>				

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 34 b) **Current Items Payable – Board Action**  
 35 **Manager Johnson moved, seconded by Manager Schwarze, to approve payment**  
 36 **of bills as presented in the amount of \$117,384.00.**

	Yea	Nay	Abstain	Absent
37 <b><u>Manager Eckles</u></b>	X			
38 <b><u>Manager Johnson</u></b>	X			
39 <b><u>Manager Leiser</u></b>	X			
40 <b><u>Manager LeRoux</u></b>	X			
41 <b><u>Manager Schwarze</u></b>	X			
42 <b><u>Motion carried 5/0.</u></b>				

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2 **6) Permits**

3 **a) BCWD Permit 20-08 CSAH 15/TH 36 Interchange – Board Action**

4 Prior to the permit review for the interchange project, Derek Lash, EOR gave an  
5 overview and update of the adjacent golf course reuse project that plans to utilize the  
6 water collected in the stormwater ponds of the interchange project for irrigation at  
7 the golf course. The anticipated timeline of the county interchange project includes  
8 bid letting in early April 2021 and construction beginning in early June. Water reuse  
9 for golf course irrigation will be available late summer or early fall of 2021.

10 Manager Leiser asked whether safety for motorists had been addressed in the design  
11 of the ponds. Nathan Arnold, Washington County Public Works noted the county  
12 has reviewed the safety of the interchange and plans to add guard rail where needed  
13 around the stormwater wet ponds.  
14

15 Camilla Correll, EOR reported on the permit review for the Highway 36 and  
16 Manning Avenue interchange project. The existing runoff from the project area  
17 drains offsite with the majority draining to Long Lake. A portion of the runoff drains  
18 into Valley Branch Watershed District. The proposed project will maintain the same  
19 drainage patterns.  
20

21 The proposed project will result in an increase of 3.6 acres of impervious surface for  
22 a total of 17.8 acres of additional and reconstructed impervious surfaces. Stormwater  
23 management includes two dry ponds and three wet ponds that will provide water  
24 quality treatment and serve as storage for the water reuse system.  
25

26 Site constraints limit the ability to meet the volume control rule on site and a  
27 variance is requested to utilize an offsite water reuse system. Emily Johnson, EOR  
28 reported the county has agreed to contribute \$261,000 for the construction of the  
29 reuse system at Applewood Hills Golf Course as well as 50% of construction costs  
30 incurred by BCWD in excess of \$261,000.  
31

32 Manager Eckles asked for further explanation on the need for a variance. Michael  
33 Welch, Smith Partners explained the variance provides a way to facilitate approval  
34 of the project using off site management. The BCWD rules only provide for offsite  
35 management through submittal of a regional stormwater management plan. Mr.  
36 Welch noted that it is important to add a condition on approval that the applicants  
37 provide access from right-of-way to the location of the main pump for the  
38 stormwater-reuse system on the golf course.  
39

40 The managers acknowledged the benefits of the project and the desire to facilitate  
41 moving the project forward.  
42

43 **Manager Eckles moved, seconded by Manager LeRoux, to approve permit 20-**  
44 **08 CSAH 15/TH 36 Interchange with the variance and with the conditions and**  
45 **stipulations as presented in the engineer’s report as well as an additional**  
46 **condition requiring access to the golf course from the right-of-way.**

	Yea	Nav	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>				

**Manager Schwarze moved, seconded by Manager Johnson, to approve a 3-year term for permit 20-08.**

	Yea	Nav	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>				

Lori Hermann, resident arrived at the Zoom meeting late and said she is new to the area and was interested in learning about the interchange project. President Leiser noted the permit was just reviewed and approved. Administrator Kill said the engineer’s permit review memo can be found on the BCWD website under the current board packet materials.

7) **Projects**

a) **Oak Glen Golf Course Reuse – Select Contractor – Board Action**

Kyle Crawford, EOR reported a request for bids for the Oak Glen Golf Course stormwater reuse project was advertised in mid-September. Six bids were submitted by the deadline and all were found complete. EOR recommends moving forward with the low bid. President Leiser commented on the wide range of the bid totals. Mr. Crawford concurred, noting contractors have told him it’s been a busy year. Potentially their workload is reflected in the high cost of some of the bids. Mr. Crawford said critical work on the project must be completed by January 31, 2021, with additional work completed in the summer of 2021.

**Manager Johnson moved, seconded by Manager Schwarze, to accept the low bid and award the contract to Northwest Asphalt in the amount of \$339,265.85 from account 947-0023 (Brown’s Creek - Golf Course Reuse - Oak Glen); and to authorize the administrator to enter into agreement with the contractor with advice from counsel; and to delegate to the administrator the authority to approve change orders to an aggregate total of 10% of the contract price.**

	Yea	Nav	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>			

**Motion carried 5/0.**

**b) Long Lake Flood Vulnerability Analysis survey scope – Board Action**

Administrator Kill reported the city of Stillwater does not have the resources to conduct the survey work this fall needed for the flood evaluation of the properties on Long Lake.

Ryan Fleming, EOR reported on a scope of services to survey structures that may be at risk of flooding on Long Lake. The city surveyed 16 structures in this area in 1997 but the datum information is missing. EOR is proposing to conduct a survey of nine of lowest homes to arrive at a datum conversion for the remaining seven homes of the 1997 survey. EOR is available to complete this work by November 11, 2020.

Managers Eckles noted, unless the homes have moved, the 25-year old survey data should be good and stressed the need to be fiscally responsible and requested the engineer survey only the number of homes needed to obtain a datum conversion for the remaining structures.

**Manager Schwarze moved, seconded by Manager Eckles, to authorize EOR to conduct the field survey not to exceed \$4,270 from account 923-0002 (Flood Risk Assessment) and to transfer \$4,270 from the Contingency Reserve into account 923-0002 (Flood Risk Assessment).**

	<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 Schwarze</u>	<u>X</u>			

**Motion carried 5/0.**

**8) New Business**

**a) Fall community Event – Drawing for Scavenger Hunt Winners**

Cameron Blake, BCWD staff reported in place of BCWD’s annual community event, a virtual tour map was created of BCWD projects – with the help of East Metro Water Resource Education Program, with scavenger hunt to engage people to visit the projects. Administrator Kill selected two winners of the contest using randomly generated numbers. The winners are Heidi Lella and June Gmeinder. The other participants will receive coupon for an ice cream cone at Dairy Queen. President Leiser directed the administrator to send a thank you note to all who participated.

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

**a) Administrator Updates**

1 Ryan Fleming, EOR reported the cause of a sinkhole at the Countryside Auto project  
2 was found to be from a fence post that was installed directly into an underground  
3 pipe. The pipe and sinkhole have been repaired. The Department of Natural  
4 Resources has been notified and will be repairing its fence.  
5

6 Administrator Kill gave the following updates:

- 7 • Piezometers have been installed and are collecting data at Kimbro Avenue.
- 8 • Ms. Kill attended a meeting with managers Leiser and Johnson, county staff,  
9 and commissioners Miron and Kriesel to review the 2021 BCWD budget and  
10 upcoming projects. The commissioners gave positive feedback on the BCWD  
11 projects.
- 12 • Ms. Kill is working on educational projects with East Metro Water Resource  
13 Education Program (EMWREP) including a webinar covering information on  
14 buffers and invasive species management to be held October 27<sup>th</sup>, 6-7pm as an  
15 EMWREP event. BCWD will also utilize the presentation by posting it on the  
16 BCWD website and inviting residents such as Heifort Pond Estates  
17 homeowners to view it. Planning for 2021, BCWD will work with EMWREP  
18 on developing information for homeowner's associations to help them with  
19 stormwater management.
- 20 • BCWD may host a buckthorn removal this year around Long Lake.
- 21 • Ms. Kill noted the demands on her schedule – as a result of the pandemic and  
22 having children distance learning at home – have reduced her availability  
23 during regular work hours. Washington Conservation District staff are filling  
24 in as needed.
- 25 • BCWD is receiving an award from American Water Resources Association  
26 for water quality improvements. An online awards ceremony is scheduled for  
27 November 11<sup>th</sup> at noon.
- 28 • Ms. Kill is leading an upcoming virtual MAWD Awards presentation.  
29

30 Cameron Blake reported the Citizen Advisory Committee met last Monday and  
31 reviewed current projects. Manager Schwarze also attended the meeting and noted the  
32 committee is supportive of the Applewood Hills Golf Course reuse project.  
33

34 **b) Communications & Manager Reports**

- 35 • President Leiser welcomed Emily Johnson back to EOR. She is working  
36 remotely from Boise, Idaho.
- 37
- 38 • Manager Schwarze noted she is moving from the district and the managers  
39 acknowledged her service and leadership as a manager of BCWD.
- 40
- 41 • Michael Welch noted the Metro Minnesota Association of Watershed Districts  
42 meeting is next Tuesday night.  
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44 **c) November 2020 Regular BCWD Board Agenda**

45 No items suggested.  
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1   **10)   Adjournment**  
2       **Manager Schwarze moved, seconded by Manager Johnson, to adjourn the Regular**  
3       **Meeting at 8:05PM. Motion carried, vote 5/0.**

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