

**Carnelian-Marine St. Croix Watershed District
Regular Meeting September 13th, 2010**

Managers Present: Richard Caldecott, Kristin Tuenge, John Lennes, Thomas Polasik, Steve Kronmiller

Managers Absent: Jason Husveth, Victoria Dupre

Others Present: Jim Shaver (Administrator), Dan Fabian (EOR), Carl Almer (EOR), Ray Marshall (Legal), Amy Carolan (WCD), Harold Johnson, Cindy Johnson, Larry Kennedy, Bill Voedisch (May Township), Dave Szczepanski

Manager Caldecott called the meeting to order at 6:32 PM.

1. Approve September Agenda

Administrator Shaver asked for the board to consider two additions to the Agenda, item 7 – Cost Share, and item 9b – Managers Compensation.

Manager Tuenge moved to approve the September 13th Agenda with the suggested additions. Seconded by Manager Lennes. Motion carried 4-0.

2. Approve August 2nd Minutes and Annual Meeting Minutes

Manager Tuenge noted a misspelling of her name on page 2 of the August 2nd minutes. A misspelling of Mr. Voedisch's name was also noted. Mr. Fabian asked to strike a sentence on impaired streams from page 3. **Manager Polasik moved to approve the August 2nd minutes with the suggested changes, seconded by Manager Lennes. Motion carried 4-0.**

A misspelling of Mr. Voedisch's name was noted in the annual meeting minutes from August 2nd, 2010. **Manager Tuenge moved to approve the annual meeting minutes from August 2nd, 2010. Seconded by manager Lennes. Motion carried 4-0.**

3. Treasurer's Report

Manager Tuenge presented the treasurers report for September 13th, 2010. Manager Lennes moved to approve September 13th treasurer's report. Second by Manager Polasik. The motion carried 4-0.

4. Bills to be Paid

Manager Tuenge moved the September bills to be paid in the amount of \$20,836.11. Seconded by Manager Caldecott. Motion carried 4-0.

5. Public Comments

Mr. Harold Johnson and Ms. Cindy Johnson were present to comment on the ongoing effort to dredge the channel from the Bliss Addition to Big Marine Lake. Mr. Johnson was concerned that the project had not yet started. Mr. Shaver stated that Roger Rydeen had been hired to complete the work and that it should be done in the next week.

Mr. Johnson also voiced concerns and questions about the easement that allowed the Watershed District to complete the dredging/maintenance work. Mr. Shaver stated that there was a 50' easement, but he was uncertain as to whether or not the easement was equally divided on both sides of the channel.

Mr. Johnson and Ms. Johnson wondered if the easement would provide them with access to the land. Mr. Shaver and Mr. Marshall stated that the easement was only to provide dredging access and would most likely not provide anyone else access to the property.

Mr. Shaver and the board agreed that a survey of the easement would be necessary. Mr. Shaver agreed to hire a surveyor to locate the easement stakes. Mr. Shaver also agreed to do more research to determine what rights the easement allowed for.

Mr. Johnson was concerned that there was no planting plan to restore the area after the dredging was complete. Mr. Shaver and the board agreed to develop and provide a planting plan and ensure the area was restored.

6. Engineers Report, Permits/Violations

Mr. Fabian presented a written engineers report:

- a. **Tiller Corporation Scandia Mining Operation (Permit 08-003):** Mr. Fabian reported that there had been no response from Tiller in regards to the required surety payment. The District Attorney has sent a letter requesting the payment be made. Mr. Marshall suggested looking at legal enforcement options if the surety payment is not made. One option may be to seek to stop activity at the site until payment is made.
- b. **David and Wendy Flood, Moonlight Bay (Permit 09-012):** Mr. Fabian and Mr. Shaver presented information on the Flood construction project to the board. The Flood's will be installing 3-4 raingardens as well as a vegetated swale to handle runoff generated from the project. Mr. Fabian stated that according to the rules, the buffer requirement had been triggered by the project. Prior to the project, the buffer area was a sand beach, with minimal vegetation. The buffer requirement would require that the landowners convert the beach to a vegetated buffer, except for a 50' swath that could be maintained for lake access. Discussion ensued as to whether or not revegetation of the area should be required, as the project was not disturbing the buffer area and vegetation in the area was lacking prior to the project. Carl Almer (EOR) stated that he thought the board could look at a different interpretation of the rule for the site stating the buffer rule was triggered, but the rule stated only disturbed areas or areas dominated by invasive species needed to be revegetated. The rule does not address areas that naturally lack vegetation, such as a sand beach. **Manager Lennes moved that the board should not require the landowner to revegetate the sand beach in this case as the area is not being disturbed by construction activities, but the required buffer area should be monumented and recorded per rule**

requirements. Seconded by Manager Tuenge. Motion carried 5-0. Manager Lennes, seconded by Manager Polasik, moved to allow the administrator to issue the permit to the Flood's. Motion carried 5-0.

- c. Raleigh Mining Operation (Permit 10-003):** Mr. Fabian reported that permit fees totaling \$3,000.00 had not been received after they were requested in June. It has been assumed that the applicant is objecting to the fees. Administrator Shaver stated that he would send a letter to Raleigh and send a copy of the letter to Stillwater Township and the County so all would be notified.
- d. Scandia Plaza Renovations (Permit 10-006):** Mr. Fabian provided a report on the proposed renovations at the Scandia Plaza commercial park development. **Manager Caldecott, seconded by Manager Tuenge, moved to allow administrator Shaver to authorize the permit for the project. Motion carried 5-0.**

7. BMP – Cost Share Projects

a. Current Proposals

Amy Carolan (WCD) reported that the Cost-Share subcommittee had met prior to the regular board meeting to review Cost-Share project proposals. The subcommittee recommended that the board provide cost-share for two of the proposed projects, Sharon Looney in the amount of \$645.00 for the installation of a raingarden in Marine, and Seidl/Lungskull for the installation of raingardens on Square Lake in the amount of \$2,500.00. The subcommittee also recommended that reimbursement be provided to Curt Hadland in the amount of \$5,000.00 and Judy Russell in the amount of \$397.68. **Manager Polasik, seconded by Manager Caldecott moved to approve the recommendations of the cost-share committee as presented. Motion carried 5-0.**

8. New Business

a. Ag Program Proposal

Mr. Shaver reported that he was working with the Conservation District to organize a breakfast for Agricultural Producers in the District to promote whole farm planning. The breakfast has been scheduled for Thursday, October 7th at the Scandia Community Center. Board members would receive an invitation in the mail.

b. Carnelian Creek Channel Maintenance

Mr. Shaver reported that he and Amy Carolan (WCD) had met with Janet Ahlgren, a resident living on Carnelian Creek who had been part of a past streambank restoration project. Mr. Shaver reported that metal stakes placed as part of that project had not been removed and that some of the plantings had failed. Mr. Shaver provided a written memorandum on what activities would need to be completed to maintain the channel area. Mr. Shaver asked the board to provide a lump sum not to exceed \$1,500.00 for materials including wooden stakes and plants. Maintenance work would be completed

by the Minnesota Conservation Corp, supervised by the WCD. **Manager Lennes, seconded by Manager Caldecott moved to approve completing the maintenance work and provide the materials budget not to exceed \$1,500.00. Motion carried 5-0.**

c. MAWD Resolutions and representatives at annual meeting

The board recommended that Jim Shaver attend the annual MAWD meeting in Alexandria, MN. **Manager Caldecott moved that Mr. Shaver have the authority to speak and vote for the CMSCWD board at the meeting. Seconded by Manager Lennes. Motion carried 5-0.**

9. Old/Other Business

a. Resolution to Approve 10 Year Plan

The board discussed how many hard copies of the plan would need to be printed. It was agreed that a hard copy and a CD should be sent to each City/Township in the District. Manager Tuenge and Manager Caldecott also would receive a hard copy.

Manager Tuenge, seconded by Manager Caldecott, moved to approve the 10 Year plan. Motion carried 5-0.

b. Resolution to Approve 2011 Budget

Administrator Shaver presented resolution 9-13-10-1 and resolution 9-13-10-3 regarding the 2011 budget and 2011 levy. Mr. Shaver stated that the overall budget had been reduced by \$12,500.00 after the administrator's salary was increased to \$72,500.00. Members from the public Larry Whitacker, Bill Voedisch, and Dave Szczepanski provided comments on the 2011 budget. Mr. Kennedy thought the board could do a better job of showing year to date expenditures. He also commented on the amount of mileage paid each year to the District administrator, and thought the amount of funding spent on the District's Watershed Wisdom program was excessive. Mr. Voedisch questioned the District's process for developing the budget, and wondered if a budget meeting was held where all managers were present in which the board reviewed each line item, removing unnecessary expenditures. Mr. Shaver stated that a meeting was held earlier in the year, and the board did review the budget line by line. Mr. Voedisch also brought up the role of consultants, it was his understanding that after the 2010 plan was complete, that the engineering budget would be reduced; he did not see that change in the proposed 2011 budget. Manager Kronmiller mentioned that he does not support the EMWREP program, he doesn't feel the Districts gets enough value from the program. Mr. Shaver responded that EMWREP is just getting started in the area and that it will be beneficial in the future. Manager Polasik stated that he would like to see the public stay involved throughout the year, and provided input on projects/spending as they go along. Manager Kronmiller stated that a levy amount needed to be agreed upon at the meeting, but the amount could be lowered before the final levy certification.

Manager Caldecott moved that the board adopt the resolutions 9-13-10-1 and 9-13-10-3 as presented, seconded by Manager Tuenge. Motion carried 5-0.

The board discussed the issue of Manager compensation. The board agreed that it should be the decision of each manager as to whether or not they submitted an expense report for compensation.

c. Sheffield Lane/Great River Greening Buckthorn Project

Mr. Shaver presented information to the board on the buckthorn-clearing project along Sheffield Lane, which was being proposed by Great River Greening as part of a grant they had received from the National Fish and Wildlife Foundation. The board agreed that they did not want to provide funding for the project, but would be willing to provide some technical assistance.

10. Administrator's Report

Mr. Shaver reported on several upcoming events including the Climate Adaptation Seminar, September 16-17th; The Children's Water Festival, September 28th; the St. Croix Research Rendezvous, October 13th; the Water Resource Conference, October 19-20, and the MAWD meeting in December.

11. Manager Caldecott moved to adjourn. Second by Manager Tuenge. Motion carried 5-0. The meeting was adjourned at 9:46PM. The next regular meeting will be held on October 4th, 2010 at the Scandia Town Hall.