

CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT
Regular Minutes July 8, 2015

Managers Present: Kristin Tuenge, Steven Kronmiller, Dave De Vault, Tom Polasik, Wade Johnson, Andy Weaver and Joel Stedman

Managers Absent: Eric Lindberg

Others Present: Jim Shaver (Administrator), Carl Almer (EOR), Susannah Torseth (Lawson Law), Steve Kronmiller (Manager/resident) and Debbie Meister (MMC)

Manager Tuenge called the meeting to order at 6:31 p.m.

1. Approve Agenda

Manager Polasik moved to approve the July 8, 2015 agenda as amended. Seconded by Manager De Vault. Motion carried 6-0.

2. Oath of Office to Joel Stedman

Manager Tuenge administered the oath of office to Joel Stedman. Manager Stedman replaced Mr. Kronmiller on the Board.

3. Minutes from June 10

Manager De Vault moved approval of the June 10, 2015 regular minutes as amended. Seconded by Manager Polasik. Motion carried 6-0.

4. Treasurer's Report

Manager Weaver presented the Treasurer's Report.

Manager Tuenge moved to approve the Treasurer's Report. Seconded by Manager De Vault. Motion carried 6-0.

5. Public Comments

There were no public comments.

6. Project Updates

a. Log House Landing (LHL) Ramp

Administrator Shaver reported that he had requested information from Kristina Handt of Scandia about the amount of gravel used and told her he would ask the Board about authorizing EOR to do some design work. Ms. Handt is working on permits with the US Army Corps of Engineers. The Minnesota Department of Natural Resources (DNR) will supply 40-50 planks that will go up the curve at no cost and is willing to do the design work, but is backlogged. The District approved up to \$2,000 for additional planks and installation. EOR can do the design work. Vern Green of the DNR stated that 40-50 planks are enough and that additional planks going farther up the ramp are not necessarily designed for erosion control. Additional planks or asphalt will affect the design. This project does not include repairing the banks. The cost of planks is \$80 each.

Manager Weaver moved to authorize EOR to do design work on the ramp up to \$2,000. Seconded by Manager Polasik. Motion carried 6-0.

Mr. Almer stated that water diversion will be the next step. Administrator Shaver stated that the diversion could be through a trench drain, possibly going into an infiltration basin.

b. Log House Landing Road

Manager Tuenge stated that the Scandia Council, at its July 1 meeting, decided to do nothing on the road at this time, because the District voted not to partner on a 20-foot road. Mr. Kronmiller stated that additional reasons he heard for the city's decision were that the city staff had recommended the 20-foot road and a new public works director was just hired. The citizens working group of Mr. Kronmiller, Pam Smith and Christine Maefsky, will be invited back to meet with the new director in a few months. It was clarified that the city notified the DNR that it was not moving forward on the LHL road and, therefore, would not be using the grant. Although it was a DNR grant, Minnesota Department of Transportation (MnDOT) specs are required and MnDOT would not approve a 13-foot road.

c. 197th Street

Administrator Shaver Jim reported that a public meeting for 197th St. is scheduled for July 20 and letters have been sent to property owners. Wenck will provide a drawing of the project. Ms Torseth reported that one of three easements is signed, but the Dunbars, after talking with the Pools, want to know where the water will be going and if the road will be affected. The Dunbars also have a problem with a permanent easement because it is a permanent restriction on their property that could encumber the rights of future owners. Administrator Shaver stated that Scandia has been holding off on maintenance of 197th St. until after this project is completed and maybe the District can have some responsibility for the road. Regarding the permanent easement, Ms. Torseth told the Dunbars that if the District is going to put a lot of money into this project, it needs assurances that if there is a problem in the future, the District has the ability to go in and fix it. Administrator Shaver also added that the sediment is killing the wetland, improving the health of the area will increase the adjacent property values and with the project, the same amount of water or less will be coming down and infiltrating the same geography. It was agreed that Administrator Shaver and Ms. Torseth will meet with the two families next week and Ms. Torseth will not file easements until all three are signed.

d. Marine Stormwater

Administrator Shaver reported that he and Mr. Almer have a meeting next week with targeted homeowners to talk about aspects of project including rain gardens in general, maintenance and assurances the Board of Water and Soil Resources (BWSR) is requiring for grants. The Clean Water Fund grant through BWSR will pay 75 percent of the cost, with the District and Marine splitting the remaining 25 percent. There is no cost to the homeowners. Mr. Almer stated that the 6th St. locates and borings have been completed and no properties were eliminated. Because all the work—18 rain gardens, shoreline restoration, biofiltration basin and a sand-iron filter—is being bid as one project, a demonstration rain garden might not be possible. Manager Tuenge stated that she has heard positive comments from residents. Manager Stedman reported that as of today there are 14 RSVPs for the meeting and this is a new approach to stormwater management that has a district or zone approach and will achieve more than trying to

implement projects on small lots. Administrator Shaver will post details of both the Marine and Sand Lake grants.

e. Sand/Long Implementation

Mr. Almer reported that 90 percent plans will be completed prior to the July 20 public meeting. Ms. Torseth reported that the main property owner for the easement is a father and son. Because the father is receiving medical assistance, the son would like some kind of non-monetary compensation. BWSR will not approve wetland credits, but is willing to consider reimbursement into the future based on phosphorus reduction over a specified number of years. In response to Manager Weaver's concern that this risks setting a precedent, Ms. Torseth stated that anytime there is a negotiation, someone can ask for compensation. Administrator Shaver stated that watershed districts in south Washington County reimburse for phosphorus reduction at \$3,000/pound. The modeling estimates 60-70 pounds/year of reduction from this property. The owner is suggesting \$30,000 over 10 years for 1/3 of an acre. Mr. Almer noted that 80 percent of the drainage area flows through here and it is the primary input into Sand Lake. The project needs to be closed out by June 30, 2016 and all eggs are in this basket because other property owners are not friendly. State statute allows payment up to some (5-10) percentage of the appraised value of the land. It was agreed that negotiations would proceed using the phosphorus plan with a land appraisal as an option.

f. Goose, Hay and South Twin Implementation

Mr. Chesnut reported that he will be submitting a feasibility plan for the first Goose Lake sand-iron filter by the end of the month. One landowner who supported projects a few years ago, is still supportive but wants to see the project design before formally committing. The next steps are meeting with the engineer and team members to review the feasibility plan, providing the plan to Administrator Shaver and then meeting with the two property owners. The intent is to go out for a construction bid in March 2016. In response to Manager Johnson's question, Mr. Chesnut responded that major maintenance is generally needed in 30 years.

g. Kiwanis

Administrator Shaver reported that he met with WCD staff on the shoreline restoration including boulder work and plantings. The Board will see a design for review before a fall installation. The contractor's bid was \$33,927, which is below the \$50,000 maximum.

7. New Business

a. Permits

i. P12-011 Gombold - Return of Surety

Administrator Shaver outlined the past violations, reported that May Township released the surety, and he inspected the property and the work has been completed. **Manager Tuenge moved to release the \$500 surety for the Gombold permit P12-011. Seconded by Manager Polasik. Motion carried 6-0.**

In response to questions, Ms. Torseth stated that there is no way to recover the legal fees, but with this legal action the question was, do you want to let the infraction continue. In the future, the District can add provisions to keep the surety. Mr. Almer

stated that the rules account for legal costs, but the permits might not. Administrator Shaver stated that the District really loses on legal actions, but the public needs to be made aware of legal actions taken. He also suggested adding this to the agenda of the joint district workshop.

ii. Permits: P15-011- Raleigh Gravel, P15-013-Scandia Road Ditches and P15-014-Burton Property

Administrator Shaver reported that Scandia engineer Ryan Goodman asked if the District would grant an overall permit for general ditches and maintenance. He and Mr. Almer reviewed the request and provided a checklist. Mr. Goodman provided a map of the locations for review.

Manager Weaver moved to approve permits P15-011, P15-013 and P15-014 subject to the engineer's review. Seconded by Manager De Vault. Motion carried 6-0.

b. Cost Share

i. Larson Cost Share Approval

Mr. Chesnut reported that this is a conversion of one acre of turf to native prairie with a phosphorus reduction of 1.7 pounds/year. A Clean Water Fund grant will cover 75 percent of the cost. **Manager Polasik moved to approve the Larson cost share not to exceed \$775. Seconded by Manager Weaver. Motion carried 6-0.**

ii. Reimbursements – Miller, Smolenski

Mr. Chesnut reported that the Miller rain garden cost share was approved last year, was professionally installed and is recommended for reimbursement. Mr. Chesnut inspected the Smolenski riprap on Big Carnelian and reported that the contractor did a fantastic job. Mr. Johnson asked for clarification on why riprap was approved. Mr. Chesnut responded that when the Smolenskis first approached the District in early 2014, he told them that this is generally not eligible and the WCD does not do designs for riprap. Because of extenuating circumstances, the Board approved this cost share. Manager Polasik noted that big boulders were not used because big equipment could not access the site and the shoreline erosion is mainly from boat wakes.

Manager Weaver moved to approve the cost share reimbursements of \$500 to the Millers and \$1,581.95 to the Smolenskis. Seconded by Manager De Vault. Motion carried 6-0.

iii. Cost Share Policy Revisions by Cost Share Committee by August 12

Administrator Shaver stated that he will arrange a meeting of the Cost Share Committee to revise the guidelines of the Cost Share Program. BWSR will review the new guidelines, which are a listing of the BMP projects the District will fund and how the cost share is structured. Manager Johnson stated that he is interested in attending. Manager Polasik reported that May Township approved permits for water skiing on Loon Lake, which they do every year. Although the District recommends against this, it has no authority in the matter.

iv. Jackson Meadows

Mr. Chesnut reported that a coworker, on behalf of Jackson Meadows residents, asked if the District would support a cost-share project to convert four acres of

agricultural land to class-five gravel for solar arrays. Issues discussed included potentially having a large phosphorus load reduction; using a MnDot shade prairie mix instead of gravel and needing information about the kind of arrays, specifications for them and other limitations such as codes. It was noted that a District permit would be needed to install four acres of gravel. Manager Johnson volunteered to investigate the issues and report back.

c. Preliminary Budget Ideas

Administrator Shaver stated that there are some existing projects that will carry over and revised implementation programs needing BWSR approval. He asked the Board for input on other projects at the District and municipal levels. Manager Polasik suggested presenting Green Streets and bound aggregate to municipalities, reviewing the Valley Creek Watershed District buckthorn program and inviting the St. Croix River Association (SCRA) to give a presentation on aquatic invasive species. Administrator Shaver will circulate a proposed budget for the July 21 workshop. Mr. Kronmiller stated that to date, only 30 percent of the current budget has been spent and usually only 70-80 percent of a yearly budget is spent. He recommended the District work on spending what is in budget and not look for new ways to use money.

8. Bills to Be Paid

Manager Polasik moved to pay the bills in the amount of \$26,213.11. Seconded by Manager De Vault. Motion carried 6-0.

9. Old Business

a. Joint Meeting with BCWD and CLFLWD – Follow-up

Administrator Shaver reported that instead of breakouts into small groups, there will be breakouts into three groups, with each administrator facilitating a group.

10. Administrator's Report

In response to a question about the permit list, Administrator Shaver stated that he needs to update and proof the list. He reported:

- In a meeting with Jay Riggs they discussed: lowering the net cost of the District's new office space by having Mr. Chesnut work out of the District office one day per week and crediting this time to the rent; a SCRA pass-through Clean Water Funds grant of \$30,000 earmarked for the Salt n' Pepper Farm and maybe the Zavoral property; adding permitting and inspections to the database developed by the WCD. The cost would be \$2,000 per watershed district.
- Other meetings: July 15 Marine stormwater meeting with residents; July 16 Sand Lake meeting with lake owners; July 20 public meeting with 197th St and Sand Lake residents, July 21 Metro MAWD meeting and budget workshop. Managers are invited to attend these meetings.
- Get together with Willow Brook residents about the stream restoration. Mr. Almer stated that residents agreed with an in-stream approach, but pointed out other activities that should be considered including addressing thermal cooling. This was not in the scope of work that Mr. Almer looked at and might be more than the District is willing to do at this time. He has concept ideas for treatment of Hwy 95 runoff.
- Administrator Shaver will provide a weblink to project information to keep Managers updated.

11. Next Meeting—July 14 Joint Meeting

The next meeting is July 14, 2015 at 6:30 p.m. at the Scandia Community Center.

12. Adjourn

Manager Weaver moved to adjourn at 8:28 p.m. Seconded by Manager Polasik. Motion carried 6-0.

Submitted by
Debbie Meister, MMC Associates