

**Carnelian-Marine-St. Croix Watershed District  
Regular and Annual Meetings August 2, 2010**

**Managers Present:** Steve Kronmiller, Richard Caldecott, John Lennes, Kristin Tuenge, Tom Polasik and Victoria Dupre.

**Managers Absent:** Jason Husveth.

**Others Present:** Jim Shaver (Administrator), Dan Fabian and Carl Almers (EOR), Barb Wolle (Lawson Law), Harold and Cindy Johnson, Larry Kennedy, Bill Voedisch, Cliff Guggisberg, Kevin Johnson, John Bower, John Pazlar, Dave Szuzepanski, Paula, Dan E., and Dan D. Johnson, Sue Wilcox, Craig Wilson, Denny Seefeldt (residents), and Debbie Meister (MMC).

Manager Kronmiller called the Regular Meeting to order at 6:36 p.m.

**1. Approve August Agenda**

**Manager Caldecott moved to approve the August 2, 2010 agenda as presented. Second by Manager Tuenge. Motion carried 4-0.**

**2. Approve July 12<sup>th</sup> Minutes**

Kristin Tuenge noted the correct spelling of her name.

**Manager Caldecott moved approval of the July 12, 2010 minutes as amended. Second by Manager Tuenge. Motion carried 4-0.**

**3. Treasurer's Report**

Administrator Shaver presented the Treasurer's Report.

**Manager Tuenge moved approval of the August 2, 2010 Treasurer's Report. Second by Manager Caldecott. Motion carried 4-0.**

**4. Bills to be Paid**

Administrator Shaver presented the current bills.

**Manager Tuenge moved the August bills to be paid in the amount of \$41,538.34. Second by Manager Caldecott. Motion carried 4-0.**

**5. Adjourn for Annual Meeting**

Manager Kronmiller stated that in August the District holds its annual meeting to elect officers, appoint contractors and hold a budget meeting. After a budget is passed, the District can reduce the levy, but not increase it.

**Manager Tuenge moved to adjourn for the Annual Meeting. Second by Manager Lennes. Motion carried 6-0.**

**6. Public Comments**

**a. Harold and Cindy Johnson-Bliss Addition Pond Dredging**

Administrator Shaver reported that he met on-site with Craig Wills of the Minnesota Department of Natural Resources (DNR). Mr. Wills declined to pursue enforcement.

Following that decision, Administrator Shaver met with Roger Rydeen and Wally Nelson to discuss dredging the channel to two feet below the water surface and to a width of 25 feet measured from the north going south at a 2:1 slope. Mr. Rydeen provided an oral bid of about \$3,000 for the work, plus or minus depending on dredge material removal costs. The Nelsons agreed to allow access to their property for maintenance and dredging. Administrator Shaver stated that he will submit a dredging application to the DNR, with the intent of dredging in the next few weeks, followed by reseeded. Legal counsel will draft a caveat outlining the District's role in restoring the area and requesting a liability waiver for any previous illegal activities. Manager Kronmiller noted that the District has aerial photos and could do soil borings to help establish changes to the area, though ultimately it is the DNR's responsibility.

Residents requested the dredging report from 1989 that was sent to the DNR. Mr. Johnson noted that when he did things that were not permitted, he was required to take some things out, while it appears Mr. Miller did some things incorrectly but is not being required to remove them. Residents raised additional concerns including: a road that appears to go to the water; public versus private land designations; the number of docks permitted for any given property and the observation that the north side of the channel that was not disturbed is fine, while the south side where vegetation was removed has eroded. Manager Kronmiller stated that the District only has the authority to restore the channel, as permitted by the DNR. The other issues raised are in other government jurisdictions. The residents in attendance assured the board that if the District maintains the channel as permitted, neighbors will be satisfied.

**Manager Caldecott moved to approve the dredging not to exceed \$4000, continue to work with the DNR to find the original permit application, work with other agencies on the issues presented by residents and authorize the Administrator to submit a letter to the DNR requesting a dredging permit, outlining the District's remediation activities and requesting a liability waiver from the property owner, after review by the District's legal counsel and President. Seconded by Manager Polasik. Motion carried 6-0.**

## **7. Adjourn for Budget Meeting**

**Manager Kronmiller moved to adjourn for the budget meeting. Second by Manager Tuegne. Motion carried 6-0.**

Manager Kronmiller stated that the board held a workshop to define budget parameters. The Ten Year Management Plan was just approved and projects budgeted are those outlined in the plan. The preliminary budget once approved can be modified to reduce the levy, but the levy cannot be increased. Administrator Shaver outlined the draft budget. The Cost-Share program (formally the BMP program) has been significantly cut because local governments are constrained with what they can do and resident requests have decreased. The District is obligated to keep Carnelian and Silver creeks flowing and the Channel Maintenance line items reflect continued maintenance. Strategic Planning in 2008 identified the need for land cover data and hydrology assessment tools in the Marine and orphan areas to enable effective identification and prioritization of future projects. Under Education and Outreach, participation in the East Metro Water Resource Education Program has been added to

provide adult education and focused outreach at the neighborhood/subwatershed level. Watershed Wisdom is a school curriculum being used in fifth-grade classes at Scandia and Marine. Next year Withrow will be added. Focused Watershed Management is a new water quality program for Sand/Long (in May) and Square lakes subwatersheds, funded in part with a 50 percent cost share grant from the Minnesota Pollution Control Agency (MPCA). The MPCA is funding 100 percent of the study costs to identify water quality projects for the District's 10 impaired lakes and two impaired streams. Permitting and Project Engineering have been moved from general expenses to programming. A revenue line item will be added to reflect permit revenue collected. The permit fee structure under the new rules has tripled. Other Projects and Programs include conservation easements to facilitate acquisition of easements through the County legacy program, a slight reduction in water quality monitoring with a refocus on monitoring streams leading into the St. Croix River and exploring a volunteer monitoring program, a new incentive program targeting small agricultural properties and four erosion control projects on the St. Croix, needing additional funding. General Expenses comprise 27 percent of the budget. One percent is Manager Expenses including per diem, which managers are considering eliminating; 17 percent is Administrator Expenses, which are the lowest in the County; five percent is Operating Expenses and four percent is Professional Fees.

Citizens commented on numerous budget items. Several stated that permittees, not tax payers, should cover permit costs. Manager Kronmiller stated that a consensus from the managers is needed on the fee structure and the Board is trying to find a balance that will not discourage projects, yet will not be subsidized by property owners. Many citizens stressed the need for the Board to watch expenses, implement projects rather than study and monitor, reduce engineering costs and use volunteer water monitors. While one person specifically mentioned the need to improve lake clarity on Square Lake, another said \$90,000 for focused watershed management on Square Lake was a lot. One person suggested relooking at TMDL studies (which are federally mandated) and the Cost Share program. John Bower stressed the importance of doing projects and recommended coordinating with townships, getting grants, seeking cost share projects and using cost share dollars to address invasive species. He noted that shoreland studies and ordinances are only effective if they are enforced and the manager per diem costs next to nothing, if managers are willing to do something.

The Managers reiterated that that the last two years were devoted to study and planning to write new rules and develop a 10 Year Plan, as mandated. The suggestions provided this evening were very helpful and could be the basis for a strategic planning meeting and for public education to let the community know the role of the watershed district and how and why plans and projects are selected. The Managers agreed to review the necessity of an MLCCS update and other budget items.

**Manager Kronmiller moved to adjourn the budget meeting. Second by Manager Polasik. Motion carried 6-0.**

#### **8. Amanda Strummer- Septic Grant**

Ms. Stummer reported that Washington County received a BSWR grant to conduct septic system assessments on impaired lakes. The County would like to partner with watershed districts and be part of the TMDL plans. The assessment program is voluntary, with the

incentive of a low-interest loan. Other incentives are also being explored. As a partner, CMSCWD would not need to provide matching funds. The Managers raised some concerns with the proposed program. In Washington County compliance inspections are only required at the time of a property sale. Knowing this, why would residents participate, especially if they do not have funds for a new septic system? Suggestions included highlighting the benefits, emphasizing the human health aspects, providing a consultation with no enforcement attached, using the District flyovers to identify leaking systems and outlining the requirements associated with selling a property. The Board agreed that to cosponsor this program, it would need to be an inspection rather than an enforcement program.

## **9. Engineer's Report, Permits / Violations**

Dan Fabian presented one action item. **Manager Dupre moved to authorize the Administrator to issue Permit 10-005 for the Booren Minor Subdivision, pending completion of the permit review and recommendation of the District Engineer. Second by Manager Tuegne. Motion carried 6-0.**

Mr. Fabian noted that the Tiller Corporation (Permit 08-003) has still not responded and legal counsel will contact them and the Rydeens (Permit 09-011) have decided not to proceed with the feedlot waste management project.

## **10. New Business**

### **a. TMDL Phase 3 WCD Contract Approval—Board Action Required**

The Managers discussed the efficacy of not signing or rescinding the contract. What agency would then be responsible? How much should be spent on a shallow, polluted lake that will not improve? What is the rationale for doing this? Is it possible to improve the quality of any of the impaired lakes?

**Manager Polasik moved to approve the TMDL Phase 3 WCD contract. Second by Manager Tuegne. Motion carried 6-0.**

## **11. Old/Other Business-**

### **a. Approve Annual Audit—Board Action**

**Manager Lennes moved to accept the annual audit. Second by Manager Polasik. Motion carried 6-0.**

### **b. CD Renewal—Board Action**

Administrator Shaver summarized four quotes he received and recommended renewing the CD with Security State Bank of Marine at 1 percent for 12 months.

**Manager Caldecott moved to renew the CD at Security State Bank of Marine. Second by Manager Tuegne. Motion carried 6-0.**

## **11. Administrator's Report**

Administrator Shaver reported the following:

- Managers Polasik and Tuegne attended the St. Croix River Workshop.
- Manager Kronmiller will and Manager Dupre will try to attend the BWSR meeting on the District Management Plan on August 4<sup>th</sup> in St. Paul.
- Angie Hong is looking for volunteers to help at the Washington County Fair.

- The Square Lake upper parking lot is completed. There will be a grand opening next summer, once the vegetation is established.
- Residents on Sheffield Road would like buckthorn removal and erosion control measures. Administrator Shaver and Manager Polasik will make a site visit.
- Square, Long and Sand Lake Association meetings are being planned. All residents in these subwatersheds will be invited to attend.

## **12. Next Meeting, Adjourn**

The next meeting will be held on Monday, September 13, 2010.

**Manager Kronmiller moved to adjourn. Second by Manager Polasik. Motion carried 6-0.**

The meeting was adjourned at 10:26 p.m.

Submitted by

Debbie Meister, MMC Associates, LLP