

524 4th St South, Sauk Centre, MN 56378
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Minutes May 17, 2011 Meeting

MINUTES

**Sauk River Watershed District Regular Meeting
 Tuesday, May 17, 2011**

6:00 PM – Regular Meeting – Albany High School Gymnasium, Albany

Managers Present:	Bob Mostad, Jim Rothstein, Larry Kuseske, Dan Coughlin, Virgil Rettig, Vern Vangness, Todd Foster, Jason Scherping
Staff Present:	Holly Kovarik, Administrator; Tara Ostendorf, Environmental Project Technician; John Kolb, Attorney (Rinke-Noonan)
Guests Present:	Neil Cook, Laura Kodytek, Ron Gannon, Edmund and Margaret Jonas, Roger Beiswenger, Pete Hausen, Don Krebs, Barb Krebs, Andy Blenker, Butch Thull, Don Otte
Manager's Absent:	Jim Kral

1. **The meeting was called to order by President Jim Rothstein at 6:00 p.m. and the Pledge of Allegiance was recited.**
2. President Rothstein asked for additions or corrections to the agenda. The proposed agenda was reviewed and items were added by Administrator Kovarik. **Manager Vangness moved to approve the agenda with additional items. The motion was seconded by Manager Rettig. The motion passed with all in favor.**
3. **Consent Agenda (*approved by one motion*)**
 - a. April 1-30, 2011 Financial Report
 - b. Permits recommended for approval

10-19	Boss Creek Bridge Replacement Permit Extension for one year
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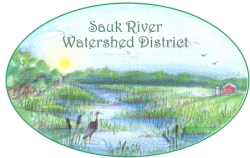
- c. Contracts for Approval
 1. None
- d. Resolutions for Approval
 1. None
- e. Board Action Items for Approval

09-11	Approval of Additional Summer Storage Shed and Contract Authorization
10-11	Verizon Data Plan Purchase for the Trimble Unit
11-11	Approval of Expenditures to Close Grant Projects

- f. Loans, Grants, Appropriations
 1. **Loans**
 1. Joan Hemker Septic System Loan not to exceed \$15,000
 2. **Grants**
 1. City of Richmond rain garden installation payment request \$12,000
 2. Stearns County Cost Share Contract for Permeable Pavers not to exceed \$17,500
 3. May 17th, 2011 Cost Share Contracts for Approval
 3. **Appropriations**
 1. Health Partners \$1,532.40 Premium Payment
 2. JBA Associates CD15/26\$1,981.26

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3. University of Wisconsin-Superior Macro invertebrate sampling program \$5,000
4. Wenck \$20,799.55 Engineering for projects, ditches
5. Rinke Noonan \$4,366.50 legal services
6. Leer Consultant \$1,625.00 media Leer Consultant \$1,625.00 media
7. KDV Accounting Services/Audit \$28,363.00

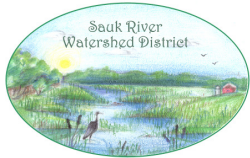
Manager Rettig made a motion to approve the consent agenda. The motion was seconded by Manager Mostad. The motion passed with all in favor.

4. Old Business

- a. **April 19, 2011 Regular Meeting Minutes.** Administrator Kovarik asked that the minutes be tabled until the next meeting.
- b. **Accounting/Audit Updates.** Administrator Kovarik discussed accounting updates and the revisions required within the system. **Manager Foster made a motion to revise the fund balances as reviewed by Administrator Kovarik, Attorney Kolb and Joe Ridgon as of 12-31-09. The motion was seconded by Manager Vangness. The motion passed with all in favor.** There was discussion in regards to the survey and data acquisition fund, which can be levied every 5 years. For the past 4 ½ years, activities have been paid by the general instead of using the data and acquisition fund when possible. It was recommended that the data acquisition fund reimburse the general fund for 2010 eligible activities under this category and in turn, the District can certify a new levy for the data acquisition funds. The District is eligible in 2012 to levy for the Survey and Data Acquisition Fund. **A motion was made by Manager Mostad to reimburse the general fund using data acquisition funds as determined by the accountant and Administrator Kovarik for 2010 activity. The motion was seconded by Manager Vangness. The motion passed with all in favor.**
- c. **25th Anniversary Event Discussion.** Administrator Kovarik gave the board potential dates for the anniversary event. It was decided to hold the event on July 21, 2011.
- d. **New Logo Discussion.** New logo discussion was tabled.
- e. **Maple Lake (Todd County)** concern about cattle in riparian area of lake. Administrator Kovarik notified the board that Attorney Von Korff prepared a document for the lake association because he feels they have grounds for a lawsuit.
- f. **League of Minnesota Cities Insurance Trust (insurance renewal).** Administrator Kovarik updated the board on an increase in cost due to the District's use of independent contractors. **Manager Foster made a motion to approve the increase in cost to cover our liability for the use of independent contractors.** After more discussion it was decided to invite the insurance representative to the next meeting. **Manager Foster withdrew the motion.**

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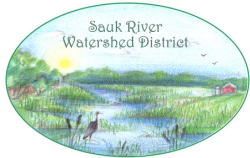


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- g. **Cook/ Ganon Project Updates.** Attorney Kolb gave background information and updates on the Cook/Ganon project on the Sauk River Chain of Lakes. After considerable discussion, **Manager Rettig made a motion to go ahead with the Cook/Ganon project providing 50% cost share and 50% in loan funds with the potential of 75% if funds become available. The motion was seconded by Manager Coughlin. The motion passed with all in favor.**
 - h. **Junk Yard Updates.** There will be an update at the next meeting.
 - i. **Fish Barriers.** Administrator Kovarik discussed the fish barriers at the JD 2 sediment ponds and questioned their effectiveness in keeping the carp out, as well as, the debris that gets caught up on them. It is recommended that they be taken out. **Manager Coughlin made a motion to remove the fish barriers from the JD 2 sediment ponds. The motion was seconded by Manager Foster. The motion passed with all in favor.**
 - j. **Heiko Schoenfuss Resolution.** This item was tabled.
5. **New Business**
- a. **Judicial Ditch #2 Darwin Seibel Property for Sale.** Administrator Kovarik notified the board of discussions had with Darwin Seibel in regards to property he would like to sell near the JD 2 sediment ponds. Administrator Kovarik will bring more information to the next meeting.
 - b. **To invite Stearns SWCD to discuss their policies for projects.** Administrator Kovarik asked for general consensus of the board to invite the Stearns SWCD to the next meeting to discuss their policies and procedures for their programs.
 - c. **Resolution & Amendment to the SRWD Flexible Benefits Plan.** Administrator Kovarik explained the necessary paperwork to keep the District's HSA plan in compliance. **Manager Coughlin made a motion to approve the documents as presented. The motion was seconded by Manager Foster. The motion passed with all in favor.**
 - d. **MAWD Summer Tour.** Administrator Kovarik asked for approval for board and staff to attend the 2011 MAWD Summer Tour. **Manager Rettig made a motion to approve the expenditure and board and staff attendance at the 2011 MAWD Summer Tour. The motion was seconded by Manager Scherping. The motion passed with all in favor.**
 - e. **County Fair Approvals.** Administrator Kovarik asked for approval to attend the five regular fairs (Stearns, Todd, Meeker, Pope and Douglas) and to add the Benton County fair. **Manager Foster made a motion to approve the District's expenses and attendance at six local county fairs. The motion was seconded by Manager Coughlin. The motion passed with all in favor.**
 - f. **Youth Education Catalog Approval.** Administrator Kovarik presented the catalog created to showcase the District's education programs offered to the public. Administrator Kovarik asked for approval of the document. **Manager Foster made a motion to approve the education catalog. The motion was seconded by Manager Coughlin. The motion passed with all in favor.**

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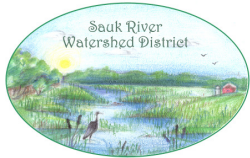


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- g. **Notary Meeting Attendance.** Administrator Kovarik informed the board of a Notary training session and asked for permission for Melissa Roelike to attend. **Manager Coughlin made a motion to approve Melissa Roelike's attendance at the Notary training including reimbursement for applicable expenses. The motion was seconded by Manager Foster. The motion passed with all in favor.**
- h. **Leer Proposal.** Administrator Kovarik told the board that she is waiting for a proposal from Leer to do radio advertising. A proposal will be brought to the next meeting.
6. **Reports**
- a. **Administrator's Report-Administrator Kovarik**
1. **Overall Plan Meeting Updates-** Administrator Kovarik would like to set up a date in June to start discussions on the overall plan. The meeting will take place on a Thursday evening in June, date undecided.
 2. **Cardmember Services cancellation.** Administrator Kovarik informed the board about a credit card account from years past that hadn't been cancelled. A letter requesting cancellation has been submitted on the outstanding account.
 3. **Sauk River Major Watershed Project.** Administrator Kovarik informed the board of changes in the way Big Sauk Lake TMDL and the Chain of Lakes TMDL are going to be evaluated. Big Sauk Lake will be broken down by basin and the Chain of Lakes will be divided in flowage and non-flowage lakes.
 4. **Summer Event Schedule.** Administrator Kovarik reviewed the summer schedule of events. **Manager Coughlin made a motion to approve the dates for the summer events. The motion was seconded by Manager Vangsness. The motion passed with all in favor.**
 - Pontoon Event-Sauk Lake August 16th
 - Canoe Event-Lower Sauk-July 16th
 5. **Fixed Asset Schedule Discussion.** Tabled until the next meeting.
 6. **Next Meeting Date Schedule.** Administrator Kovarik informed the board of the need for a special meeting for the Rain garden and Stormwater Initiative. A special meeting will be held on June 14th and the regular meeting will be held on June 21st.
 7. **Shoreline Restoration payment.** Administrator Kovarik notified the board of payments for shoreline restoration projects for the Weisbrich project at \$2500 and the Zidon project at \$1563.75. **A motion was made by Manager Coughlin to approve payment for the Weisbrich and Zidon projects. The motion was seconded by Manager Scherping. The motion passed with all in favor.**
 8. **Big Fish Lake.** Administrator Kovarik reminded the board of a motion passed in prior years in regards to ceasing activity on the Big

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- Fish alleyway. A request was made by landowners to complete some monitoring in that area. Manager Foster recommended the landowners work with a private company to address their monitoring needs.
9. **Glacier Ridge Computing.** Administrator Kovarik informed the board of the need for external hard drives to back up the server on a weekly basis. Administrator Kovarik recommends 3 drives to be on rotation. The board agreed by general consensus to purchase the three hard drives for backing up the server.
 10. **Final Trimble bill.** Administrator Kovarik asked for authorization to pay the final bill totaling \$3925.57 for the Trimble unit out of the survey and data acquisition funds. **Manager Coughlin made a motion to approve the final payment of the Trimble unit out of data acquisition funds. The motion was seconded by Manager Foster. The motion passed with all in favor.**
 11. **Houston Engineering.** Administrator Kovarik asked for approval for the payment of \$598.75 to Houston Engineering for the drainage modernization project. **Manager Coughlin made a motion to authorize payment to Houston Engineering in the amount of \$598.75. The motion was seconded by Manager Vangsness. The motion passed with all in favor.**
 12. **MPCA Loan payments.** (see attached) Administrator Kovarik asked for authorization to make the payment to the MPCA for repayment of previous project loan funds. **Manager Coughlin made a motion to approve the payment to the MPCA for the repayment of project loan funds. The motion was seconded by Manager Foster. The motion passed with all in favor.**
- b. **Environmental Project Technician-Tara Ostendorf**
1. **Cold Spring Rain Garden Initiative.** Tara Ostendorf gave the history, progress, and timeline of the Cold Spring Rain Garden Initiative. There was a large response to this program with many landowners interested. **A motion was made by Manager Coughlin to authorize staff to solicit bids for the Cold Spring Rain Garden Initiative. The motion was seconded by Manager Mostad. The motion passed with all in favor.**
 2. **Door to Door Process Discussion.** Tara Ostendorf informed the board that the backyard challenge is a program that the District will be starting late July to mid August starting on Little Birch Lake. The purpose of the program is to generate projects for the next 2 years.
- c. **Attorney's Report-** Attorney Kolb had nothing to report.
- d. **Ditch/Permit Inspector Report-Mike Hayman**
1. **County Ditch 24 Public Hearing:** The hearing was initiated at 7:15pm. Inspector Hayman gave a brief history and update on the status of the CD24 system. The township has agreed to pay for the replacement cost of the two culverts under 185th Street and has agreed

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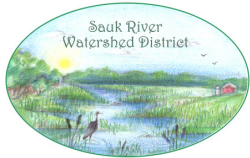
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to the regarding work needed within the road right-of-way. Chris Meehan gave a short presentation on the repair report for CD24. A Luxemburg Township representative questioned the effect of Shackman Lake as the outlet and its effect on the drainage system. Mr. Meehan explained the outlet of Shackman and DNR jurisdiction. Manager Scherping asked about the landowner tile placed at a lower elevation than the ditch. Hayman explained that the NRCS had provided permission to pump if necessary. Attorney Kolb discussed statutory obligation and the repair order. **A motion was made by Manager Rettig to authorize the drainage inspector and engineer solicitation of quotes for repair of County Ditch 24. The motion was seconded by Manager Mostad. The motion passed with all in favor.**

- County Ditch 15/26 Continuation of Re-determination of Benefits public hearing.** The hearing continuation was initiated at 7:45pm. Attorney Kolb began with a brief history on the drainage proceedings and their continuation from the April hearing. At that time the Board opted to continue the hearing to allow the viewing team time to review testimony and make adjustments to the benefits and damages for CDs 15 & 26. Jerry Bennett gave a short presentation on the adjustments made to the redetermination of benefits. Manager Scherping questioned the culvert issues under County Road 11 amongst other culverts and if leaving culverts would affect the benefits based on drainage capacities. Inspector Hayman explained the wetland process currently being worked on with the County of CR11. Mr. Meehan discussed the capacity changes if the culverts remained at current elevations. Duane Pung suggested that the culverts remain at current elevations, benefit to lands closer to the ditch could be lowered, and in turn those properties will retain the water longer. John Harren commented that benefits are affected by what is done with the ditch. If culverts are not capable of being lowered it will alter the ratio of flooding and benefits. Adam Blenker questioned if landowners were being paid to put in trees. An unidentified landowner asked why the DNR does not pay for their benefit. Donald Krebs questioned exactly what a benefit was. Manager Scherping question additional culvert concerns throughout the system and if the District would have to fight over every one. John Harren questioned proportional and uniform changes throughout the system. Engineering, staff and the viewers addressed all of the comments and questions. **A motion was made by Manager Coughlin to continue the hearing June 14, 2011 at the Sauk River Watershed District Office at 7:15pm and to direct legal counsel to prepare findings and order related to the County Ditch 15 and 26 Redetermination of Benefits and in the intervening weeks to direct District staff to work with the County**

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staff in reviewing potential culvert issues. The motion was seconded by Manager Foster. Manager Foster had a further discussion point on the time needed to address continued issues. The motion passed with all in favor.

3. **Permits:** Inspector Hayman gave a brief update on the West Metro Corridor project and the recent involvement of the MPCA with regard to project complaints and violations. The inspection reports have been provided to the District as the MPCA discusses enforcement options. Manager Foster discussed possibly writing a letter to the County in an attempt to change the climate from a reactive attitude to a more proactive climate. Manager Foster suggested waiting for the MPCA to take action as the Board could move from there. Inspector Hayman quickly addressed Adam Blenker's possible drainage issue and the repair process as well as any possible affects of including the private portion of ditch into the public system. Attorney Kolb gave legal advice if the project were to move in such a manner.

e. **Calendar Items.** There were no new items for the calendar.

f. **Board Member Meeting Reports.** There were no reports.

g. **Open Discussion for the Public.** Administrator Kovarik introduced Grant Bullemer, who is doing a summer internship at the District. There was no discussion from the public.

7. **Items for Next Meeting Agenda.** There were no new agenda items for the next meeting.

8. **Adjourn.** Manager Coughlin made a motion to adjourn the meeting. The motion was seconded by Manager Scherping. The motion passed with all in favor.

NEXT MEETING: Regular Meeting– June 14th (Tuesday) –Sauk River Watershed District Office, Sauk Centre MN

Jim Rothstein, President

Date

Jim Kral, Vice President

Date

Jason Scherping, Secretary

Date

Dan Coughlin, Treasurer

Date

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Virgil Rettig

Date

Vern Vangsness

Larry Kuseske

Robert Mostad

Todd Foster

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