

**Carnelian-Marine-St. Croix Watershed District
Regular Meeting February 2, 2009**

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

Others Present: Jim Shaver (Administrator), Dan Fabian (EOR), Carl Almer (EOR), Ray Marshall (Attorney), Amy Carolan (WCD), Dave McCord (Accountant) and Debbie Meister (MMC).

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

1. Approve February Agenda (see attached)

Administrator Shaver requested changing 8b. to Sub-Committee Discussion and adding 9b. Discussion of Rules under Old Business.

**Manager Caldecott moved to approve the February 2, 2009 agenda as amended.
Second by Manager Polasik. Motion carried 7-0.**

2. Approve January 5 Minutes (see attached)

Manager Dupre suggested revising the final sentence in 8a. to read: The board noted that timber sales and agricultural activities are exempt from the rules.

**Manager Dupre moved approval of the January 5, 2008 minutes as amended.
Second by Manager Caldecott. Motion carried 7-0.**

3. Treasurer's Report (see attached)

**Manager Bower moved to approve the February 2, 2009 Treasurer's Report.
Second by Manager Caldecott. Motion carried 7-0.**

4. Bills to be Paid (see attached)

**Manager Dupre moved the current bills to be paid in the amount of \$36,014.36.
Second by Manager Caldecott. Motion carried 7-0.** Administrator Shaver clarified that the DNR provided services for the cost-share project.

5. Introduction of Dave McCord, Accountant

Administrator Shaver reported that both Dave McCord and Gail Pundsack (Northland Accounting) felt that Ms. Pundsack should finish financial reporting for 2008 with Mr. McCord starting next month. Bills should be sent to Administrator Shaver Jim for review. Mr. McCord will cut checks and send checks and the treasurer's report to the treasurer. Mr. McCord has worked for Brown's Creek WD for eight or nine years and comes highly recommended by them. His office is in Stillwater.

6. Public Comments –Regular

No public comments.

7. Engineer's Report, Permits / Violations (see attached)

Dan Fabian (EOR) reported that he has drafted comments regarding the Tiller Corporation Environmental Assessment Worksheet (EAW) for the proposed reopening of the Zavoral Mining operations. He noted that the EAW failed to identify Zavoral Creek and seeps along the creek as high quality resources. Scandia is the responsible governmental unit for the EAW. Administrator Shaver reported citizen concern about erosion control issues, including concerns dating back to the 1970s. Manager Husveth stated that the most available resource information was not used in the EAW and unsubstantiated conclusions were drawn. It was noted that Scandia must respond to written comments. The city council then either finds no significant impact and adopts the EAW or rules that an environmental impact statement is necessary. If the EAW is adopted, the permitting process starts.

Manager Dupre moved to authorize Engineer Fabian to finish compiling comments on the environment assessment worksheet including concerns about erosion and provide them to Administrator Shaver for submission to Scandia. It was further moved that Administrator Shaver provide copies of Scandia's comments to the Board. Second by Manager Caldecott. Motion carried 7-0.

8. New/Other Business

a. TMDL Phase I Report

Manager Bower moved to accept the Phase 1 report as presented. Second by Manager Husveth. Motion passed 7-0.

b. Sub-Committee Discussion

Amy Carolan reported on the subcommittee meeting to review four BMP applications. The Subcommittee recommended reallocating \$15,000 (\$98,497.85—total project cost) for a BMP to install a manure management facility on the Gary Rydeen farm. This is a scaled-down version of a previously approved BMP project. Addressing additional issues later might open up TMDL funding. The other three BMP projects did not meet water quality benefits.

Administrator Shaver stated that it is important that the BMP and water monitoring programs mesh with the strategic and 10-year plans. He will be meeting with Jen Olson (EOR) and Erik Anderson (WCD) on Wednesday to put together a proposal for integrating the water monitoring program with the strategic plan including defining measurable impacts on subwatersheds. After discussion of the pros and cons of expanding the BMP subcommittee to address integrating programs with the plans or setting up a strategic implementation subcommittee, it was agreed to hold a workshop on Wednesday, February 11 at 6:30 p.m. at Scandia City Hall to begin the integration process.

Manager Husveth suggested Square Lake be the focus of BMP funds using a comprehensive subwatershed model developed to include identification of problems and opportunities and establishment of evaluation criteria. The board directed EOR to develop a work plan and budget for development of a model for presentation at the

March meeting. Administrator Shaver indicated that there is \$5000 budgeted for modeling under strategic planning and a line-item for Square Lake monitoring.

9. Old Business

a. 2010 Plan Update

Dan Fabian reported that EOR has completed the draft inventory and assessment. Administrator Shaver provided comments, which Jen Olson (EOR) is incorporating into the draft. The updated draft will be posted on the District's website for TAC, CAC and general public comments. The TAC met on January 14 for a presentation on TMDL Phase 1 results.

Mr. Fabian distributed draft management plans for the spring creeks and lakes. All agreed the formatting for each should be the same with clear goals identified. Manager Dupre suggested impaired/nonimpaired ratings be very visible. Discussion included: reasonable long- and short-term goals with short-term goals mirroring the strategic plans, potential TMDL funding and lake management plans as part of subwatershed management plans. Mr. Fabian and Administrator Shaver will draft goals for discussion at the workshop.

b. Discussion of Rules

Carl Almer reported on the subcommittee recommendations for moving forward with the rules. Eight main points addressing LGU concerns were outlined and discussed including:

- Stormwater Management- A tiered approach for permits was suggested to alleviate undue burdens on landowners of small scale projects.
- Stormwater BMP Sequencing. A volume control goal rather than a method could be required.
- Wetland Management Exception. Managers suggested changing the District's Wetland Management Plan to allow an exception, use BWSR requirements or require higher contributions to the restoration fund for impacts on higher quality wetlands.
- Floodplain Alteration Regulation. A de minimus exclusion was suggested.
- Infiltration BMP maintenance. Suggestions included having the District oversee maintenance until vegetation is established or requiring longer warranty periods.
- Allow the administrator to waive rules for smaller disturbances.

It was agreed that the managers would review the recommendations and provide feedback to the subcommittee by Friday.

10. Administrator's Report

Administrator Shaver reported that he will attend a meeting to review the Square Lake Regional Plan at Warner Nature Center and a meeting to discuss the St. Croix Basin TMDL. He noted that he will be out of town on March 12-18.

Upcoming events:

- MN Erosion Control Association Conference on March 5-6.

- MAWD Legislative Conference and Day at the Capitol on March 18-19.
- Protecting the St. Croix Conference on April 16.

Audit. Gail Pundsack will have the financial information ready by mid February. Two auditors submitted proposals. Peggy Ahola bid \$3200 for a general audit to be completed by the May board meeting. HLB Tautges Redpath bid \$6,775 for an audit, which will meet the more rigorous government standard GASB 34. Attorney Marshall will help clarify the need to meet the standard so a auditor can be selected at the March meeting. Administrator Shaver noted that a worksheet rather than an audit is required for Marine WMO.

Monthly Financial Reports will be revised to compare cash flow statements to the budget. Invoices and expense reports should be sent to the administrator.

Local Water Management Plans. **Manager Polasik moved to authorize the District administrator to acknowledge receipt and acceptance of local water management plans and express the District's desire to work closely with the local governments in the future. Second by Manager Caldecott. Motion carried 7-0.** It was noted that when the District adopts a new plan, local water management plans need to be updated.

Annual Dues. **Manager Dupre moved to pay annuals dues of \$75 to Minnesota Waters and \$300 to Metro WaterShed Partners. Second by Manager Bower. Motion carried 7-0.**

Legacy Funding and County Approval of Watershed Budgets. Marine and Scandia have now passed a resolution supporting proposed legislation to require Washington County to approve Watershed Districts' budgets. The MN Association of Counties passed a resolution to support countys' review of budgets only, similar to the process already in place in Washington County. Metro WD administrators will meet at the end of the month to strategize on the proposed legislation.

11. Next Meeting

The next meeting will be held on March 2, 2009 at the Scandia Community Center at 6:30 p.m. **Manager Dupre moved adjournment. Second by Manager Caldecott. Motion carried 7-0.** The meeting was adjourned at 9:43 p.m.