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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 August 14, 2024
4

5 ROLL CALL

Managers Present:	Others Present:
Klay Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Vice President	Ryan Fleming, EOR, BCWD engineer
Debra Sahulka, Secretary	Michael Welch, Smith Partners, BCWD counsel
Gerald Johnson, Treasurer	Cameron Blake, BCWD staff
	Pat Conrad, EOR, BCWD engineer
Manager Absent:	Beth Carreno*
Chuck LeRoux	Steve Warnick, resident*
	Cariann Carter, resident*

6 * regular meeting only
7

8 **1) 2025 Budget Workshop**

9 President Klay Eckles called the special budget-review meeting to order at 5:00
10 p.m.

11 Karen Kill presented the proposed draft 2025 budget, which includes a 2.3 percent
12 levy increase, an increase of approximately \$26,728 over 2024 and consistent with the
13 watershed management plan proposed 3 percent annual increase. The taxable market
14 value of property in the watershed increased approximately 10.3 percent.

15 Considerations in the 2025 budget include operations and maintenance for long-
16 term capital improvement projects, and a proposed increase from 1.5 to 2.0 full-time staff
17 to allow for increased implementation items and education and outreach. The budget also
18 includes the next installment of the federal 319 grant passed through the Minnesota
19 Pollution Control Agenda for improvements to Brown's Creek or Long Lake. The budget
20 reflects a feasibility study of a rock crib to reduce thermal loading to Brown's Creek as
21 was identified in a previous study of the watershed. The managers requested the specific
22 capital improvement be left as broadly described as possible to allow for exploration for
23 the best use of grant funds. The managers supported earmarking funds for above-and-
24 beyond stormwater treatment at the future Lakeview Hospital site. Ms. Kill explained that
25 the *E. coli* impairment in Brown's Creek is not from human sources, and agricultural
26 interaction with the creek is limited. Managers requested further information on the *E.*
27 *coli* impairment to inform future activity. The managers discussed new efforts in the
28 budget including homeowner association stormwater maintenance support, which has
29 become a growing issue. The managers made no changes to the draft budget.

Manager Johnson moved, seconded by Manager Wirth, to schedule the budget and levy public hearing for the September 11 regular meeting. Motion carried, vote 4/0.

The budget workshop adjourned at 6:19 p.m.

2) Call regular meeting to order

President Klay Eckles called the regular meeting to order at 6:31 p.m.

3) Approve Agenda

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

4) Public Comments

Residents Cariann Carter and Steve Warnick, 11589 110th Street North, Grant, explained they were neighbors to the Brown’s Creek Conservation Easement Area and were here to listen to the board meeting and learn more about the watershed district. Staff and managers thanked them for attending and encouraged their ongoing engagement in watershed work.

5) Consent Agenda

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

a) Approve board meeting minutes of the July 10, 2024 regular meeting

b) Accept permit fee statement

c) Authorize payment of Geomorphic Restoration pay application #2

d) Authorize registration, expenses, and per diems for managers and registration and expenses for staff for the Minnesota Watersheds annual meeting December 2024

e) Appoint Sandy Noreen-Ruben and Dory Herman to the Citizens Advisory Committee

f) Accept Steve Merchant resignation from the Citizens Advisory Committee and thank for service

Motion carried 4/0.

6) Treasurer’s Report

a) Review Authorized Funds Spreadsheet

There was no discussion on the authorized funds spreadsheet.

b) Current Items Payable

Manager Wirth moved, seconded by Manager Johnson, to accept the authorized funds spreadsheet, and authorize the administrator to pay the bills as presented in the amount of \$158,353.14, including the Geomorphic Restoration pay application as recommended by the engineer under the consent agenda.

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

1 Manager Johnson X

2 Manager LeRoux X

3 Manager Wirth X

4 Manager Sahulka X

5 Motion carried 4/0.

6
7 7) **Planning**

8 a) **Management Plan Update**

9 **(1) Regulatory review facilitation proposals**

10 Ms. Kill reminded the managers of the effort to seek facilitation to evaluate the
11 regulatory program. Staff recommends Beth Carreno’s proposal not to exceed
12 \$9,800 from account 909-0000. The proposal also included a review of the
13 permitting process. Manager Eckles confirmed that the proposed budget would
14 cover the collection of needed data, and Ms. Carreno confirmed that she would
15 connect on how much follow up work may be needed. Manager Eckles noted he
16 remains interested in simplifying the process for single-family residential permits.

17
18 Mr. Welch explained if the managers chose to move forward with Ms. Carreno’s
19 proposal, contract terms for insurance need to be determined, given that she is a
20 sole proprietor. Managers requested staff work out the contract details and bring a
21 draft agreement to the next meeting for authorization.

22
23 **(2) Equity Framework Policy**

24 Mr. Welch provided background on the draft policy provided in the meeting
25 packet for the managers’ consideration. He noted the importance of tying work on
26 diversity, equity, inclusivity and accessibility to the district’s statutory water-
27 resource protection and flood-risk mitigation purposes. Manager Wirth asked if
28 the policy would specify what the district will be doing and define what
29 communities will be engaged. Mr. Welch advised that these details should be
30 included in the management plan.

31 Manager Johnson moved, seconded by Manager Sahulka, to adopt the equity
32 policy as presented. Motion carried, vote 4/0.

33
34 **(3) Natural Resource Inventory Updates**

35 **(a) Wetlands**

36 Pat Conrad provided background on the two scopes of work included in the
37 meeting packet for consideration as part of the management plan update. The
38 district uses an existing wetland inventory for the regulatory program. Better data
39 are available and the tool for wetland classification has been revised and updated.
40 Currently the district evaluates wetlands during each permit review and the cost is
41 covered by the applicant. Currently staff and developers work off the wetland
42 inventory and come to an agreement on how to classify the wetland. The proposed
43 scope would bring the inventory up to today’s standards by applying a functional
44 assessment tool to a subset of wetlands that could then be extrapolated to all
45 wetlands in the watershed via a desktop evaluation. This would allow the district
46 to identify and protect unique resources in the district.

1 **(b) Groundwater Dependent Natural Resources**

2 Mr. Conrad explained the district also has rules designed to protect groundwater
3 dependent natural resources. Areas of recharge and groundwater connection are
4 valuable information for management decisions. This effort is related to the
5 wetlands inventory update, but specific to groundwater dependent analysis.

6 **Manager Wirth moved, seconded by Manager Johnson, to approve the**
7 **scopes of services for \$24,020 to conduct the wetland inventory and functions**
8 **and values assessment and \$9,972 to conduct the groundwater dependent**
9 **natural resource update from account number 927-0000.**

10
11 **Manager Eckles requested the motion be amended to specify the approved**
12 **scope includes an update of the entire wetland inventory, and if this work**
13 **was not intended to be included in the total scope that the scope be brought**
14 **back to the managers at the September meeting. Managers Wirth and**
15 **Johnson concurred.**

16 **Upon vote, the amended motion carried 4/0.**

17
18
19 **8) Discussion Agenda**

20 **a) Updates**

21 **(1) Administrator**

22 Ms. Kill said Freshwater Society’s fundraiser on September 12, 2024, has
23 topics that could be of interest to board managers or staff.

24 **Manager Wirth moved, seconded by Manager Johnson, to authorize**
25 **payment for staff and managers for tickets to the Freshwater Society**
26 **fundraiser. Motion carried, vote 4/0.**

27
28 **(2) Legal**

29 Mr. Welch explained that Nine Mile Watershed District will be
30 considering a resolution supporting regulatory approaches to chloride-use
31 reduction next week for submission to Minnesota Watersheds.

32
33 **(3) Engineer**

34 **(a) Permit Inspection Update**

35 Ms. Kill said active permits are getting their sites into compliance despite
36 the heavy rain.

37
38 **(4) Managers**

39 Manager Celia Wirth said she was excited about the new Citizens Advisory
40 Committee members. The managers discussed potential candidates they could
41 contact to apply for the upcoming BCWD board vacancy.

42
43 **9) Adjournment**

44 **Manager Johnson moved, seconded by Manager Wirth, to adjourn the regular meeting at**
45 **7:55 p.m. Motion carried 4/0.**

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- 1 Respectfully submitted by
- 2 Cameron Blake, BCWD staff and Debra Sahulka, Secretary