

CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT
Regular Meeting Minutes September 13, 2016

Managers Present: Dave De Vault, Kristin Tuenge, Andy Weaver, Tom Polasik, Wade Johnson and Eric Lindberg

Managers Absent: Joel Stedman

Others Present: Jim Shaver (administrator), Susannah Torseth (Lawson Law), Carl Almer (EOR), Mike Isensee (WCD), Diane Rohn (resident), Fran Miron (Washington County) and Debbie Meister (MMC)

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

1) Approve Agenda

Manager Tuenge moved to approve the agenda as presented. Seconded by Manager Polasik. Motion carried 6-0.

2) Minutes from August 23

Manager Tuenge moved to approve the August 23, 2016 minutes as presented. Seconded by Manager Johnson. Motion carried 6-0.

3) Treasurer's Report

Manager Johnson presented the Treasurer's Report.

Manager Tuenge moved to accept the Treasurer's Report. Seconded by Manager De Vault. Motion carried 6-0.

4) Public Comments

There were no public comments.

5) Long Lake Eurasian Water Milfoil (EWM)

Administrator Shaver reported that during a recent survey for curly leaf pondweed, there was evidence of EWM. This was confirmed by Keegan Lund of Department of Natural Resources (DNR) on August 16. Administrator Shaver sent letters to some lakeshore homeowners and would like the District to announce this to Long Lake Homeowners Association (LLHA). He stated that because curly leaf causes water quality issues, the District typically pays for treatment. For EWM, the District cost shares (four to one) for the first treatment and one-to-one for subsequent treatments. Mr. Isensee recommended approving a lake assessment in early spring using DNR protocol. The cost is estimated at \$2,000. Issues discussed included: there is a workable template for EAW treatment with Big Marine Lake Association; Long Lake is a focused lake in the Management Plan; DNR, with limited funds, identifies invasives and provides \$200,000 in grants for control; the legislature provided \$10 million to counties that offsets DNR funding; and WCD is coordinating with Washington and Chisago Counties on a joint AIS program. Ms. Rohn, a resident on Long Lake since 2002, was introduced as the representative for LLHA. She stated

that unlike the BMLA with a lot of families, LLHA has only 10 families with most residents over 85 years old. Cost sharing will be a hardship for these families and Long Lake is upstream and thus important to lakes on the Warner/Wilder property. She asked the District to keep her and LLHA in the loop.

Manager Tuenge moved to approve funds, up to \$2,500, for the Long Lake curly leaf pondweed and Eurasian water milfoil assessment survey next spring. Seconded by Manager De Vault. Motion carried 6-0.

Administrator Shaver stated that he and Mr. Almer noticed a plugged up beaver baffle outflowing to Terrapin Lake. Reinstalling the baffle will help prevent EWM going into the lake.

6) Project Updates

a) Log House Landing Ramp

Administrator Shaver reported that he and Neal Soltis hope to find a different way to work with concrete planks that will keep costs down.

b) 197th Street

Administrator Shaver reported that the plantings have come in nicely, the project will be on the manager tour and the final payment request is on the agenda.

c) Marine Stormwater

Administrator Shaver reported that he and Mr. Almer are still trying to work out other contracting strategies for the projects. For the iron-sand filter it might be best to piggyback on the County road project. Ms. Torseth reported that she looked into the prevailing wage. If the Board of Water and Soil Resources (BWSR) does an audit, dividing the contract to avoid the prevailing wage could be a problem. It was noted that on the state prevailing wage website page there is a number to call for residential projects. Ms. Torseth will follow-up on this. Manager Tuenge suggested the prevailing wage as a possible resolution for Minnesota Association of Watershed Districts (MAWD).

d) 133rd St./Panorama Capstone

Administrator Shaver reported that there were 20-25 property owners at the meeting to discuss the project options, though most were from the area below the project site. A few projects will require coordination with May Township.

e) Goose Implementation

Administrator Shaver stated that Mr. Isensee will be leading this project and will be working from the District office once a week. Mike Arndt has not signed the temporary easement because of his concern about the property line survey. It was agreed that the District will pay for Mr. Arndt's surveyor to re-survey the property. Plans are to go out for bid in January or February, which is the best time for bidding projects.

f) Lake Assessments

Mr. Almer reported that St. Mary's University completed the fish survey of Terrapin, Mays and Clean lakes. The lakes assessments should be completed by the end of September with representations to the Board in October and November.

7) New Business

a) Permits Update

Mr. Almer reported that he will complete one more round of inspections this fall.

b) Kiwanis Cost Share Final Payment

Mr. Isensee provided a summary of the project's shoreline stabilization and raingarden. Annually, the project will reduce phosphorus by 9.5 pounds. There are still funds remaining that will allow needed replanting of the shoreline due to high water washing out the plants. It was agreed to close out the BWSR grant and replant in spring, possibly with a plant cost share. Manager Weaver stated that this project provided great value to the District with low dollars per pound of phosphorus removed.

Manager Tuenge moved to approve a final cost share reimbursement of \$2,000 to Kiwanis Scout Camp. Seconded by Manager De Vault. Motion carried 6-0.

c) MAWD resolution

Administrator Shaver stated that resolutions can be submitted next month.

8) Old Business

a) Permit 15-006 Mike White

Administrator Shaver reported that water levels on Big Marine are still too high for planting. Mr. Almer noted that water is still about one inch over the top of the weir.

b) Big Marine and Outlet Channel Update

Administrator Shaver provided a letter received this afternoon from Commissioner Miron. He noted that consensus on removing the Turtle Lake weir 12 inch stop log could not be reached at the September 8 meeting with himself, Department of Natural Resources (DNR) hydrologist, lake residents, county staff and Commissioner Miron. Administrator Shaver recommended asking DNR to permit a temporary drawdown of the Turtle Lake weir. But, he stated, this should not be construed that the District feels this will create capacity for snowmelt. He noted that one log has been removed. Issues raised by Managers included: in high precipitation events the east side of the water table rises, reducing the outflow; the channel system was not designed for these wet conditions; removing all stop logs could create problems downstream and leave the District culpable; eight inches of boards were removed in 2010 because of high water; if boards are removed slowly, there should be capacity downstream; residents do not understand the hydrology; removing all stop logs could cause reverse flow back into the wetland; hunters want water in the wetland; the management plan is not clear; and wildlife need to be considered in the management plan.

Manager De Vault moved to request DNR request the District temporarily remove the boards at Turtle Lake weir. Seconded by Manager Tuenge. Motion carried 5-1.

Manager Johnson moved to direct Administrator Shaver to work with DNR and other agencies to modify the Turtle Lake Management Plan to allow for flexibilities in operation during wet versus dry periods and for the Board to review a draft plan in March 2017. Seconded by Manager Tuenge. Motion carried 6-0.

Commissioner Miron stated that at the September 8 meeting, requests were made for inspection and maintenance of the channel and outlets downstream of the Turtle Lake weir and a log be kept of inspections, maintenance and control management. Administrator Shaver stated that he will inspect at May Avenue and 155th Street and the Cole wetland. Control management is on the District website. **Manager De Vault moved to direct Administrator Shaver to keep a log of inspections and maintenance and post the log on the District website. Seconded by Manager Polasik. Motion carried 6-0.**

Commissioner Miron stated that he thought the September 8 meeting went exceedingly well. Administrator Shaver did a nice job with the agenda and maps. The drone flyover and DNR staff were very helpful. He wanted to get a sense of how high the lake level was compared to what residents felt it should be. He noted that residents commented about property values; property taxes; erosion and control measures they have been paying for; the District management plan, with some feeling it is not being followed; maintenance, with some feeling it is not being done; managers not being at the meeting; and the focus of the District moving from flood control to other things. Manager De Vault stated that the District's focus has broadened, but not changed. Managers Tuenge, De Vault and Polasik stated that they plan to attend the next meeting on October 27 to share and provide updates. Managers thanked Commissioner Miron for coming by and his willingness to convene the community meeting.

- c) Final Payment to Blackstone Contractors—197th St Ravine**
Manager Tuenge moved to approve payment of \$4,021.56 to Capstone Contracting. Seconded by Manager De Vault. Motion carried 6-0.

- d) 2017 Budget and Levy Approval for Certificate to County**
Administrator Shaver reviewed proposed changes to the budget. The proposed budget increases the levy by 9%. It is necessary because the reserve has been spent down over several years. The comprehensive plan needs to be revised in 2020. The District accumulates funds in advance for this and a portion is included in the 2017 budget. Administrator Shaver suggested a survey of the entire community as a lead-in to the plan update. Manager De Vault stated that \$15,000 would not provide a statistically valid survey. It was agreed to have the consultant for the survey attend and discuss methodology.

Manager Tuenge moved to adopt resolution 9-13-16-01 to adopt a 2017 operating and capital budget totaling \$759,124. Seconded by Manager Polasik. Motion carried 6-0.

Manager Tuenge moved to approve Resolution 9-13-16-02 to petition Washington County auditor-treasurer to levy all taxable property within the District totaling \$482,879. Seconded by Manager Johnson. Motion carried 6-0.

e) Electronic Bill Payment for Some Monthly Billings

Administrator Shaver stated that Manager Johnson recommended using electronic funds transfers for some expenses—such as credit card and phone—to avoid late fees when meetings fall too late in the month to ensure timely arrival of payments by post. He will also check with Dave McCord about a cleaner way, if possible, to avoid late fees.

Manager De Vault moved to authorize the one-time electron funds transfers for necessary payments in September. Seconded by Manager Tuenge. Motion carried 5-1.

Manager Tuenge moved to revise the CMSCWD Internal Controls Manual to allow electronic funds payment for certain monthly bills (i.e.: phone and credit card) incorporating necessary controls as advised by District attorney and auditor. Seconded by Manager De Vault. Motion carried 6-0.

f) Rules Revisions

Manager Tuenge moved to strike the last paragraph of 3.2 and add new paragraph to Rule 10.0 Enforcement to afford the District the ability to address unregulated impacts: When the District determines that any land disturbing activity has become a hazard to any person, or endangers the property of another, adversely affects water quality or any water body, increases flooding, or otherwise violates these Rules, the owner of the land upon which the land disturbing activity is located, or other person or agent in control of such land, upon receipt of written notice from the District, shall within the time period specified therein repair or eliminate such condition. The owner of the land upon which a land disturbing activity is located shall be responsible for the cleanup and any damages from sediment that has eroded from such land. The District may require the owner to obtain a permit under these District Rules before undertaking any repairs or restoration. Seconded by Manager De Vault. Motion carried 6-0.

9) Bills to Be Paid

Manager De Vault moved to pay the bills in the amount of \$47,819.01. Seconded by Manager Polasik. Motion carried 6-0.

10) Administrator Report

There was no report.

11) Next Regular Meeting is October 12, 2016

12) Adjourn

**Manager Weaver moved to adjourn at 8:45 p.m. Seconded by Manager Tuenge.
Motion carried 6-0.**

Submitted by
Debbie Meister, MMC Associates