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2 APPROVED Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday, November 8, 2017 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
Connie Taillon	Camilla Correll, EOR, BCWD engineer
	Stu Grubb, EOR, BCWD engineer
Managers Absent:	Colonel Sol Sukut, MN Army National Guard
Anne Maule Miller, Secretary	Justin Skoglund, MN Army National Guard
	Douglas Wild, BWBR
	Chuck Peterson, CM Construction

9
10 **1) Call Regular Meeting to Order**
11 President Leiser called the Regular Meeting to order at 6:30PM.

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

16
17 **3) Public Comments**
18 There were no public comments.

19
20 **4) Treasurer's Report**
21 **a) Review Authorized Funds Spreadsheet**
22 Administrator Kill presented the authorized funds spreadsheet.
23 **Manager Schwarze moved, seconded by Manager Johnson, to approve the**
24 **authorized funds spreadsheet as presented. Motion carried, vote 4/0.**
25
26 **b) Current Items Payable – Board Action**
27 **Manager Johnson moved, seconded by Manager Taillon, to approve payment of**
28 **bills as presented in the amount of \$71,380.60.**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<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			

Motion carried 4/0.

Treasurer Johnson reported a total balance of \$342,273.71 after payables.

5) **Consent Agenda**

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

- **Approve minutes from October 11, 2017 Regular Meeting as presented.**
- **Accept the permit fee statement as presented.**
- **Authorize BCWD 2017-2026 Watershed Management Plan Amendment for distribution**
- **Approve Administrator attendance and registration for Volunteer Leadership Training**

Motion carried, vote 4/0.

6) **BCWD Permit 13-19 Stillwater Readiness Center –Update**

Colonel Sol Sukut of the MN Army National Guard (MNG) gave an update on Pond 1 at the Stillwater Readiness Center and the status of developing a corrective action plan. As –built survey were completed for the Pond 1 outlet. The survey shows that the outlet was built almost two feet too high and holding back too much water. The standing water has dropped about one to two inches a day for the last month. He is aware this is not adequate as the design called for approximately 14 inches per day infiltration and is working with his engineer to develop a plan. Currently, they are reviewing the entire site to find locations to add stormwater facilities such as tree trenches, to reduce the volume entering the basin. Justin Skoglund, MNG expects to have a design ready by the end of January.

The district engineer noted the site is landlocked and the issue is volume control. All options to keep water on site should be exhausted before considering a request for variance to outlet offsite. Colonel Sukut agreed; he is not interested in pursuing such an option.

The managers noted they are encouraged by the effort the National Guard is making to find a solution to the problem, they suggested it was an opportunity for creative solutions such as reusing water for irrigation, and suggested reaching out to the fire department located onsite, as a possible partner to assist in monitoring. The schedule for plan review was discussed. MNG should submit documents for review by January 17th in order to be on the agenda for the February meeting.

1 Michael Welch, Smith Partners stressed, the engineer and managers are only providing
2 feedback, the BCWD order stands; there are no approvals or action at this time and that
3 MNG would have to apply for a permit modification if a revised stormwater management
4 plan is proposed.
5

6 **7) Projects**

7 The agenda was adjusted to place the groundwater trend report first.

8 **a) Groundwater Trend Report**

9 Stu Grubb, EOR gave an update on groundwater elevation and trends for 2017. A
10 new well was added for monitoring near Lynch Lake where wetland water levels
11 have been a concern from the neighborhood. Overall, groundwater elevations
12 generally increased across the watershed from 2016 to 2017 by an average of
13 about 1.3 feet, due to the above average rainfall of the past summer. The
14 groundwater elevations of the DNR observation wells presented in a graph from
15 1994 through 2017 show a generally increasing trend since 2010. The erratic
16 pattern of the deep well at Brown's Creek, possibly from nearby pumping was
17 discussed at length. It was suggested this data would be useful to share with
18 municipalities and have conversations about water use.
19

20 Mr. Grubb gave an update on the groundwater model efforts by USGS and DNR
21 and discussed how BCWD could make use of the model including: investigating
22 changes in the watershed, looking at precipitation trends by simulating changes in
23 the Creek's base flow, determining effects of large wells on Brown's Creek, and
24 determining effects of rules, especially volume standards.
25

26 **b) Wolf Marine Update – Board Action**

27 Camilla Correll, EOR gave a summary of the field review at Wolf Marine and
28 potential next steps to address the sediment issue. Administrator Kill noted
29 BCWD is interested in opportunities to collaborate with Wolf Marine to reduce
30 the phosphorus load entering the St. Croix River.

31 **Manager Johnson moved, seconded by Manager Taillon, to transfer \$2,800**
32 **from account 300-4950 (Management Plan Implementation – contingency**
33 **reserve) to account 947-0019 (Brown's Creek – Sediment Source Analysis)**
34 **and authorize expenditure of \$2,800 for sediment sampling and analysis from**
35 **account 947-0019 (Brown's Creek – Sediment Source Analysis). Motion**
36 **carried, vote 4/0.**
37

38 **b) Bacteria Assessment Report**

39 Administrator Kill reported BCWD has been assessing possible sources of *E. coli*
40 impairing Brown's Creek since 2012, when the MPCA placed Brown's Creek on
41 the impaired waters (TMDL) list. This year livestock and horse facilities have
42 been evaluated, including: commercial livestock operations, horse boarding
43 stables and training facilities, and private animal ownership. The study took into
44 account facility size and runoff potential to Brown's Creek and ranked the sites
45 from low to high bacterial risk. The next step is to prioritize education/outreach
46 efforts and identify potential cost sharing with the Washington Conservation

1 District (the assessment has been shared with them) and focus on developing
2 manure management plans for the high risk sites.
3

4 **d) Raingarden Maintenance – Board Action**

5 Administrator Kill reported on a request from Mike Isensee, the administrator of
6 the Middle St. Croix Management Organization, to participate in launching a
7 raingarden maintenance program. Counsel advised that an email request does not
8 provide a substantial basis for the approval of expenditure of BCWD funds.

9 **Manager Johnson moved, seconded by Manager Taillon, to transfer \$2,000**
10 **from account 914-0000 (Homeowner BMP Program) to account 940-0000**
11 **(BMP Program – LGU/Community Demonstration Projects) and to**
12 **authorize expenditure of \$2,000 for maintenance of 20 raingardens at Oak**
13 **Glen in BCWD from account 940-0000 (BMP Program – LGU/Community**
14 **Demonstration Projects). Motion carried, vote 4/0.**
15

16 **8) New Business**

17 **a) MAWD Resolutions**

18 The managers reviewed the 2017 Minnesota Association of Watershed Districts
19 (MAWD) proposed resolutions. President Leiser shared his position on three of
20 the MAWD bylaw amendments he does not agree with, that are recommended by
21 the MAWD policy committee.

22 **Manager Johnson moved, second by Manager Schwarze to authorize**
23 **Managers Leiser and Maule Miller to serve as the BCWD delegates and**
24 **Manager Schwarze to serve as the alternate at the 2017 MAWD Annual**
25 **Meeting. Motion carried, vote 4/0.**
26

27 Recess 8:55pm – 8:59pm
28

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

30 **a) Administrator Updates**

31 There were no updates.
32

33 **b) Legal Updates**

34 Michael Welch responded to a request from the managers at a prior meeting
35 regarding implications on the BCWD rules of the court decision in the White Bear
36 Lake water-level case. He noted that since BCWD is not required to regulate
37 groundwater appropriations, and does not propose to do so under its draft rule
38 revisions, and because BCWD was not a party in the matter, the decision has no
39 direct impact on BCWD's regulatory program.
40

41 **c) Communications & Manager Reports**

42 There were no reports.
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44 **d) Holiday Gathering**

45 The managers and staff discussed dates for a holiday gathering and selected
46 December 18th as the best option.

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e) 2018 Meeting Dates/schedule meeting location

The Board will continue to meet the second Wednesday of the month in 2018, except for February when the Board will meet on February 15th and August when the Board will meet on August 15th.

f) December 2017 BCWD Board Agenda

No items were suggested.

10) Adjournment

Manager Taillon moved, seconded by Manager Johnson, to adjourn the Regular Meeting at 9:07PM. Motion carried, vote 4/0.

Respectfully Submitted by
Carmen Simonet, Recorder and Anne Maule Miller, Secretary