

CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT
Regular Meeting March 13, 2013

Managers Present: Thomas Polasik, Richard Caldecott, John Lennes, Victoria Dupre and Steven Kronmiller.

Managers Absent: Andy Weaver and Kristin Tuenge.

Others Present: Jim Shaver (Administrator), Jed Chesnut (WCD), Carl Almer (EOR), Susannah Torseth (Legal Council), Jessica Pilarski (Washington County), John Bower, Geoff Gruber and Gaylen Reetz (residents) John Hageman (contractor) and Debbie Meister (MMC).

Manager Dupre called the meeting to order at 6:30 p.m.

1. Approve March Agenda—Board Action

Manager Lennes moved to approve the March 13, 2013 agenda as amended. Second by Manager Polasik. Motion carried 4-0.

2. Approve February 13, 2013 Minutes—Board Action

Manager Caldecott moved to approve the February 13, 2013 minutes as presented. Second by Manager Polasik. Motion carried 4-0.

3. Approve February 27, 2013 Minutes—Board Action

This item was tabled.

4 Treasurer's Report —Board Action

Administrator Shaver presented the Treasurer's Report.

Manager Caldecott moved approval of the Treasurer's Report. Second by Manager Polasik. Motion carried 4-0.

5. Public comments

Administrator Shaver introduced Gaylen Reetz who is contemplating applying to be a District manager.

6. Permit Status Update, Permits/Violations

a. Schmidt Wetland Delineation

Administrator Shaver reported that a Marine resident asked EOR to perform a wetland delineation. Legal Counsel, when asked about a conflict of interest, advised that if the Board knows and consents, then all is proper. This is a potential project that might result in a permit application to the District.

Manger Caldecott moved consent to EOR to accept work for a residential wetland delineation in Marine. Second by Manager Lennes. Motion carried 4-0.

b. Permit 08-008: Gruber Property—Board Action

Administrator Shaver provided background and outlined options for Board action. Mr. Bower provided photos to illustrate three locations on his property that he contends have been damaged due to lack of erosion controls and stormwater management on the Gruber site. He outlined these concerns before the permit was issued and is now concerned about the duration of the project and the lack of inspection and follow through. In addition, he added that the stormwater runoff to the lake has been compounded by his neighbor to the north installing a concrete apron, possibly through trespassing and without an easement. Mr. Bower asked for an update on how and when the applicant will comply with his permit, a waiver on copy fees for District documents and a waiver on District permit fees and/or cooperation on a project to address the changing conditions on his property near County Rd 11. He stated, and Mr. Gruber, agreed that this was a controversial project to start with and a difficult site to try to comply with conditions of the permit. Mr. Gruber stated that he will have additional survey work done, is willing to help Mr. Bower with trees and plans to finish work by the fall, if he can come to an agreement with his neighbor to the south about a retaining wall. Administrator Shaver clarified that the applicant's engineer was supposed to inspect the site and file reports and the intent of the permit is to minimize damage to others' properties.

Manager Kronmiller moved to direct Mr. Gruber to repair and/or install all erosion control and soil stabilization measures per his original plan and subsequent memos with the WCD as soon as feasible, have his engineer submit revised plans to the District for approval by May 1, 2013 and complete the approved site work within five linear feet of the retaining wall by the end of the 2013 building season on November 1 with the further stipulation that if the conditions are not met, the District will pursue legal action. Second by Manager Lennes. Motion carried 5-0.

Manager Kronmiller moved to direct the Administrator to work with Washington County, Mr. Gruber and Mr. Marshall to resolve the retaining wall issues and work with Mr. Bower on resolving his property issues. Second by Manager Caldecott. Motion carried 5-0.

Manager Caldecott moved to waive the \$68.83 copy fee charged to Mr. Bower for District documents. Second by Manger Dupre. Motion carried 5-0.

7. Project Status Update

a. Sand and Long Lakes Clean Water Partnership Grant Resolution—Board Action

Manager Kronmiller moved to adopt Resolution 03-13-13-01-1 to authorize the Administrator to submit the grant application. Second by Manager Polasik. Motion carried 4-0-1. Manager Lennes abstained as president of the Long Lake Homeowners Association.

Manager Kronmiller noted that if this grant is received, all funds in the focused watershed management budget will have been allocated for the next three years.

b. General Update

Mr. Almer reported that Hamline University is collecting data on Square Lake, the Goose Lake ravine project will be closed out in spring after additional plantings and an inspection and he will be meeting with Administrator Shaver to finalize next steps on the Assessment Tool. Administrator Shaver noted that he is taking a GIS class in May to start learning how to use the tool.

8. Cost Share Program Update

a. 2012 Annual Review

This was tabled until the April meeting.

9. New Business

a. WOMP Grant—Board Action

Manager Kronmiller moved to enter into an agreement with the Metropolitan Council through its Watershed Outlet Monitoring Program for reimbursement of District costs for water monitoring at the Silver Creek outlet. Second by Manager Caldecott. Motion carried 5-0.

b. WCD Contract Amendment—Board Action

Administrator Shaver stated that the amendment is to cover the BMP database the Board authorized last October.

Manager Lennes moved to amend the 2013 Washington Conservation District Technical Services Agreement in the amount of \$5,000 for a BMP maintenance database. Second by Manager Caldecott. Motion carried 5-0.

c. Review of 2013 Work Plan

Manager Dupre suggested that the work plan be revised to align with the Watershed Management Plan with budget items attached and, where applicable, completion dates.

Manager Kronmiller moved to direct Manager Dupre to work with the Administrator to update the work plan for approval at the April 10 meeting. Second by Manager Polasik. Motion carried 5-0.

10. Old Business

a. St. Croix Basin Conference

Manager Polasik reported that the conference agenda is pertinent, attendees at a recent St. Croix River Association meeting were impressed with the District's work, specifically the BMP Program, phosphorous reduction and AIS and suggested the District table/poster at the conference. Manager Lennes volunteered to provide a poster, but due to the timing of the conference, this will have to wait for future years.

11. Discussion Points

a. CMSCWD-May Town Board Workshop Agenda

Administrator Shaver reported that the workshop is Thursday, April 4 at 7 p.m. at the May Town Hall. Agenda items suggested included: projects May would like; permit enforcement; alternative permitting processes in more dense neighborhoods; area projects that have been completed such as Square Lake and the associated project costs; rules enforcement with memorandums of understanding and joint projects. Administrator Shaver will draft and send the agenda.

12. Bills to be Paid—Board Action

Manager Kronmiller moved to pay bills in the amount of \$11,323.52. Second by Manager Lennes. Motion carried 5-0.

13. Administrator's Report

Administrator Shaver reported the following:

a. Aquatic Invasive Species Workshop

Managers Polasik and Kronmiller attended the joint CMSCWD, Comfort Lake-Forest Lake Watershed District (CLFLWD) and Chisago County program. There were about 75 attendees. Public Access will air the presentation.

b. Manager Positions

Washington County is seeking applications to fill two manager positions.

c. Minnesota Association of Watershed Districts

The annual Legislative Reception and Day at the Capitol is March 13-14. At a recent meeting, Pollution Control Agency (PCA) Commissioner John Linc Stine presented new directions for watershed plans and TMDLs. Drafts documents are on the MPCA website.

d. Ag Program

CMSCWD, CLFLWD and the Washington Conservation District hosted a program on cover crops for erosion control. About eight producers attended.

13. Next Meeting, Adjourn

The March 27 meeting was canceled. The next regular meeting will be held Wednesday, April 10 at 6:30 p.m. at the Scandia Community Center.

Manager Caldecott moved to adjourn. Second by Manager Dupre. Motion carried, vote 5-0.

The meeting was adjourned at 8:09 p.m.

Submitted by

Debbie Meister, MMC Associates