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2 FINAL Minutes of the special and regular meetings of the Brown's Creek Watershed District  
3 Board of Managers, Wednesday July 12, 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
	John Sarafolean, EOR, BCWD engineer*
	Mike Majeski, EOR, BCWD engineer*
	Brett Emmons, EOR, BCWD engineer*
	Corey Boyer, PMA Financial Network, LLC*
	Karen and Paul Richtman, BCWD residents*
	Craig Reid, Heifort Hills Homeowners Association*
	Larry Kelly, Heifort Hills Homeowners Association*

6 \* regular meeting only  
7

8 **1) Call special meeting to order @ 5:00PM**

9 President Klay Eckles called the special meeting to order at 5:03 p.m.  
10

11 **2) 2023 Budget Discussion**

12 Karen Kill presented an overview of a draft 2024 budget. The managers discussed  
13 funding development of the next 10-year watershed management plan, work identifying  
14 emerging issues of concern and public engagement. Ms. Kill will a menu budget options  
15 for the August budget discussion, presenting:

- 16 • Chloride is an emerging topic and the board discussed its role. The managers  
17 suggested they would like remain engaged and educated, but allow other  
18 agencies to fill their roles as appropriate.
- 19 • Enhanced outreach and inclusive conversation during the planning process  
20 will be important to ensure district policies, programs, and projects are  
21 equitably protecting and improving water resources amongst our diverse  
22 community.
- 23 • Dozens of developments have been completed in the past 20 years that have  
24 installed stormwater management facilities that are nearing the need for

1 maintenance. Ms. Kill suggested that maintenance of stormwater practices  
2 when homeowners' associations that often own the property on which such  
3 facilities are located but who are not adequately prepared for this  
4 responsibility should be considered in the next management plan.  
5 The managers expressed in developing a strategy for evaluating the  
6 effectiveness of the stormwater practices and buffers the district has required  
7 to be installed, along with the effectiveness of the district's capital  
8 improvement projects.

- 9 • The managers were supportive of the creation of a project website for the  
10 public to engage in the management-plan process. The managers discussed  
11 online public engagement and how to look at analytics to gauge the level of  
12 engagement occurring.
- 13 • The managers inquired as to the models the district uses to inform  
14 management decisions and suggested meeting with local partners on models  
15 they may have. Staff will bring back options for the board to choose between  
16 what kind of inventory and analysis is desired for the planning process.
- 17 • The managers discussed the importance of determining and stating the  
18 district's role in supporting climate resiliency in the new plan.

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20 The budget workshop adjourned at 6:32 p.m.

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22 **3) Call regular meeting to order**

23 President Klay Eckles called the regular meeting to order at 6:37 p.m.

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25 **4) Approve agenda**

26 **Manager Wirth moved, seconded by Manager Johnson, to approve the agenda as**  
27 **presented. Motion carried, vote 4/0.**

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29 **5) Public Comments**

30 Karen and Paul Richtman were present to talk about Brewer's Pond. They expressed  
31 concern about water quality and shared observations of vegetation clearing on private and  
32 public parcels on the pond. Mr. Richtman requested that the district determine  
33 opportunities to retrofit the existing stormwater infrastructure to benefit Brewer's Pond.  
34 The Richtmans expressed interest in assisting with public engagement to improve land-  
35 use behaviors, such as native shoreline plantings.

36  
37 **4) Consent Agenda**

38 **Manager Wirth moved, seconded by Manager Johnson to approve the consent**  
39 **agenda:**

40 **a) Approve board meeting minutes of the June 14, 2023 regular meeting**

41 **b) Accept permit fee statement**

42 **c) Approve registration and expenses for administrator for Minnesota**  
43 **Association of Watershed Administrators meeting in Baxter.**

44 **Motion carried 4/0.**

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46 **5) Treasurer's Report**

1 **a) Review Authorized Funds Spreadsheet**

2 **Manager Johnson moved, seconded by Manager LeRoux, to accept the authorized**  
 3 **funds spreadsheet as presented. Motion carried, vote 4/0.**

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 5 **b) Current Items Payable**

6 **Manager Johnson moved, seconded by Manager Wirth, to approve the payment of**  
 7 **bills as presented in the amount of \$73,550.96**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
8 <u>Manager Eckles</u>	X			
9 <u>Manager Johnson</u>	X			
10 <u>Manager LeRoux</u>	X			
11 <u>Manager Wirth</u>	X			
12 <b><u>Motion carried 4/0.</u></b>				

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 15 **c) 4M Fund Membership**

16 Corey Boyer from the PMA Financial Network, which administers the Minnesota  
 17 Municipal Money Market Fund or 4M Fund for the League of Minnesota Cities,  
 18 presented an overview of the program. Ms. Kill explained that other watershed districts  
 19 have had positive experiences with the program, receiving good returns without needing  
 20 to expend significant resources managing trades. The fund is run through US Bank,  
 21 which is currently a BCWD designated depository bank. The treasurer can work with the  
 22 administrator to look at investment options for the district. The current low interest rates  
 23 on deposited funds and on certificate of deposits yield about \$1,000 interest income  
 24 annually and a quick estimate for the 4M fund was \$23,000 annually. Michael Welch  
 25 explained that the fund meets state statutory restrictions and requirements on public  
 26 investment, and presents low risk to the district because the participants are governmental  
 27 entities similar to the district.  
 28

29 **Manager Eckles moved, seconded by Manager Wirth, to adopt Resolution 23-03,**  
 30 **authorizing the district to become a 4M participant, authorizing the board**  
 31 **president, secretary, and administrator to make actions, and for all board managers**  
 32 **and the administrator to be authorized officials.**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
33 <u>Manager Eckles</u>	X			
34 <u>Manager Johnson</u>	X			
35 <u>Manager LeRoux</u>	X			
36 <u>Manager Wirth</u>	X			
37 <b><u>Motion carried 4/0.</u></b>				

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 40 **6) Projects**

41 **a) Brown's Creek Restoration Project - Next Steps Scope (Task #1)**

42 Mike Majeski said the district engineer has developed a concept for stream  
 43 restoration, which would restore hydrologic connection to the floodplain and allow for  
 44 the restoration of a native vegetative understory. State and local agencies have weighed in  
 45 throughout the feasibility-assessment process. The next steps will be to complete an

1 Environmental Assessment Worksheet, provide notice to public agencies, and hold a  
2 public hearing to consider ordering the project.

3 President Eckles expressed hesitation at the proposed expenditure of public funds  
4 on an EAW process for a project that is wholly designed to improve resources and has  
5 been developed in concert with Department of Natural Resources goals. Mr. Welch stated  
6 the project appears to trigger a mandatory EAW, and failing to prepare an EAW may  
7 preclude DNR for issuing a permit for the project. There is also a risk of delaying the  
8 timeline for the project, jeopardizing completion within the grant-funding timeline. The  
9 board directed staff to contact DNR staff to discuss whether they find that an EAW is  
10 required for the project.

11 **Manager Wirth moved, seconded by Manager LeRoux, to approve Task 1 to**  
12 **complete an environmental assessment worksheet not to exceed \$14,961 from**  
13 **account 947-0022, contingent on inquiry with DNR. Motion carried 4/0.**  
14

15 **b) Marketplace Reuse Study Presentation**

16 Brett Emmons presented the results of the Marketplace Reuse Study, explaining  
17 the options for green space available for irrigation and storage in the Marketplace  
18 subwatershed. Strategies to cover the cost can be further investigated, including grants  
19 and a regional approach in which developers pay into the system to meet stormwater  
20 rules. The managers discussed reuse systems, chloride pollution in the subwatershed and  
21 Long Lake, current reuse treatment requirements from the state, and the impact a reuse  
22 system could have on the Long Lake water levels to reduce future flooding. The  
23 managers noted the complexities of implementing reuse into an already developed  
24 system.

25  
26 The managers asked if additional chloride monitoring could be done in the area in  
27 the spring to provide more information. Staff will provide the board with next steps  
28 options for consideration at the August meeting.  
29

30 **8) Discussion Agenda**

31 **a) Updates**

32 **(1) Administrator**

33 **(a) Budget meeting – August 16, 2023 prior to regular meeting 5-6:30**  
34 **p.m.**

35 **(b) Minnesota Watersheds Request for Resolutions**

36 No resolution ideas were suggested.

37 **(c) Groundwater Wellhead Protection Plan meeting Stillwater/Oak**  
38 **Park Heights**

39 The meeting regarding overlapping wellhead protection plans occurred so  
40 all parties are aware and the inconsistency between the two cities'  
41 drinking-water vulnerability zones can be addressed during the next plan  
42 update.

43 **(d) Minnesota Watersheds Summer Tour**

44 Ms. Kill shared her experience on the summer tour in southern Minnesota,  
45 including her observations on the role diversity, equity, and inclusion  
46 plays in the communities and their relation to water resources.

1                                   **(e) Minnesota Watersheds Survey**

2                                   Ms. Kill solicited the managers' input to complete a survey on Minnesota  
3                                   Watersheds' educational and training opportunities.

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5                                   **(2) Legal**

6                                   Mr. Welch updated the managers on a new law that state and county  
7                                   officials must report fish kills to the state duty officer if they are notified  
8                                   of one.

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10                                   The state approved the BCWD boundary change, but has not yet filed  
11                                   official notice with the secretary of state.

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13                                   **(3) Engineer**

14                                   **North & East Metro Groundwater Management Area quarterly meeting**  
15                                   **update**

16                                   Stu Grubb attended the North & East Metro Groundwater Management  
17                                   Area quarterly meeting and reported there was no discussion of  
18                                   groundwater issues that might affect the district. The main focus of  
19                                   conversation was water conservation efforts, an update on groundwater  
20                                   contamination clean-up efforts, the switch for St. Paul suburbs from  
21                                   groundwater to surface water for drinking, and issues with municipal wells  
22                                   in Blaine.

23  
24                                   **(4) Managers**

25                                   No updates.

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27                                   **b) August 16, 2023 Regular Meeting BCWD Board Agenda**

28                                   Mr. Welch will not be able to attend the meeting due to the date change and will  
29                                   work with the administrator to determine if a replacement will be necessary based on the  
30                                   August agenda.

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32                                   **9) Adjournment**

33                                   **Manager Wirth moved, seconded by Manager Johnson, to adjourn the regular meeting at**  
34                                   **9:00 p.m. Motion carried 4/0.**

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36                                   Respectfully submitted by  
37                                   Cameron Blake, BCWD staff and Charles LeRoux, Secretary