

**Carnelian-Marine-St. Croix Watershed District
Regular Meeting May 2, 2011**

Managers Present: Richard Caldecott, John Lennes, Thomas Polasik, Kristin Tuenge and Victoria Dupre.

Managers Absent: Steven Kronmiller and Jason Husveth.

Others Present: Jim Shaver (Administrator), Carl Almer (EOR), Ray Marshall (Legal), Jay Riggs (WCD), Jane Harper (Washington County) Dan Bever, Laurie Allmann, Georgiana Anderson, Kathy Lewis, Kathy and Randy Ferrin, Chauncey Anderson, Lisa Schlingerman, Denny Seefeldt, John Bower, Bob and Jen Gilbertson (residents) and Debbie Meister (MMC).

Manager Caldecott called the meeting to order at 6:34 p.m.

1. Approve May Agenda—Board Action

Administrator Shaver requested that the Overflight be moved to Old Business.

Manager Lennes moved to approve the May 2, 2011 agenda as amended. Second by Manager Polasik. Motion carried 4-0.

2. Approve April 4 Minutes—Board Action

Manager Polasik moved approval of the April 4, 2011 minutes as presented. Second by Manager Lennes. Motion carried 4-0.

3. Treasurer's Report—Board Action

Manager Tuenge presented the Treasurer's Report. Administrator Shaver clarified that the permit and interest were included on the May 2 report, but not the draft report. **Manager Lennes moved approval of the May 2, 2011 Treasurer's Report. Second by Manager Polasik. Motion carried 4-0.**

4. Bills to be Paid—Board Action

Administrator Shaver noted that the administrator's retroactive salary increase and FICA corrections are reflected in the current bills. Documentation on both is available from the accountant. Manager Lennes stated that TMDL costs might increase because of federal requirements. **Manager Tuenge moved the bills to be paid in the amount of \$37,225.47. Second by Manager Polasik. Motion carried 4-0.**

5. Public Comments

a. Dan Bever—Channel Maintenance

Mr. Bever, an original District manager, stated that he is a resident of Scandia and lives on Big Marine Lake. He, along with other residents in attendance, asked the District to act on channel maintenance including inspecting the entire system. He reviewed the history of flooding on Big Marine, which has increased with building and road construction and circulated photos of water encroachment taken on April 28. According to the District operational plan, the channel should be open. John Bower stated that the south end of the weir was cleaned out about three years ago. Administrator Shaver

reported that he got a call from Dick Bohrer several weeks ago about this issue and discussed it with District engineer Dan Fabian. According to Mr. Fabian the high water is not unusual and usually drops in a few days. Mr. Fabian also stated that he feels that the District's existing policy does not address water running back into Big Marine Lake. District and DNR policies on adding and removing stop logs were discussed. Administrator Shaver stated that he removed the Turtle Lake weir stop logs, will review District policy on stop logs, will check with the DNR on its policy and contract with Roger Rydeen for channel maintenance including removal of beaver dams.

b. Laurie Allmann and TA-COS—Zavoral Gravel

Administrator Shaver reported that Laurie Allmann, a District resident and member of Take Action-Conserve Our Scandia (TA-COS), requested the District do additional monitoring of snowmelt off ravines on the Zavoral property. Ms. Allmann submitted a memo to the Board requesting eight action items. Administrator Shaver recommended responding to TA-COS' memo about what the District can and can't do after reviewing the memo with water specialist Stu Grub and getting board input. Manager Tuenge, as the chair of TA-COS, recused herself from any decisions. It was clarified that there are reports from Tiller that are needed before the draft environmental impact statement (EIS) can be completed. Once the draft EIS is released, citizens will have 30 days to provide comments. Ms. Allmann stated that the District is uniquely positioned to be an advocate because of its surface water, groundwater and hydrology expertise. Managers Lennes and Polasik stated that the memo is very valuable. Based on concerns about the District losing its neutrality in permitting, Legal Counsel advised responding to the EIS in the correct and proper way and keeping a narrow focus. Once the Tiller mining plan is provided, the District will better be able to assess the mining impacts. Administrator Shaver stated that other concerns can be sent to him.

c. John Bower—Gruber Property

Mr. Bower stated that he has on-going concerns with construction on the Gruber property. The County granted the Grubers a variance with conditions. Mr. Bower submitted photos of violations of the conditions including the addition of fill and erosion issues and requested the WCD investigate the situation. Administrator Shaver reported that he sent a letter to Mr. Gruber stating that the Grubers are deviating from the approved plans and asked how this will be addressed. Jay Riggs stated that this is a tough site and while the WCD provides technical assistance for the District and the County, it is not the permitting entity. Administrator Shaver will follow up with the County and Mr. Gruber.

6. Washington County Conservation Priorities—Jay Riggs and Jane Harper

Jane Harper presented the draft Washington County Land and Water Legacy Program Plan. In 2006, residents passed a referendum authorizing the County to bond to improve water quality. The plan—developed by the County Board—provides goals and sets criteria based on the referendum language to evaluate projects for funding. The plan maps high priority areas for protection with the focus on surface water, drinking water, ecological (wetland, rare habitats, woodland, grasslands) and connectivity modules. A modeling process layered these four modules on a weighted basis. As better data, especially for groundwater is available, the

weighting can change. The WCD identified 20 top areas that best meet all four modules and named them. Currently, 50 percent of this acreage is in CMSCWD. Mr. Riggs reviewed the priority areas and asked for input on these parcels and their names before they are presented to the County Board later this summer. It was noted that this is a voluntary land protection program, much like the District BMP Program. After the priority areas are approved, an outreach program will be developed to reach property owners in the priority areas. Areas that are currently protected through other programs are not included in this program. It was also noted that this is not a scenic/visual protection program and was developed before the TMDL study was done. Additional comments on priority areas and names of the areas should be emailed to Administrator Shaver. He will collect comments and provide them to the County by early June.

7. Permit Status Update, Permits / Violations

Administrator Shaver reported:

- Permit 06-008 Havir new home on Big Carnelian. The property was repurchased through a foreclosure. Work on the site is in violation of the variance obtained by the original owner. Dennis O'Donnell (Washington County) and Molly Shodeen (DNR) were notified and are involved. Administrator Shaver sent letters to Mr. Havir asking for a landscaping plan and indicating that, because of violations, the WCD will no longer provide free technical assistance, as stipulated in the original permit.
- The property owner on the corner of Square Lake Trail and Norrell will be grading and adding a paddock for livestock. They called for a site inspection and the administrator determined that this was an agricultural usage. The Managers agreed with this determination.
- Permit 08-001 BTG & BGT II Mining. BTG's submittal was again incomplete. A letter was sent stating that additional information is required.

8. Project Status Update

Carl Almer reported:

- Sand and Long Lakes Clean Water Partnership. About 32 people attended the shoreline buffer and rain garden BMP information session and most are interested in projects. The Cost Share Subcommittee already considered several of the projects. A second stakeholder meeting will be scheduled at the end of May or in early June .
- Square Lake Clean Water Partnership. Once zooplankton data from the University of Minnesota is received, water and biological analyses and groundwater sampling will be completed.
- Phase III TMDL. Plans are to submit the draft TMDL to the Minnesota Pollution Control Agency as soon as all Manager comments are received and addressed.
- 2011 Strategic projects. Through GIS mapping, almost 900 potential landlocked basins greater than one acre have been identified. The next step is to complete the runoff modeling to determine if these basins have active outlets for the 100-year, 24-hour rain event. A landuse overlay/ natural resource prioritization framework will be developed and presented at a Board workshop.
- Marine on St. Croix Stormwater planning assistance. Administrator Shaver and Mr. Almer met with village staff and walked the village center. Short-term, easy fixes and long-term solutions are being prepared to present to the village planning committee.

9. Cost Share Program

Administrator Shaver reported that the subcommittee met and have nine projects to recommend for cost share funding. **Manager Tuenge moved to approve the nine cost share projects for a total of \$12,915 as presented. Second by Manager Polasik. Motion carried, 5-0.**

10. New Business

a. Policy Discussion

Based on comments received today, Administrator Shaver suggested that the resolutions be revised and presented next month. The Managers agreed to review resolutions at the June meeting.

i. Conflict of Interest Policy—Resolution

ii. Internal Controls Policy—Resolution

iii. Public Data Request Policy—Resolution

iv. Administrator Job Description—Resolution

11. Old/Other Business-

a. 2011 Overflight for Septic on Impaired Waters—Possible Board Action

Administrator Shaver stated that the cost for an infrared flyover to detect failing septic systems and hot spots on 10 lakes is approximately \$25,000. Of the 10 lakes, four or five have only a few houses. Because funds are not in this year's budget, Administrator Shaver recommended looking at the flyover and developing an implementation plan for next year. Manager Dupre also recommended waiting until the TMDL report is completed.

12. Administrator's Report

Administrator Shaver reported:

- With the success of the rain garden and shoreline information meeting, additional reserve funds might be needed in the Cost Share Program. Manager Dupre recommended posting photos of the projects along with the phosphorous reductions on the District web site and including this information in the District newsletter and a *County Messenger* article.
- Administrator Shaver and Manager Polasik attended the Metro MAWD meeting.
- Manager Caldecott attended the County volunteer appreciation event.
- Dick Caldecott and Tori Dupre were the only two nominated for appointment to the CMSCWD board.

13. Next Meeting, Adjourn

The next board meeting will be held on Monday, June 6, 2011 at 6:30 p.m. at Scandia City Hall. **Manager Tuenges moved to adjourn. Second by Manager Polasik. Motion carried 5-0.** The meeting was adjourned at 9:06 p.m.

Submitted by
Debbie Meister, MMC Associates, LLP