

**Carnelian-Marine-St. Croix Watershed District
Regular Meeting October 4, 2010**

Managers Present: Steve Kronmiller, Richard Caldecott, John Lennes, Thomas Polasik and Jason Husveth.

Managers Absent: Victoria Dupre and Kristin Tuenge.

Others Present: Jim Shaver (Administrator), Carl Almer (EOR), Ray Marshall (Legal), Amy Carolan (WCD), Dan and Paula Johnson and David Herber (residents) and Debbie Meister (MMC).

Manager Kronmiller called the meeting to order at 6:37 p.m.

1. Approve October Agenda

Dan and Paula Johnson thanked the District for dredging on Big Marine. It turned out very nice and the residents are all happy. The Johnsons can navigate through and use the lagoon.

Manager Caldecott moved to approve the October 4, 2010 agenda. Second by Manager Husveth. Motion carried 5-0.

2. Approve September 13 Minutes

Manager Caldecott moved approval of the September 13, 2010 minutes as presented. Second by Manager Polasik. Motion carried 5-0.

3. Treasurer's Report

Administrator Shaver presented the Treasurer's Report.

Manager Polasik moved approval of the October 4, 2010 Treasurer's Report. Second by Manager Caldecott. Motion carried 5-0.

4. Bills to be Paid

Administrator Shaver highlighted nonrecurring expenses including additional accounting fees to rectify the 2008 balance and file taxes and returns, legal fees to resolve the Tiller permit, dues to the League of MN Cities (which provide reduced insurance rates), two surety returns and three BMP reimbursements. Manager Polasik recommended discussing the value of specific conferences and workshops and being deliberate about funding manager attendance. Manager Kronmiller requested a cash flow statement next month.

Manager Lennes moved the October bills to be paid in the amount of \$33,259.42. Second by Manager Caldecott. Motion carried 5-0.

5. Public Comments

There were no public comments

6. Engineer's Report, Permits / Violations

a. Dave Herber Proposal- 18616 Langley Court N

Administrator Shaver reported that Mr. Herber owns a 2,050 square foot lot on the Bliss Pond. He has owned the property for 15 years. Last week his 1949 fisherman's cabin was

torn down in preparation for building a new structure. Scandia determined that as preexisting non-conforming use, a variance is not needed. Administrator Shaver verified this determination with city staff and indicated that he disagreed with their interpretation of the building code. Mr. Marshall stated that legally all the District can do is verify that the city is aware of the disagreement. Manager Kronmiller noted that owners of an 800-square foot structure just north of the Herber property were not permitted to refurbish.

Mr. Herber stated that muskrats have been causing erosion along the bank and he would like to do something to stabilize the shoreline. Administrator Shaver and Pete Young (WCD) are exploring a bioengineering solution with a fall back being 50 feet of riprap with a vegetated buffer for the balance of the shoreline. Manager Husveth suggested that if riprap is the best tool for the project, native plantings be interspersed within the riprap. Mr. Herber submitted an erosion control permit application.

b. Mining Permits

Carl Almer presented two mining permit action items:

Permit 08-001: BTG and BTG-II May Township Mining Operation. The County renewed BTG's conditional use permit with the condition that a District permit be obtained. To date, BTG's District permit application is incomplete. Mr. Marshall stated that the District could eventually get a court to shut them down. Administrator Shaver will send a letter to BTG. If there is no response in one month, Mr. Marshall will follow up.

Permit 08-003: Tiller Corporation Scandia Mining Operation. Mr. Marshall sent a letter on behalf of the District requesting payment of the surety. He expects the surety payment this week. Discussion focused on instituting mechanisms for recouping staff and legal expenses associated with getting completed permit applications and surety fees. Suggestions included: recoup expenses at the next permit renewal, explore using the current surety to pay expenses, bill permittees annually for inspection fees (specify this billing structure in the permit application) and find out how other government entities (watershed districts, cities, counties) collect fees.

Administrator Shaver reported that he wrote a letter to Mr. Gruber stating that he might be in violation of his District permit for adding fill. Washington County notified Mr. Gruber that he must remove the fill and replant trees or his project will be shut down.

7. Cost Share Program

Amy Carolan presented the subcommittee's recommendation to approve the Virginia Johnson project because of its water quality benefit.

Manager Polasik moved to approve the Virginia Johnson cost share project for a total of \$2,500. Second by Manager Caldecott. Motion carried 5-0.

8. New Business

There was no new business.

9. Old/Other Business-

a) Bliss Pond Channel Update

Manager Kronmiller inspected the Bliss project and reported that additional plantings are needed. Manager Shaver and Ms Carolan discussed additional plantings with the landowner. The District received a bid of \$1,600 to survey the channel.

10. Administrator's Report

- Manager Lennes will draft and send a resolution to MAWD proposing drafting uniform watershed district accounting practices to track administrative time.
- Water Consortium meeting on October 6 at 2-4 p.m. Manager Polasik volunteered to attend.
- MN Water Resources Conference on October 19-20. Mr. Almer stated that this is the most comprehensive water conference and is worth attending.
- MAWD conference in Alexandria. Administrator Shaver and Managers Tuenge and Lennes are planning to attend.
- The beaver dam upstream of May was mechanically removed, possibly by a downstream resident.

11. Next Meeting, Adjourn

The next board meeting will be held on Monday, November 1, 2010.

Manager Polasik moved to adjourn. Second by Manager Caldecott. Motion carried 5-0. The meeting was adjourned at 7:39 p.m.

Submitted by
Debbie Meister, MMC Associates, LLP