



1  
2 Approved Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of  
3 Managers, Thursday, November 12, 2020 at 5:30 PM  
4

5 *Based on Brown's Creek Watershed District President Craig Leiser's determination pursuant to*  
6 *Minnesota Statutes section 13D.021, subdivision 1, that it was not prudent to meet in person*  
7 *because of health concerns raised by the COVID-19 pandemic, the meeting was held*  
8 *electronically, via webcast.*  
9

10 ROLL CALL

<b>Managers Present:</b>	<b>Others Present:</b>
Craig Leiser, President	Karen Kill, Administrator
Gerald Johnson, Treasurer	Carmen Simonet, Recorder
Klayton Eckles, Vice President	Michael Welch, Smith Partners, BCWD counsel
	Camilla Correll, EOR, BCWD engineer
<b>Managers Absent:</b>	Cameron Blake, BCWD staff
Charles LeRoux, Secretary	Paul Fritton, EOR
	Emily Johnson, EOR
	Mark Lambert, Central Commons
	Dan Parks, Westwood
	Celia Wirth, Resident
	Eric Johnson, Resident
	Todd Gilles, Resident
	Joseph Thueson, Resident

11  
12 1) **Call Regular Meeting to Order @ 5:30PM**  
13 President Leiser called the Regular Meeting to order at 5:30PM.  
14

15 2) **Approve Regular Meeting Agenda and Discussion Agenda**  
16 **Manager Johnson moved, seconded by Manager Eckles, 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>Motion carried 3/0.</u>				

23  
24

1 **3) Public Comments**

2 Administrator Kill informed meeting attendees that item 6b, permit amendment for  
 3 Marylane Meadows was removed from the agenda. Another notice to neighbors will be  
 4 sent out when action on the request is rescheduled.

5  
 6 There were no public comments.

7  
 8 **4) Consent Agenda**

9 **Manager Johnson moved, seconded by Manager Eckles, to table the minutes of the**  
 10 **October 14, 2020 meeting until the December regular meeting.**

	Yea	Nav	Abstain	Absent
<b><u>Manager Eckles</u></b>	<b><u>X</u></b>			
<b><u>Manager Johnson</u></b>	<b><u>X</u></b>			
<b><u>Manager Leiser</u></b>	<b><u>X</u></b>			
<b><u>Manager LeRoux</u></b>				<b><u>X</u></b>

16 **Motion carried 3/0.**

17  
 18 **Manager Johnson moved, seconded by Manager Eckles, to approve the consent**  
 19 **agenda:**

- 20 • **Accept the permit fee statement as presented.**
- 21 • **Approve BCWD Permit 18-11 Ridgcrest financial assurance reduction of**  
 22 **\$11,320 to a remaining amount held by BCWD of \$38,095.**
- 23 • **Approve Groundwater trend Analysis Scope not to exceed \$3,380 from**  
 24 **account 942-0004 (Measuring Trends in GW Elevations & Flow) and \$2,120**  
 25 **through the WCD Services contract for administrative services.**
- 26 • **Authorize the administrator to submit a workplan amendment to BWSR for**  
 27 **grant P19-3256 for the Applewood Hills Golf course Reuse project.**
- 28 • **Authorize the administrator to publish requests for qualification for**  
 29 **auditing, accounting, engineering, and legal services in the Stillwater**  
 30 **Gazette, and the engineering qualifications in the State Register; and**  
 31 **establish a subcommittee of two managers to review the submittals and**  
 32 **provide recommendations to the Board.**

	Yea	Nav	Abstain	Absent
<b><u>Manager Eckles</u></b>	<b><u>X</u></b>			
<b><u>Manager Johnson</u></b>	<b><u>X</u></b>			
<b><u>Manager Leiser</u></b>	<b><u>X</u></b>			
<b><u>Manager LeRoux</u></b>				<b><u>X</u></b>

38 **Motion carried 3/0.**

39  
 40 **5) Treasurer's Report**

41 a) **Review Authorized Funds Spreadsheet**

42 Administrator Kill presented the authorized funds spreadsheet.

43 **Manager Johnson moved, seconded by Manager Eckles, to approve the**  
 44 **authorized funds spreadsheet as presented.**

	Yea	Nay	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>Motion carried 3/0</u>				

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

Manager Johnson moved, seconded by Manager Eckles, to approve payment of bills as presented in the amount of \$141,800.26.

	Yea	Nay	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>Motion carried 3/0.</u>				

6) **Permits**

a) **BCWD Permit 19-05 Central Commons Amendment & Extension – Board Action**

Administrator Kill reported the applicant is requesting an amendment and extension of the permit period. The developer is also requesting changes to the standard maintenance and buffer declaration and financial assurance terms; BCWD staff is working on these items with the developer and they will be brought forward for board action later.

Paul Fritton, EOR, reported on the proposed permit amendment for Central Commons, a commercial redevelopment project located in the southeast corner of Manning Avenue and Highway 36. The revised plan increases the total impervious surface from 20.9 to 23.1 acres. It also decreases the size of the infiltration basin and makes up for that loss by over-excavating the infiltration basin and adding backfill using better draining soils.

Mr. Fritton reviewed the rule requirements and recommended conditions. Since conditional approval in November 2019, BCWD has amended its rules. This has made variances 1-4 no longer variances. Variances 5 and 6 are relevant and there is no substantial change. The engineer recommends approval of the amended permit with the conditions and stipulations, as well as a 5-year permit term.

President Leiser asked Mark Lambert, the developer of the project, if he had any questions or concerns and he had none.

Manager Eckles moved, seconded by Manager Johnson, to approve the amended permit 19-05 Central Commons with the conditions and stipulations as presented, variances 5 and 6, and a five-year term beginning on the date of

**conditional approval of the amended permit, and a 60-day extension of the review period for the financial assurance and maintenance declaration requests.**

	Yea	Nay	Abstain	Absent
<b>Manager Eckles</b>	<b>X</b>			
<b>Manager Johnson</b>	<b>X</b>			
<b>Manager Leiser</b>	<b>X</b>			
<b>Manager LeRoux</b>				<b>X</b>
<b><u>Motion carried 3/0.</u></b>				

7) **Planning**

a) **Lower St. Croix One Watershed One Plan – Resolution for Approval – Board Action**

Administrator Kill reported the Minnesota Board of Water and Soil Resources approved the Lower St. Croix Comprehensive Watershed Management Plan at its October 2020 meeting. Michael Welch, Smith Partners reviewed the resolution to adopt the Lower St. Croix comprehensive watershed management plan as a supplement to the BCWD’s watershed plan and authorize the execution of the joint-powers agreement.

**Manager Leiser moved, seconded by Manager Johnson, to adopt resolution 20-05 Adopting the Lower St. Croix Comprehensive Watershed Management Plan; and to designate President Leiser to serve as BCWD’s representative to the Lower St. Croix Advisory Committee and Manager Eckles as the alternate.**

	Yea	Nay	Abstain	Absent
<b>Manager Eckles</b>	<b>X</b>			
<b>Manager Johnson</b>	<b>X</b>			
<b>Manager Leiser</b>	<b>X</b>			
<b>Manager LeRoux</b>				<b>X</b>
<b><u>Motion carried 3/0.</u></b>				

The managers designated Manager Johnson as secretary pro tem, given Manager LeRoux’s absence.

8) **New Business**

a) **Appoint Board Liaison to the Citizen Advisory Committee**

President Leiser noted with the departure of Sharon Schwartz, the Citizens Advisory Committee is in need of a new liaison. For now, President Leiser will attend the next CAC meeting, December 14, 2020.

b) **MAWD Annual Meeting – Approve Registration & Appoint Delegates – Board Action**

President Leiser reported the MN Association of Watershed Districts 2020 annual conference will be held virtually December 1-4.

**Manager Eckles moved, seconded by Manager Johnson, to appoint manager Leiser and manager Johnson as delegates for the MAWD annual meeting; and**

**to approve registration fees for managers and the administrator, and per diem for manager’s attendance.**

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b><u>Manager Eckles</u></b>	<b><u>X</u></b>			
<b><u>Manager Johnson</u></b>	<b><u>X</u></b>			
<b><u>Manager Leiser</u></b>	<b><u>X</u></b>			
<b><u>Manager LeRoux</u></b>				<b><u>X</u></b>
<b><u>Motion carried 3/0.</u></b>				

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

**a) Administrator Updates**

Administrator Kill noted at an earlier meeting, the managers asked for information on additional banking institutions to compare with the one that sent an offer earlier this year. She asked for clarification on requirements to help limit her search. The managers suggested a local office, a convenient location, and at least three options for comparison.

**b) Communications & Manager Reports**

President Leiser reported he shared the news about the two water quality improvement awards BCWD recently received, with county commissioners and MAWD. Manager Eckles asked for more information on the awards. Ms. Kill will resend the submittals and award letters to the managers. She also noted a summary is on the BCWD website, along with a link to a write up by Angie Hong in the Stillwater Gazette.

President Leiser suggested the managers give recognition to Sharon Schwarze for her service to BCWD.

**Manager Leiser moved, seconded by Manager Johnson, to recognize the service of Sharon Schwarze to Brown’s Creek Watershed District with a personalized painting of Brown’s Creek.**

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b><u>Manager Eckles</u></b>	<b><u>X</u></b>			
<b><u>Manager Johnson</u></b>	<b><u>X</u></b>			
<b><u>Manager Leiser</u></b>	<b><u>X</u></b>			
<b><u>Manager LeRoux</u></b>				<b><u>X</u></b>
<b><u>Motion carried 3/0.</u></b>				

**c) December 2020 Regular BCWD Board Agenda**

No items were suggested.

**10) Adjournment**

**Manager Johnson moved, seconded by Manager Eckles, to adjourn the Regular Meeting at 6:41PM.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

	<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>Motion carried 3/0.</u>				

Respectfully Submitted by  
Carmen Simonet, Recorder and Gerald Johnson, Recording Secretary Pro Tem