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2 DRAFT Minutes of the regular meeting of the Brown's Creek Watershed District Board of
3 Managers, Wednesday June 12, 2024
4

5 ROLL CALL

Managers Present:	Others Present:
Klay Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Vice President	Camilla Correll, EOR, BCWD engineer
Gerald Johnson, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Chuck LeRoux	Cameron Blake, BCWD
Debra Sahulka, Secretary	Alec Olsen, EOR, BCWD engineer
	Mike Majeski, EOR engineer
	Ron & Mary Kargel, resident
	Mike Wick, resident
	Drew Scott, resident
	Bill McCarron, resident
	David Kramlich, resident
	Jason Palmby, permit applicant (attended virtually)

- 6
7 **1) Call to Order**
8 President Klay Eckles called the regular meeting to order at 6:30 p.m.
9
- 10 **2) Approve Agenda**
11 **Manager LeRoux moved, seconded by Manager Johnson, to approve the agenda as**
12 **presented. Motion carried, 5/0**
13
- 14 **3) Public Comments**
15 There were no public comments
16
- 17 **4) Consent Agenda**
18 **Manager Wirth moved, seconded by Manager Johnson, to approve the consent**
19 **agenda:**
20 **a) Approve board meeting minutes of the May 8, 2024 regular meeting**
21 **b) Accept permit fee statement**
22 **c) Authorize board per diem, registration, and expenses and staff**
23 **registration and expenses for Minnesota Watersheds summer tour June 25-**
24 **26, 2024 in St. Paul, MN**

Motion carried 5/0.

1
2
3 **5) Treasurer’s Report**

4 **a) Review Authorized Funds Spreadsheet**

5 **Manager Johnson moved, seconded by Manager Wirth, to approve the**
6 **authorized funds spreadsheet as presented. Motion carried, 5/0.**

7
8 **b) Current Items Payable**

9 **Manager Wirth moved, seconded by Manager Johnson, to approve payment of**
10 **bills as presented in the amount of \$145,511.60. Motion carried on a roll call**
11 **vote, 5/0.**

12
13 **6) Permits**

14 **a) BCWD Permit 22-18 Stillwater Oaks – Permit Amendment and Extension**

15 Karen Kill explained that the board conditionally approved permit 22-18 for
16 residential redevelopment of the Stillwater Oaks golf course in September 2023.
17 Jason, Palmby, the applicant, is requesting a 24-month extension of the conditional
18 approval to October 1, 2026, and a modification to allow a portion of the work to
19 proceed now while he continues efforts to secure approvals for the rest of the project.
20 He is requesting authorization to proceed with land-disturbing activities and other
21 construction on the portion of the site south of 88th Street. Camilla Correll explained
22 there were no proposed changes to the application other than to split the project into
23 two phases. She noted that, as detailed in the engineer’s report on the request in the
24 packet, stormwater management for the southern portion of the property does not rely
25 on treatment provided on the northern portion, the split creates no shortfall from
26 compliance or exacerbation of the shortfalls for which variances were approved in
27 conjunction with the original application.

28
29 Dave Kramlich at 8355 Lake Elmo clarified what was meant by discharge points and
30 asked if anyone would be monitoring groundwater usage from the new development.
31 Administrator Kill stated that residential wells would operate the same as any well in
32 this area, and BCWD does not monitor them. She said groundwater use will likely be
33 less than what was happening for the previous golf course use, with additional
34 stormwater management on site including stormwater reuse for irrigation.

35
36 Bill McCarron, who lives near the second phase of the project, said he has observed
37 tree removal on site. Ms. Kill explained there would be restoration of wooded areas
38 on site with spaces set aside for preservation; she explained the site will likely look
39 different after the removal of invasive tree species.

40
41 Mr. Palmby joined the meeting virtually, and said he hopes to begin work on phase I
42 as soon as possible in 2024 and phase II in 2025. The BCWD permit is the last permit
43 needed for phase I.
44

1 **Manager Wirth moved, seconded by Manager LeRoux, to authorize the permit**
2 **amendment with all previous conditions and stipulations in the engineer's**
3 **report, and to extend approval to October 1, 2026. Motion carried, 5/0.**
4

5 Michael Welch stated that the conditions on approval pertinent to the southern portion
6 of the project will need to be fulfilled prior to issuance of a permit to undertake work
7 in that area, including provision of a financial assurance for that portion of the work.
8 The managers acknowledged and concurred.
9

10 **7) Projects**

11 **a) Brown's Creek Restoration**

12 Ms. Kill said she was contacted by Jody Rooney, who lives on the parcel at Neal and
13 McKusick, just north of the ongoing Brown's Creek Restoration project. She said the
14 Rooneys are interested in expanding the riparian-vegetation restoration work onto their
15 property. The contractor has already begun work and agreed to use existing unit prices
16 for the additional 0.6 acres of vegetation management at a cost not to exceed \$5,000.
17

18 The Rooneys have identified some concerns about existing site conditions including steep
19 topography because they are not familiar with the existing conditions on the southern
20 portion of their property, adjacent to the project, where BCWD would work. They have
21 requested that the district assume and accept the risk, and take responsibility for restoring
22 conditions. Mr. Welch explained the risk is likely low, but wanted the board to be aware
23 that he does not advise BCWD to accept risk of existing conditions. Ms. Kill said she and
24 Mike Majeski will evaluate the potential boundary for restoration work, as well as to
25 evaluate the site for potential hazards or rare plant species.
26

27 **Manager Johnson moved, and Manager Wirth seconded, to authorize the**
28 **administrator on advice of counsel to enter into an agreement with Jody and Patrick**
29 **Rooney for vegetation removal and replanting with native vegetation and to**
30 **authorize a change order with Geomorphic Restoration not to exceed \$5,000 from**
31 **947-0022. Motion carried, 5/0.**
32

33 **8) Planning**

34 **a) Hydrologic and Hydraulic Modeling**

35 Alec Olsen presented proposed updates to the district's hydrologic and hydraulic model.
36 The last update was in 2015. The 2024 budget includes several tasks associated with
37 updating the H&H model to support planning and policy decisions for the next watershed
38 management plan. There have been changes across the watershed and new higher
39 resolution LiDAR data will be available this year. The update would provide higher
40 accuracy across the watershed, including identifying landscape features such as
41 depressional storage, which relates to flooding risk.
42

43 Manager Eckles requested the managers keep in mind that models can be helpful tools,
44 but to consider the cost and amount of improvement that can be achieved with each
45 additional update. Ms. Kill noted that the district shares its model with watershed
46 communities and Washington County to assist their development reviews.

1
2 Manager Chuck LeRoux requested that the engineers provide a summary of the changes
3 and improvements to the model that will result from these updates.
4

5 **Manager Wirth moved, seconded by Manager Wirth, to approve the scope of**
6 **services for not to exceed cost of \$26,370 for Phase 2 of the BCWD H&H model**
7 **update from account #923-0000. Motion carried, 5/0.**
8

9 **b) Management Plan Update**

10 Camilla Correll presented a summary of comments received from partners and the
11 citizens advisory committee so far. The managers requested a portion of each future
12 board meeting agenda be dedicated to the management-plan update. Managers stated they
13 are open to preparing ahead of time with homework and would like distinct issues to be
14 fully addressed and completed at each meeting. Ms. Kill noted that setting the watershed
15 management plan policy is the most important aspect of the board's role, and reminded
16 the managers that staff would be providing recommendations and information.
17

18 **9) Discussion Agenda**

19 **a) Updates**

20 **(1) Administrator**

21 (a) Management Plan Update – kick-off meeting

22 Ms. Kill is distributing the kickoff meeting invitation and requested the
23 managers do so as well. Managers asked her to provide them with talking
24 points or direction.

25 (b) HELP grant application

26 There is an opportunity to apply for funds for continuing restoration at the
27 Brown's Creek Conservation Area, as well as potentially enhancing
28 buffers in the district in collaboration with home owner associations.

29 (c) 2025 budget process:

30 Managers discussed rescheduling the July board meeting to account for
31 the back to back management plan kick off meeting timing. Ultimately
32 managers decided against this and agreed with the meetings as presented.

33 (i) July 10, 2024, regular meeting – initial budget discussion

34 (ii) August 14, 2024 – workshop 5-6:30 pm

35 (iii) September 11, 2024 – tentative workshop 5-6:30 pm, public
36 hearing at regular meeting
37

38 **10) Adjournment**

39 **Manager Johnson moved, seconded by Manager Sahulka, to adjourn the meeting at**
40 **8:45p.m. Motion carried 5/0.**
41

42 Respectfully Submitted by

43 Karen Kill, BCWD Administrator and Debra Sahulka, Secretary