

**Carnelian-Marine-St. Croix Watershed District
Regular Meeting December 7, 2009**

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

Managers Absent: Richard Caldecott

Others Present: Jim Shaver (Administrator), Dan Fabian and Carl Almer (EOR), Ray Marshall (Legal), Amy Carolan (WCD), Dave and Domy Leonard (residents) and Debbie Meister (MMC). Thanks to the Kronmiller family for bringing holiday cookies.

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

1. Approve December Agenda

Administrator Shaver requested additional surety returns be added to item 7. **Manager Bower moved to approve the December 7, 2009 agenda as amended. Second by Manager Polasik. Motion carried 6-0.**

2. Approve November 2nd Minutes

Manager Dupre moved approval of the November 2, 2009 minutes as amended. Second by Manager Bower. Motion carried 6-0.

3. Treasurer's Report

Manager Dupre moved approval of the December 7, 2009 Treasurer's Report. Second by Manager Polasik. Motion carried 6-0.

4. Bills to be Paid

Manager Dupre moved the December bills to be paid in the amount of \$3,9684.12. Second by Manager Polasik. Motion carried 6-0.

Administrator Shaver reported that checks cannot be written from the surety account, the surety account is getting a higher rate of interest than the checking account, surety funds can be transferred to checking when surety returns are needed and he and the accountant our comfortable transferring funds in order to get the higher interest rate.

5. Public Comments- Dave Leonard, Big Carnelian Land- Locked Basin

Dave Leonard presented runoff issues affecting his property. He lives on a landlocked basin adjacent to Big Carnelian Lake. Because of land use changes—May Township raised the road level of Panorama Ave. and bushes were cleared and a house was built on an adjacent hillside—his property is taking on about 15-20 acres of runoff. In the last five years, which have been drought years, flooding on his property has gotten worse. This year May installed two pipes on his property to protect its 201 system. Although the flooding begins on his neighbor's property, his neighbor's house is not affected. Mr. Leonard and the neighbor do not have funds to pay for a retrofit. Mr. Leonard suggested installation of a pipe/pump system to pump water from his property to the storm drain or installation of a below ground pipe to allow water infiltration. Managers agreed that this is a naturally occurring basin and the Leonard garage was built on a low spot, but questioned how much is being caused by

road and other construction. Manager Kronmiller and Administrator Shaver will meet with Bill Voedisch of May to discuss fixing the problem and identifying who should be responsible for funding the retrofit. They will report back to Mr. Leonard. Mr. Leonard authorized the District to access his property.

6. Engineer's Report, Permits / Violations

Dan Fabian noted that there were no action items. EOR provided comments on the Tilley variance request, which is a nonconforming use on the St. Croix River.

7. Surety Returns- Petersen \$200.00, Markwardt \$200.00, Bergland \$400.00, Schueller \$250, Mann \$500, Smith \$500, Hoffman \$500, Berwald/Arndt \$2,000, Kraemer \$2000 plus Kaiser/Beyl \$500, Morrison \$400, Greshowak \$750 and Sandstrom \$500.

Administrator Shaver reported that he declined the Johnson's request for return of their surety because the project had not progressed. He noted that the 13 surety returns this month reflect responses to the letter sent last month. About half of the letter recipients responded. When it is unclear if a surety should be returned to a homeowner or contractor, legal counsel advised writing the check to both parties.

8. New Business-

a. 2010 Monitoring Program- Board Action

Administrator Shaver reported that he is working to find volunteer monitors for as many lakes as possible and without an approved management plan, monitoring costs might need to include an additional \$10,000 in lab fees. **Manager Lennes moved to approve the Monitoring Program with the total cost not to exceed \$66,151. Second by Manager Bower. Motion carried 6-0.**

b. MPCA Grants Awarded for Square, and Long/Sand Lakes

Administrator Shaver reported this is a two-year grant beginning when the contract is signed. He will be meeting with homeowner associations to outline the parameters of the grants. The ultimate goal is to work with the associations to identify BMP projects to help achieve lake water quality goals.

c. BWSR Grant Proposals Submitted

Administrator Shaver reported that he met with Mr. Fabian, Carl Almer and Jason Naber (EOR) to identify projects for funding. After surveying ditches, a \$90,000 proposal was submitted to address severe erosion along the St. Croix River. A second request for \$230,000 was submitted to treat stormwater from the Marine General Store and the Marine downtown. The storeowner and Marine mayor are in support of the project. Administrator Shaver will be talking with the MN Historical Society about participating.

9. Old/Other Business-

a. Rules - Board Action

Manager Bower moved to start the 45-day formal review process. Second by Manager Lennes. Motion carried 6-0.

Ray Marshall stated that he will publish a notice of the hearing and, after adoption, will publish the rules in writing. Discussion focused on the definition of publish—in print or

on the web—and BWSR’s interpretation (on the web is OK) versus legal counsel (statute states publish in writing). **Manager Lennes moved to authorize staff to begin the formal review process and publish a notice of the hearing. Second by Manager Polasik. Motion carried 6-0.**

b. 2010 Plan - Board Action

i. Comments on Plan Amendment Section and Wetlands Management Plan

Mr. Fabian highlighted recommendations and suggested revisions to the Big Marine Lake Vegetation Management Plan (BMLVMP), as presented in the December 1 draft Watershed Management Plan. One recommendation is to monitor invasive species possibly using aerial flyovers to identify Eurasian water milfoil and curly leaf pondweed. Another recommendation is to budget for and contract with a pollster every five years to assess the affects of watershed education. The timeline for the plan review was outlined. Administrator Shaver will meet with Big Marine Lake Association and share the changes to the BMLVMP based on resident input.

ii. Approval for Formal Review

Manager Kronmiller moved to approve the draft 2010 Watershed Management Plan and begin the formal review process. Second by Manager Lennes. Motion carried 6-0.

c. EMWREP Discussion- Board Action

Administrator Shaver reported that he met with Jay Riggs about the East Metro Water Resources Education Program, the District’s educational needs particularly related to the MPCA grants and the cost of \$10,000 to the District to join. Services that were discussed were a minimum of 10 hours of EMWREP staff time to focus on water quality in Square, Sand and Long lakes subwatersheds including homeowner meetings and workshops, BMP outreach in partnership with Amy Carolan and educational articles for local papers. Managers directed Administrator Shaver to move forward with a draft agreement for review at the January meeting.

d. Square Lake Park Project and Extensions Request- Board Action

Manager Dupre moved to extend the Square Lake Park grant project completion date to June 30, 2010. Second by Manager Husveth. Motion carried 6-0.

10. Administrator’s Report

Administration Shaver reported the following:

- He and Manager Bower attended the MAWD conference. Both felt the advanced management training seminars were good and Manager Bower recommends the conference for networking opportunities.
- At a meeting with Washington County commissioners and watershed districts, concern was expressed about the CMSCWD administrative expenses, which are reported differently than the other districts. CMSCWD is recommending districts use the same accounting methods next year.
- Washington County League of Government will meet on January 28.

- Administrator Shaver will attend the Scandia meeting of the Project Advisory Committee to the Zavoral Project Environmental Impact Statement to discuss the environmental impact statement for Zavoral Mining. The Tiller Corporation has removed all water usage from the project.
- Big Marine Lake Homeowners Association will meet on December 15. Administrator Shaver will attend.
- MN Erosion Control Conference will be held on March 12 in St. Cloud.
- Triclopyr is available through the District to homeowners wanting to control buckthorn.
- Little Carnelian water monitoring is being discontinued next year because no water is flowing.
- Worker's compensation coverage for the board and staff through the League of MN Cities will remain at \$315 per year.
- Cash flow statements were distributed.
- TSI of the September 30 flyover was circulated. Alan Cibuzar will provide an overview in February.

Manager Dupre reported that at the Washington County Consortium meeting Dave Beaudet, mayor of Oak Park Heights, questioned the County's request for Legacy funds to monitor septic systems on county lakes, as maintenance and monitoring is a county responsibility.

11. Next Meeting, Adjourn

Manager Dupre moved to adjourn. Second by Manager Bower. Motion carried 6-0.

The meeting was adjourned at 8:47 p.m.

Submitted by
Debbie Meister, MMC Associates, LLP