

Regular Meeting of the Middle St. Croix Watershed Management Organization  
Washington Conservation District, 455 Hayward Ave N  
Remote Location: 32223 Hwy 550, Durango, CO 81301  
Thursday, August 8<sup>th</sup>, 2024  
6:00PM

Present: Brian Zeller (remote), Lakeland Shores; Tom McCarthy, Lake St. Croix Beach; Ryan Collins, Stillwater; Michele Hanson, Bayport; Avis Peters, Baytown; Rachel Dana, West Lakeland; Dave Millard, Lakeland; Carly Johnson, Oak Park Heights; Interim Administrator Jay Riggs; Amanda Herbrand, WCD; Rebecca Nestingen, WCD

### **Call to Order**

Manager McCarthy called the meeting to order at 6:00PM.

### **Approval of Agenda**

Manager Johnson motioned to approve the agenda. Manager Collins seconded the motion.

Hybrid meeting rules state all motions require a roll call vote and on first roll call vote participating remote attendees are to state their reason for being remote.

Manager Zeller states he is out of town.

The motion carried on a roll call vote with all in favor.

### **Approval of Minutes**

Manager Johnson motioned to approve the draft July 11<sup>th</sup>, 2024 board meeting minutes, Manager Peters seconded the motion. The motion carried on a roll call vote. Managers Zeller and Hanson abstained from the vote.

### **Treasurer's Report**

Interim Administrator Riggs presented the treasurer's report. The remaining checking account balance on August 8<sup>th</sup> was \$168,793.58. First Bank CD's were valued at \$213,549.15. The ending value on the RBC savings account from July was \$95,597.53. Manager Collins motioned to approve the report of the savings account and assets for August 8<sup>th</sup>, 2024. Manager Peters seconded the motion. The motion carried on a roll call vote with all in favor.

Bills to approve this month are three bills to the Washington Conservation District, one bill to Peterson Company, and one reimbursement to Gayle Siegler, totaling \$20,684.04. Manager McCarthy motioned to approve payment of bills for \$20,684.04 for August 8<sup>th</sup>, 2024. Manager Zeller seconded the motion. The motion carried on a roll call vote with all in favor.

All communities have paid their first half contributions, Afton and Bayport have paid their full contributions for 2024.

### **Public Comment**

None

## **Watershed Management Plan Update**

District Engineer for the Washington Conservation District Rebecca Nestingen presented to the board about the Targeted Implementation Plan Portion of the Watershed Management Plan. The implementation plan is intended to provide estimated cost, proposed year of implementation, and proposed financing method for each element of the implementation program. The proposed dates are estimates and highly dependent upon past progress, emerging issues, partner priorities, better data and external funding priorities and availability. Staff have currently identified five retrofit projects—existing projects that are need of rehab or repair—and nine large-scale capital improvement projects.

## **Old Business**

### **WMO Legal Services**

At the previous board meeting Administrator Oldenburg-Downing informed the board that MSCWMO's legal counsel, Troy Gilchrist, had left the firm Kennedy & Graven and asked the board for direction regarding legal services. The board had motioned to reach out to both Kennedy & Graven and Troy Gilchrist at his new firm to express interest to both in continuing legal services.

Administrator Oldenburg-Downing did not receive a response from Kennedy & Graven but did receive a response from Troy Gilchrist, included in the board packet. Troy's response states he has started a firm with another partner and that he would continue to provide legal services to MSCWMO at his former rate, \$200 an hour, for 2023-2024. He states that if MSCMO goes out for proposals for 2024-2025 he will submit a new proposal.

Manager Johnson motioned to table the discussion due to concerns about legal requirements regarding the bidding process. Manager Johnson requests to review the existing agreement prior to the next board meeting.

The item was tabled.

## **New Business**

### **2024 Second Half Contribution Requests**

Interim Administrator Riggs prompts board members to remind staff at their communities to submit their second half contributions to MSCWMO. Second half payments are requested to be submitted by October 1, 2024.

## **Grant and Cost Share Applications**

### **Seigler Raingarden Planting**

On April 11th the MSCWMO board approved cost share encumbrance of up to \$375 to stabilize 60 linear feet of eroding shoreline on Lake McKusick, located at 1410 Meadowlark Dr., Stillwater. The landowner completed the project in July of 2024 with assistance from WCD staff and Conservation Corps crew labor with a total materials cost of \$1,081.58.

Manager Collins motioned to approve reimbursement of \$375.00 cost share for the installation of the Siegler Shoreline Enhancement. Manager Johnson seconded the motion. The motion carried on a roll call vote with all in favor.

### **Plan Reviews/Submittals**

#### **Mister Car Wash – INFORM**

Conversations are ongoing with the Mister Car Wash project, MSCWMO, and the City of Stillwater regarding easements on the stormwater facilities for the project.

#### **Quixote CenterPoint Pipeline – ACTION**

Submittal items were received on August 1st, 2024 for proposed relocation of approximately 460 linear feet of CenterPoint natural gas pipeline along Quixote Ave N within the MSCWMO boundaries and the City of Lakeland. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves construction within the 40-foot bluffline setback. Minimal grading and surface disturbance is expected since the proposed project will utilize horizontal bore methods for pipeline and service installation. Minor excavations will occur at service tie in points that are within 40' bluffline setback and is viewed as an allowable exception to the prohibition of construction within the bluffline setback since it is an essential public utility and all other erosion and sediment control standards have been satisfied. The MSCWMO staff recommends approval for this project.

Manager McCarthy motioned to approve the Quixote CenterPoint Pipeline project, Manager Millard seconded the motion. The motion carried on a roll call vote with all in favor.

### **Erosion and Sediment Control Inspection Reports**

Two erosion and sediment control inspection reports were conducted and submitted by Washington Conservation District staff. Of the reports, one received an “A” grade, and the other received a “B” grade, meaning both sites were in compliance.

### **Staff Report**

Interim Administrator Riggs presented the staff report. Work is ongoing on the 10-Year Management Plan Update. Water monitoring and BMP maintenance continue as normal for the season.

### **1W1P Updates**

#### **Representative Appointments**

Manager Zeller states that he has no recent updates.

### **Other**

None

### **Adjourn**

Manager Hanson motioned to adjourn the meeting, Manager Peters seconded the motion. The meeting adjourned at 6:38.