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Minutes September 20, 2011 Meeting

MINUTES

**Sauk River Watershed District Regular Meeting
 Tuesday, September 20, 2011**

7:00 PM – Regular Meeting – Sauk River Watershed District Office, Sauk Centre

Managers Present:	Jim Kral, John Harren, Larry Kuseske, Tim Lunsford, Virgil Rettig, Vern Vangsness, Todd Foster, Jason Scherping
Staff Present:	Holly Kovarik, Administrator; John Kolb, Attorney (Rinke-Noonan)
Guests Present:	Bev Bales, Marvin Schneider, Marietta Schneider, Arnie Schmitt, Jeff Mergen, Lucy & Jesse Hagemeyer, Dale Schramel, Mary Schramel
Manager’s Absent:	Bob Mostad

1. **The meeting was called to order by President Foster at 7:00 p.m. and the Pledge of Allegiance was recited.**
2. President Foster asked for additions or corrections to the agenda. The proposed agenda was reviewed and items were added by Administrator Kovarik, Manager Lunsford, and Manager Harren. By general consent of the board the agenda was approved.
3. **Consent Agenda (approved by one motion)**
 - a. August 1-31, 2011 Financial Report
*BMP spreadsheets will be handed out at the board meeting
 - b. July 19, 2011 Board Meeting Minutes
 - c. August 23, 2011 Board Meeting Minutes
 - d. Permits recommended for approval - None
 - e. Contracts for Approval
 1. DNR Sauk River Watershed District Aquatic Habitat Grant
 - f. Resolutions for Approval - None
 - g. Board Action Items for Approval-None
 - h. Loans, Grants, Appropriations
 1. **Loans**
 1. Darrell Fuecker Septic System \$15,000
 2. **Grants-None**
 3. **Appropriations**

1.	Health Partners	Premium Payment	\$1,775.40	General Fund (GF)
2.	League of MN Cities Insurance Trust	Dues	\$1,488	GF
3.	Rinke Noonan	Retainer General Advice Clean Water Partnership	\$1,469.50	GF GF GF
4.	Buttweiler’s Do All	Roof Repair	\$2,356.96	GF
5.	KDV Joe Rigdon	Consulting Services	\$1,984.00	GF
6.	Wenck	General	\$8,265.40	GF

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Engineering	Engineering Lower Sauk WQ Backyard BMP Cold Spring Raingarden		Grant Grant Grant
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Manager Rettig made a motion to approve the consent agenda. The motion was seconded by Manager Kral. The motion passed with all in favor.

4. **Commissioner Report:** Douglas County Commissioner Bev Bales congratulated the Watershed District on the 25th Anniversary and stated that the Douglas County Commissioners are pleased and satisfied with all of the work that the District has accomplished. The Douglas County Board is supportive of the 2012 Budget as proposed.

5. **Old Business**

- a. **Project Updates.** Administrator Kovarik gave a brief history on the Cook/Gannon project and reminded the board of the deadline given for the landowners to either submit design plans or decide to relinquish the money allocated to them in loan and grant. Letters were received by both landowners stating they wish to relinquish the loan and grant funds allocated to them.

Manager Lunsford made a motion to un-encumber the money dedicated to the Cook project (\$67,500 in loan and \$67,500 grant) /Gannon project (\$67,500 in loan and \$67,500 in grant). The motion was seconded by Manager Scherping. The motion passed with all in favor. Administrator Kovarik notified the board of Cook's and Gannon's plans for their restoration project. They are doing extensive tiling and a District permit is required, however certain plans were not included in the permit application. Administrator Kovarik stated the board can approve the permit conditionally, and require the omitted plans and requirements listed in the conditions be submitted and reviewed before the permit is valid. **Manager Kuseske made a motion to approve a conditional approval of the permit 11-25 contingent upon the landowners submitting the erosion control plans, stabilization plan, copies of all other permits, and verification of no interface between the septic drain field and the tile system. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**

- b. **Administrator Kovarik had more contracts for approval including:** Golden Plump for an additional pond, \$17,000; Laura Bouchers for shoreline restoration, 5,000; Chad Pederson for shoreline restoration, \$7,500; Gary Nelson for prairie restoration, \$8,000; Lorraine Hanf for shoreline restoration, \$5,000; Heather and Marty Olson for riparian restoration, \$7,500; Kelly Charles for a rain garden, \$3,500; and Dave Stephaniac, \$12,600. **Manager Rettig made a motion to approve the contracts as listed. The motion was seconded by Manager Kral. The motion passed with all in favor.**

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- c. **Big Fish.** President Foster informed the board of the meeting set for September 21, 2011 at 4:00 p.m. at the Rinke Noonan office with landowners from Big Fish Lake.
- d. **Steffenson/Shriver/Haust's Project.** Administrator Kovarik notified the board that installation of this project would be starting on Thursday, September 22.
- e. **25th Anniversary Event Reflection.** The board commented on the 25th Anniversary Celebration saying the food and attendance were good and that staff did a great job. Questions were asked about the video and where it would be aired. If any local television stations or lake associations would be interested in showing the video, they would be able to do so.
- f. **Sinclair Lewis Park Shoreline Restoration Discussion.** Administrator Kovarik updated the board that the Sauk Centre City Council decided not to extend the operation and maintenance agreement for the Sinclair Lewis Park shoreline project.
- g. **Budget Committee Recommendations for Levy.** Manager Lunsford updated the board on the last meeting of the Budget Committee that was requested by the board. He stated that by unanimous vote, the committee is presenting the board with the same proposed budget as presented and approved as the preliminary levy at the August 23, 2011. **Manager Foster made a motion to put the proposed general levy budget out for public notice in the local papers, as well as set the hearing date for October 18, 2011 at 7:15 p.m. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
- h. **Ditch Assessments Discussion.** Administrator Kovarik showed the board the template used and explained how the expenses were categorized into the total budget. The public notice was read to the board which also listed the weed harvest fund which is expenses only and the list of the ditches with maintenance assessments. **Manager Rettig made a motion to approve publishing the public notice which also lists the weed harvest fund and ditch assessments. The motion was seconded by Manager Kral. The motion passed with all in favor.**
- i. **Weed Harvester Project Discussion.** Administrator Kovarik asked the board to set a hearing date or public input meeting to discuss the future of the project. President Foster asked if the equipment could be rented out to other lakes. Attorney Kolb stated that he reviewed the most recent contract and noted that the contract with the Army Corps of Engineers had expired and the District has no restrictions on uses of the equipment. **Manager Foster made a motion to direct the attorney to draft a Findings of Facts regarding the lack of restrictions and the expired contract with the Army Corp or Engineers on the harvesting equipment and to allow staff to research what it would take to rent the equipment to other lake associations. The motion was seconded by Manager Lunsford. The motion passed with all in favor.** Administrator Kovarik asked if staff should set up a meeting and by

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general consent, the board authorized Administrator Kovarik to set up a public input meeting.

6. **New Business**

- a. **MAWD Annual Convention/Resolutions Information.** Administrator Kovarik asked the board if they had any recommendations of resolutions to submit for the MAWD Annual Convention. Manager Kuseske would like to see something with Dr. Schoenfuss regarding emerging contaminants. **Manager Kuseske made a motion to work with Administrator Kovarik on a MAWD resolution to recommend continuing to research emerging contaminants of concern and to partner with Dr. Schoenfuss. The motion was seconded by Manager Rettig. The motion passed with all in favor.** Administrator Kovarik asked the board to approve staff to submit applications for the MAWD Program of the Year and Project of the Year awards. Projects being highlighted are the backyard BMP program and the Osakis Lake demonstration project. **Manager Foster made a motion to authorize staff to submit the 2 nominations. The motion was seconded by Manager Rettig. The motion passed with all in favor.**
- b. **Future meeting dates.** Manager Lunsford asked if there was any interest in moving the December meeting so that it doesn't land so close to Christmas. **Manager Lunsford made a motion to move the meeting in December from the 21st to the 14th. The motion was seconded by Manager Kral.** After some discussion, alternative dates mentioned wouldn't work. **Manager Lunsford withdrew his motion.**

7. **Reports**

- a. **Administrator's Report-Administrator Kovarik**
1. **Jesse Hagemeier Project.** Administrator Kovarik gave a brief history of Jesse Hagemeier's project and told the board that he is now requesting \$178,000 additional funds. Staff has concerns that need to be addressed. Jesse Hagemeier was given an opportunity to speak. The board had many questions for both Jesse and Attorney Kolb. At this point, staff cannot be sure the project can be funded even if the board wanted to do so. **Manager Harren made a motion to authorize staff to research if Jesse Hagemeier's project is eligible for funding. The motion was seconded by Manager Lunsford. The motion passed with all in favor.** After more discussion on the process, **Manager Harren made a motion to proceed with research on the comparison of impact on the environment being made with the barn versus 27 septic systems. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
 2. **BWSR Clean Water Fund Applications.** Administrator Kovarik reviewed the two grant applications that were submitted by staff. The first application submitted is to do watershed-wide BMP projects, in the amount of \$855,680. The district has many potential projects already waiting on funding from this grant if it is awarded. The

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- second application submitted is to do culvert assessment and analyses in the Stony/Unnamed/Getchell sub-watershed, along with one demonstration project. The amount requested for this application is \$165,880. **Manager Lunsford made a motion to approve the BWSR Clean Water Fund Applications. The motion was seconded by Manager Kral. The motion passed with all in favor.**
3. **Leer Communication and Consultants.** Administrator Kovarik made the board aware of the final bill from Leer Consultants that was received for the making of the video. Administrator Kovarik told the board that the staff spent significant time on the video to make it what the District wanted when the first draft came back undesirable. Administrator Kovarik recommends that the District wait until the final product is received to make payment. **Manager Kral made a motion to withhold payment to Leer Consultants until the final product is received and then to ask for a 20% reduction in total price. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
 4. **BWSR Academy.** Administrator Kovarik referenced Resolution 29-11 in regards to staff attendance at the BWSR Academy October 25-27th. **President Foster made a motion to approve staff to attend the BWSR Academy including the applicable expenses. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
 5. **MN Waters Event Update.** Administrator Kovarik informed the board that 2 staff have indicated that they would like to attend the MN Water Resources Conference. The cost of the conference is \$230 per person, plus mileage and a hotel room. **Manager Lunsford made a motion to authorize 2 staff to attend the MN Water Resources Conference. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**
 6. **Manager Compensation Policy.** Administrator Kovarik presented the board with Resolution 27-11, which is the policy on Manager Compensation. **Manager Foster made a motion to approve the manager compensation policy, Resolution 27-11. The motion was seconded by Manager Kral. The motion passed with majority in favor and Manager Rettig opposed.**
 7. **Annual Report Publication/County Commissioner Meetings.** Administrator Kovarik told the board that the Annual Report publication would be an insert in newspapers soon and is on the website. Also, time will be requested at each county during the Commissioner's meetings to present the report. Administrator Kovarik asks that the board managers representing that county also be present.

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8. **Administrative Report.** Administrator Kovarik handed out the Administrative Report for the board's review.
 9. **Application Approval.** Administrator Kovarik informed the board of loan applications for Ronald Rolfes in the amount of \$8,500 for a septic system and Tom Zappa in the amount of \$15,000 for a septic system. Administrator Kovarik also informed the board of a shoreline restoration payment request for Jim Jernberg in the amount of \$4,800 paid from two grants (Grant #326 for \$2,625 and Grant #323 for \$2,175). **Manager Harren made a motion to approve septic applications for Ron Rolfes and Tom Zappa and to approve payment of Jim Jernberg's shoreline restoration project. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**
 10. **Contract extension.** Administrator Kovarik updated the board on the work load for this fall and requested an extension be granted on Amy Trisko's contract for one more month. **Manager Rettig made a motion to extend the contract with Amy Trisko to the end of October. The motion was seconded by President Foster. The motion passed with all in favor.**
 11. **DNR Sauk River Watershed District Aquatic Habitat Grant** **Manager Foster made a motion to approve setting a public hearing on the DNR SRWD Aquatic Habitat Grant project and to establish a fund for the project. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
 12. **Paternity Leave.** Administrator Kovarik informed the board of the need for Mike Hayman to take time off for family medical leave when he and his wife have their baby this is authorized and considered under the Family Medical Leave Act. **Manager Rettig made a motion to allow Mike Hayman time off for family medical leave. The motion was seconded by Manager Harren. The motion passed with all in favor.**
 13. **Allocation of Additional funds.** Administrator Kovarik informed the board that Robert and Dianne Guggenburger had been approved \$9,000 in septic system loan funds and are now in the process of getting the work done, however the work is going to cost an extra \$2,000. **Manager Lunsford made a motion to approve and additional \$2,000 in septic system loan funds to Robert and Dianne Guggenburger. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**
- b. **Attorney's Report-** Attorney Kolb informed the board that the District is included as a plaintiff in a class action lawsuit along with other government entities in a case regarding overcharge of prescriptions in the health plan the

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District participates in. Attorney Kolb recommends the District does nothing which means the district is included in the case.

c. **Ditch/Permit Inspector Report-Mike Hayman/Administrator Kovarik**

1. Permits

1. **11-23 Prasch.** Administrator Kovarik informed the board of the Ray Prasch stormwater project and recommended approval with the conditions listed in the permit. **Manager Rettig made a motion to approve permit 11-23 with conditions. The motion was seconded by Manager Scherping. The motion passed with all in favor.**
2. **11-24 Richmond Safe Routes to School Trail.** Administrator Kovarik informed the board of the Richmond Safe Routes to School trail recommended approval of this project. **Manager Kral made a motion to approve permit 11-24. The motion was seconded by Manager Scherping. The motion passed with all in favor.**
3. **VA Medical Center.** Administrator Kovarik updated the board on the VW Medical Center. They are doing some additional things on the site and it falls under the general permit.

2. Ditches

1. **CD9.** Administrator Kovarik updated the board that the cleanout was started a week ago on CD9. Mike has been out with landowners and the contractor a few times and everything seems to be going well.
2. **CD24.** Attorney Kolb informed the board that the contractor is working on CD24 and it should be finished by the end of the week.
3. **CD15 & 26.** Attorney Kolb told the board that the staff, per board request, did go forward and request an opinion of probable cost from the engineer. It should be completed in time to be included at the next board meeting along with a staff recommendation for moving forward with repairs. **Manager Foster made a motion to direct the engineer to move forward with the plans and specifications for the repair. The motion was seconded by Manager Vangsness. Roll call vote was taken: Lunsford, abstain; Rettig, aye; Vangsness, aye; Harren, abstain; Kuseske, abstain; Scherping, abstain; Kral, aye, Foster, aye. The motion passed.**
3. **FEMA Declaration.** Administrator Kovarik updated the board on the FEMA Declaration. FEMA recommends that because the ditches in Stearns County haven't been maintained on a regular basis and because the District wasn't able to confirm the damage was done during the specific storm event, that the request be withdrawn.

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Manager Foster recommended the District just wait and let FEMA make the call on whether or not the request is feasible.

- d. **Calendar Items.** Approve preliminary Levy by September 15, Water Festivals are happening if anyone would like to volunteer, Discuss MAWD Resolution Submittal, SRF Certifications to the County Due
 - e. **Board Member Meeting Reports.** Manager Harren gave an overview of the Clean Water Council meeting.
 - f. **Open Discussion for the Public:** Stearns County Commissioner Jeff Mergen and a few citizens who live within the district voiced their opinions and asked questions on the proposed levy increase.
8. **Items for Next Meeting Agenda.** There were no new agenda items for the next meeting.
9. **Adjourn.** Manager Lunsford made a motion to adjourn the meeting. There was no second to the motion. The motion died with a lack of a second. The meeting was adjourned by the general consent of the board.

NEXT MEETING: **Regular Meeting– October 18th (Tuesday) –Sauk Centre City Hall, Sauk Centre MN**

Todd Foster, President

Date

Jim Kral, Vice President

Date

Jason Scherping, Secretary

Date

Tim Lunsford, Treasurer

Date

Virgil Rettig

Date

Vern Vangsness

Date

Larry Kuseske

Date

Robert Mostad

Date

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John Harren

Date

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