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2 Approved Minutes of the Regular Meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday, December 9, 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

Managers Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Gerald Johnson, Treasurer	Carmen Simonet, Recorder
Klayton Eckles, Vice President	Michael Welch, Smith Partners, BCWD counsel
Charles LeRoux, Secretary	Camilla Correll, EOR, BCWD engineer
	Cameron Blake, BCWD staff
	Paul Fritton, EOR, BCWD engineer
	Stu Grubb, EOR, BCWD engineer
	Emily Johnson, EOR, BCWD engineer
	Ryan Fleming, EOR, BCWD engineer
	Celia Wirth, Resident
	Anne Maule Miller, Resident
	Lee Miller, Resident

11
12 1) **Call Regular Meeting to Order @ 6:30PM**
13 President Leiser called the Regular Meeting to order at 6:30PM.
14 A roll call for attendance was taken.

	Present	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>	

20
21 2) **Approve Regular Meeting Agenda and Discussion Agenda**
22 **Manager Johnson moved, seconded by Manager LeRoux, to approve the Regular**
23 **Meeting agenda and discussion agenda as presented.**

	Yea	Nay	Abstain	Absent
<u>Manager Eckles</u>	<u>X</u>			

25

Motion carried 4/0.

6) Permits

a) BCWD Permit 19-01 Marylane Meadows Amendment – Review Extension – Board Action

Administrator Kill requested a review extension for a permit amendment for the Marylane Meadows development. Part of the applicant’s approved stormwater management plan includes decompacting the soil. The applicant has requested to amend their permit to remove this requirement. The applicant is still working on finding another way to achieve the required stormwater treatment.

Manager Eckles questioned decompacting soils as a valid stormwater treatment and asked how BCWD monitors the implementation and effectiveness. Ryan Fleming, EOR reported if a BCWD inspector is not on site to observe the work, the applicant can submit photos and work orders to verify the work.

Manager Eckles moved, seconded by Manager Johnson, to authorize a 60 day extension to the review period for the amendment of permit 19-01 Marylane Meadows.

	<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>			

Motion carried 4/0.

b) BCWD Permit 19-05 Central Commons Amendment Extension – Board Action

Administrator Kill reported that last month the Board extended the Central Commons permit review period for 60 days but this falls short of the January regular meeting. The applicant has requested an extension so that remaining items can be addressed at the January Board meeting.

Manager Eckles moved, seconded by Manager LeRoux, to approve extending the review period through January 14, 2021 for permit 19-05 Central Commons.

	<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>			

Motion carried 4/0.

c) BCWD Permit 20-12 White Pine Ridge Permit – Review Extension – Board Action

Administrator Kill reported on a request for extension to the permit application review for the White Pine Ridge project. The applicant needs additional time to submit an updated stormwater management plan.

Manager Johnson moved, seconded by Manager Eckles, to approve a 60 day extension to the application review period for permit 20-12 White Pine Ridge.

	<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 4/0.</u>				

7) **Projects**

a) **Kimbro Basin Shallow Groundwater Data Summary – Presentation Stu Grubb, EOR**

Stu Grubb, EOR reported BCWD is investigating the groundwater in the Kimbro Basin area and analyzing the data to make recommendations on alleviating flooding.

The water level in Kimbro basin is largely dependent on the groundwater level in the surrounding area. EOR investigated the groundwater to better understand the relationship between groundwater and surface water levels. Geologic information was gathered from nearby well logs and regional studies. Two piezometers were installed near the basin. Groundwater levels were measured in several residential wells.

The results of this investigation showed the relationship between groundwater levels in Kimbro Basin, shallow aquifers, and deep aquifers. This information will help the watershed district make decisions regarding future plans for addressing the flooding problems in this landlocked area.

While the direct drainage area to the basin is relatively small, the groundwater watershed is much larger. This explains why groundwater is such a significant component of the Kimbro basin hydrology. It is also important to note that if water is pumped from Kimbro Basin, the entire groundwater watershed will continue to deliver water to the basin until the groundwater watershed has been dewatered as well. Groundwater will quickly refill the basin after short-term pumping stops.

Current conditions include the temporary raising of County Road 12 and Kimbro Avenue and the adjacent home has sandbags up for protection. Groundwater level is being measured with piezometers and in residential wells. Over the last 6 months the water level has slowly dropped by one foot. Potential short and long-term solutions being studied include pumping Kimbro basin, an engineered overflow, flood proofing and buyout of affected properties. Camilla Correll, EOR reported the next steps include preparing information on the potential costs for the various options and presenting the information at the January Board meeting.

Manager Eckles stressed the need to develop a comprehensive approach to flooding concerns throughout the watershed. Administrator Kill reported initial steps taken by BCWD include assigning funds for a flood relief cost share program to the 2021 budget and partnering with adjacent watersheds to develop a regional response to

1 climate resiliency. The managers agreed direction and a long-term solution to
2 address the increase to flooding is needed.

3
4 **b) 2020 Groundwater Trend Report – Stu Grubb**

5 Stu Grubb, EOR presented the groundwater elevation trends for 2020. The BCWD
6 has established a network of wells for measuring groundwater levels covering the entire
7 watershed district. The network includes residential wells, golf course wells, and
8 Department of Natural Resources observation wells. Data are used to identify trends in
9 groundwater levels and changes to groundwater flow overtime. Groundwater elevations
10 increased from 2019 to 2020 with an average increase of 1.36 feet. The increase was
11 most pronounced in the residential wells. Mr. Grubb noted the data show us where and
12 how fast groundwater is increasing and is a useful data set for issues requiring
13 groundwater modeling.

14
15 The managers acknowledged the value of having long-term data to show trends,
16 anomalies and for decision making.

17
18 **c) Long Lake Flood Risk - Preliminary Modeling Results Presentation – Ryan
19 Fleming, EOR**

20 Ryan Fleming, EOR reported on the preliminary flood risk modeling results for
21 Long Lake. 44 homes with survey information were evaluated for potential flood
22 risk. The model was updated with Atlas 14 precipitation data, raising the Long Lake
23 100-year high water level to 894.93. Different size rain events, as well as with and
24 without a weir were modeled. 6 homes were found at high risk. Next steps include
25 finalizing the report and sharing it with the city of Stillwater and with residents early
26 next year. President Leiser noted the importance for BCWD to let residents know of
27 the findings and to give them time to prepare before the spring melt.

28
29 **8) Budget**

30 **a) Public Meeting regarding 2021 Budget and Levy**

31 President Leiser closed the regular meeting and opened a public meeting for the
32 2021 budget and levy discussion at 8:47pm. The public meeting was recorded.

33
34 President Leiser asked the public if there were any comments and there were none.

35
36 **b) Resolution 20-06 Final 2021 Levy – Board Action**

37 **Manager Johnson moved, seconded by Manager LeRoux, to adopt resolution**
38 **20-06 Brown’s Creek Watershed District Board of Managers Certified 2021**
39 **Final Tax Levy Resolution: to levy a total of \$1,129,390 including \$171,900 for**
40 **the General Fund as provided by Minnesota Statutes section 103D.905 and**
41 **\$957,490 for the Management Planning Fund as provided by the Minnesota**
42 **Statutes section 103B.241.**

	<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>			

Manager LeRoux X
Motion carried 4/0.

- c) **Resolution 20-07 Final 2021 Budget – Board Action**
Manager Eckles moved, seconded by Manager Johnson, to adopt resolution 20-07 Brown’s Creek Watershed District Board of Managers Certified 2021 Final Budget Resolution with an Operating and Capital Budget totaling \$1,996,890 including \$1,799,990 for Management Plan Implementation and \$196,900 for Operations.

	<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>			

Motion carried 4/0.

President Leiser declared the public meeting closed at 8:52pm and called the regular meeting back to order.

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

a) **Administrator Updates**

Administrator Kill reported on current BCWD activities including that the Oak Glen water reuse project is under way and the Applewood long-term maintenance agreement was submitted to the Minnesota Department of Transportation for review.

BCWD will be receiving proposals for professional services through the end of the year.

Ms. Kill also noted the Minnesota Association of Watershed Districts virtual conference presentations were recorded and will be archived in a library set up by MAWD.

b) **Communications & Manager Reports**

President Leiser reported the MAWD presentations he attended were excellent and encouraged the managers to watch some of the presentations.

Emily Johnson, EOR reported she’s taking a job in Idaho as a city engineer.

c) **January 2021 Regular BCWD Board Agenda**

No items were suggested.

10) **Adjournment**

Manager Johnson moved, seconded by Manager Eckles, to adjourn the Regular Meeting at 9:09PM.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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- 1 Manager Eckles X
- 2 Manager Johnson X
- 3 Manager Leiser X
- 4 Manager LeRoux X
- 5 Motion carried 4/0.

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7 Respectfully Submitted by

8 Carmen Simonet, Recorder and Charles LeRoux, Recording Secretary