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2 FINAL Minutes of the workshop and regular meeting of the Brown's Creek Watershed District
3 Board of Managers, Wednesday March 8, 2023
4

5 ROLL CALL

Managers Present:	Others Present:
Klay Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Vice President	Camilla Correll, EOR, BCWD engineer
Charles LeRoux, Secretary	Michael Welch, Smith Partners, BCWD counsel
Gerald Johnson, Treasurer	Cameron Blake, BCWD staff
	Paul Nation, EOR, BCWD engineer
	Mike Majeski, EOR, BCWD engineer
	Stu Grubb, EOR, BCWD engineer
	John Sarafolean, EOR, BCWD engineer
	Eden Roger, Washington County
	Mary Holm, resident
	Toni Osojnicki, resident

- 6
7 **1) Call Regular Meeting to order**
8 President Klayton Eckles called the regular meeting to order at 6:31 p.m.
9
- 10 **2) Approve Regular Meeting Agenda and Discussion Agenda**
11 Administrator Karen Kill requested that approval of the February minutes be removed
12 from the agenda.
13 **Manager Wirth moved, seconded by Manager LeRoux, to approve the agenda as**
14 **amended. Motion carried, vote 4/0.**
15
- 16 **3) Public Comments**
17 There were no public comments.
18
- 19 **4) Consent Agenda**
20 Michael Welch noted that the vegetation-management item 4f on the agenda is
21 authorization of a subcontract to Natural Resources Technologies except for \$500 for
22 engineering and oversight by the district engineer.
23 **Manager Wirth moved, seconded by Manager Johnson, to approve the consent**
24 **agenda as amended to remove item 4a:**
25 **b) Accept permit fee statement**

- c) Approve water quality monitoring equipment repair scope from the Washington Conservation District**
- d) Approve Weather Station scope**
- e) Approve Trout Habitat Preservation Project monitoring scope**
- f) Approve Vegetation Management scope to be completed by subcontractor**
- g) Approve Applewood Hills Golf Course Reuse signage scope**
- Motion carried 4/0.**

5) **Treasurer’s Report**

a) **Review Authorized Funds Spreadsheet**

Ms. Kill explained the audit is in progress and the authorized spreadsheet contains the revised 2022 carry-forward for the board’s approval. The spreadsheet also now reflects approved but not completed activities and the revised 2023 total budget. Ms. Kill confirmed there will likely only be minor changes moving forward. The audit will be presented at the April board meeting.

Manager Johnson moved, seconded by Manager Wirth, to accept the authorized spreadsheet and approve the revised 2023 budget as presented. Motion carried, vote 4/0.

b) **Current Items Payable**

Manager Wirth moved, seconded by Manager Johnson, to approve the payment of bills as presented in the amount of \$67,055.88.

	Yea	Nay	Abstain	Absent
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Johnson</u>	<u>X</u>			
<u>Manager LeRoux</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			

Motion carried 4/0.

6) **Permitting**

a) **BCWD Permit 23-01 Washington County State Aid Highway 61**

Paul Nation presented the BCWD engineer’s report on Washington County permit application for reconfiguration of the intersection of County State Aid Highway 61 and County State Aid Highway 15, or Manning Trail. The linear project results in an increase of 0.25 acres of impervious surface on the site. This project also includes pavement rehabilitation along a larger stretch of CSAH 15. Mr. Nation explained that new and reconstructed impervious from the road realignment will be treated by a wet pond, plus rock check dams along the CSAH 61 ditch to promote infiltration. This ditch drains to a wetland that will be partially excavated to create additional open-water habitat and improve the quality of the wetland. A sheet-pile weir will be installed at the wetland outlet to provide additional stormwater-management capacity.

The project also includes redirecting runoff along CSAH 15 from Brown’s Creek to the wet pond, addressing a longstanding drainage problem that has been the subject of past conversations among BCWD, Washington County, and the owners of the property on which the wetland is located, Craig & Marcia DeWolf. The engineer reviewed the

1 applicant's request for a variance from the BCWD volume-control standard and for an
2 increase in phosphorus loading to two downstream wetlands.

3 The board discussed the history of the referenced property drainage issues and
4 wetland impacts and the benefits of the changes proposed. The planned wetland
5 excavation is not required under permit rules, but will address phosphorus loading and
6 enhance the wildlife value of the wetland.

7 County representative Eden Rogers explained the overall goal to improve public safety
8 and drainage in this area. Ms. Rogers verified that the county accepts all the conditions of
9 approval the district engineer is proposing.

10
11 **Manager Wirth moved, seconded by Manager Johnson, to approve permit 23-01**
12 **and the variances, with the stipulations and conditions in the engineer's report.**
13 **Motion carried 4/0.**
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15 **b) Permit Program/Rules Discussion**

16 The board agreed to table this discussion until a future board meeting.

17
18 **7) Projects**

19 **a) Groundwater Monitoring**

20 **(1) 2022 results**

21 Stu Grubb presented the 2022 Groundwater Monitoring results and the long-term
22 trends. Mr. Grubb clarified that the board approved a scope of work in 2022 to
23 expand the network of wells, but the work was not completed so he would like to
24 complete this in 2023.

25
26 **Manager Wirth moved, seconded by Manager Johnson, to approve items one**
27 **and three from the scope of services not to exceed \$3,127 from account 942-**
28 **0004 and \$5,940 from account 942-0011.**
29

30 Manager Eckles requested the status of Stillwater's smart irrigation rebate program for
31 residents. Ms. Kill will connect with the city of Stillwater on this topic.

32
33 **b) Lynch Lake Vegetation Survey – Board Action**

34 Mike Majeski presented about a rare aquatic plant species found in Lynch Lake in 2014
35 and a scope proposing plant surveys to identify if this species is still present in Lynch or
36 Goggins lakes. The scope would involve survey work done by the district's engineer and
37 a water quality test with collaboration with a University of Minnesota professor who
38 would assist in identifying the plant as part of his research and at no cost to the BCWD.

39
40 **Manager Wirth moved, seconded by Manager LeRoux, to approve the scope of**
41 **services not to exceed \$4,966 from account 950-0002 to conduct rare plant surveys at**
42 **Lynch Lake and Goggins Lake in 2023.**
43

44 **8) Discussion Agenda**

45 **a) Updates**

46 **(1) Administrator**

1 **a. District Pond Community Meetings Update**

2 Ms. Kill updated the board on the community pond meetings that occurred
3 last month for July Ave, Kismet, Sinnet, Pat, Brewers and Heifort ponds.

4 There will be follow up letters to residents and the meeting information
5 and recordings will be posted to the BCWD website.

6 **b. Boundary Petition Update**

7 The Board of Water and Soil Resources has not yet acted on boundary
8 update submitted recently.

9
10 **(2) Legal**

11 Mr. Welch said the chloride liability legislation is gaining traction and support
12 from legislators, but concerns with the liability-indemnification language remain
13 to be resolved.

14
15 **(3) Engineer**

16 John Sarafolean is a new water resource specialist at EOR who will be helping
17 with the permitting program, as well as erosion and sediment control inspections.

18
19 **(4) Managers**

20 Manager Eckles requested board members reach out and attend community
21 meetings with some talking points. Ms. Kill said the 2022 BCWD Annual Report
22 will be coming to the April board meeting and would contain a good summary of
23 BCWD activity for communities. Ms. Kill said the vacant manager position has
24 not been filled.

25
26 **9) Adjournment**

27 **Manager Johnson moved, seconded by Manager Wirth, to adjourn the regular meeting at**
28 **8:10 p.m. Motion carried 4/0.**

29
30 Respectfully submitted by

31 Cameron Blake, BCWD staff and Charles LeRoux, Secretary