

524 4<sup>th</sup> St South  
Sauk Centre, MN 56378  
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MEETING MINUTES – 7-26-2010

Regular Meeting  
5:00 p.m. Cold Spring Lions Park  
July 26, 2010

<b>Managers Present:</b>	Dan Coughlin, Todd Foster, Jim Kral, Larry Kuseske, Robert Mostad, Virgil Rettig, Jim Rothstein, Jason Scherping and Vernon Vangsness.
<b>Staff Present:</b>	Holly Kovarik, Administrator Starla Arceneau, Assistant Administrator, Mike Hayman, Ditch/Permit Coordinator, Lynn Nelson, Environmental Project Coordinator, Adam Hjelm, Educational Coordinator.
<b>Guests Present:</b>	Kurt Deter, John Harren, Dennis Fuchs, Kay Cook, Greg VanEechot and Sarah Nienaber
<b>Manager's Absent:</b>	

1. **The meeting was called to order by President Jim Kral at 5:00 p.m. and the Pledge of Allegiance was recited.**
2. President Kral asked for additions to the agenda. There were several items added to the agenda. The proposed agenda was reviewed. **Manager Rettig moved to approve the agenda with the additions and Manager Coughlin seconded the motion. The motion passed with all in favor.**
3. Newly re-appointed Manager Rettig and Manager Kuseske read and signed their Oath of Office.
4. President Kral opened the floor for elections and requested nominations for President.

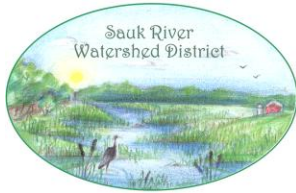
Manager Kuseske nominated Manager Kral. Manager Kral declined the nomination because he has served three years as president. Manager Coughlin nominated Manager Rothstein. President Kral called three times for any other nominations for President. After there being no further nominations, **Manager Coughlin made a motion and seconded by Manager Rettig to cease nominations and cast a unanimous ballot for Jim Rothstein for President. The motion passed with all in favor.**

Former President Kral turned the meeting over to the newly elected President Rothstein

President Rothstein asked for nominations for Vice-President. Manager Coughlin nominated Manager Kral. President Rothstein called three times for any other nominations for Vice -President. After there being no further nominations, **Manager Mostad made a motion and seconded by Manager Scherping that nominations cease and a unanimous ballot be cast for Jim Kral for Vice-President. The motion passed with all in favor.**

President Rothstein asked for nominations for Secretary. Manager Kral nominated Manager Rettig. Manager Rettig declined nomination because he has served several years as secretary. Manager Kral nominated Manager Scherping. President Rothstein called three times for any other nominations for Secretary. After there being no further nominations, **Manager Coughlin made a motion and seconded by Manager Rettig that nominations cease and a unanimous ballot be cast for Jason Scherping as Secretary. The motion passed with all in favor.**

President Rothstein asked for nominations for Treasurer. Manager Kral nominated Manager Coughlin. President Rothstein called three times for any other nominations for Treasurer. After there being no further nominations, **Manager Vangsness made a motion and seconded by Manager Kral that a nominations cease and a unanimous ballot be cast for Dan Coughlin as Treasurer. The motion passed with Manager Coughlin abstaining.**



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5. Appointments to Special Committees: Administrator Kovarik explained that the District has a policy that there were no longer any special committees. It was by general consensus of the board that managers will continue serving the same functions on the Ecosystem Services Project committees now present.
6. The consent agenda was reviewed by President Rothstein. The following items were included on this consent agenda:

**Consent Agenda (approved by one motion)-President Jim Kral**

- a. Approval of minutes of the June 15, 2010 regular meeting
- b. Financial Report June 1-30, 2010
- c. Contracts for Approval:
  1. Houston Engineering Monitoring Database and Website Revisions Contract Signature Approval.
  2. Wenck CD15& 26 Project Amendment to adjust for 1 rod buffer acquisition. \$3, 469 additional work required to modify report for Viewers (approve amendment and expenditures in scope)
  3. City of St. Cloud Rule Exemption Agreement
- d. Resolutions:

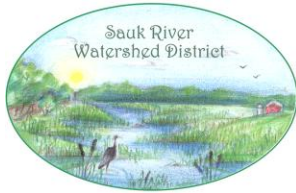
- 59-10 Lower Sauk River Water Quality Protection Project 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval)
- 60-10 SRWD Watershed Wide Groundwater Protection Project 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval)
- 61-10 Sauk River Water Quality Protection Phase III 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval)
- 62-10 May 2010 Journal Entries
- 63-10 CSAH 23 Adopt A Highway Approval
- 64-10 Mississippi River canoe event tent use

- e. Loans, Grants, Appropriations

- **Loans**

- (1) Robert Wehseler Feedlot \$25,000 Contract
- (2) Tom Brunner Septic System \$3,650 Payment Request
- (3) Kimberly Vogler Septic System \$7,360 Payment Request
- (4) Chase Hoppe Feedlot Abatement \$45,000 Contract
- (5) Kenneth & Debra Blasing Septic System \$5,000 Payment Request
- (6) Mike Hart Septic System \$4,220 Payment Request

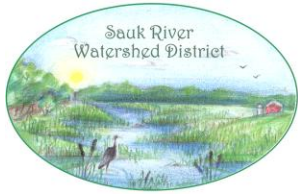
- **Grants**



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- (1) DNR Funds shoreline education-\$111.00 Payment Request
  - (2) Osakis Demo Site Shoreline Restoration \$240.60 Payment Request
  - (3) Denise Barsness Shoreline Restoration \$2,537.00 Payment Request
  - (4) Dorothy Gymerk Shoreline Restoration \$401.90 Payment Request
  - (5) Karen Hanson-Lil Kvammen After the Fact Cost Share for Shoreline Restoration- \$9,750 Contract Approval
  - (6) Karen Hanson-Lil Kvammen After the Fact Cost Share for Shoreline Restoration-\$9,132 Payment Request
- **Appropriations**
    1. Rinke Noonan \$4,734 Rules, Legal Fees
    2. Health Partners \$2,643.60 Health Insurance
    3. KDV \$5,150 Audit Continuation
    4. PERA \$4,522.91 Heather and Adam Back payment
    5. Sauk Herald \$2,042.33 Newsletter
    6. Wenck \$6,854.80 CD 15 & CD 26 General Engineering
- d. After reviewing the items on the consent agenda it was requested that two items be pulled. Manager Coughlin requested the Minutes of the June 15, 2010 meeting be pulled. Manager Scherping requested that item C2, Wenck CD15 & CD 26 project Amendment be pulled. **Motion was made by Manager Kuseske and seconded by Manager Kral and carried unanimously to approve the following items on said consent agenda:** Financial Report June 1-30, 2010. Contracts for Approval: Houston Engineering Monitoring Database and Website Revisions Contract Signature, City of St. Cloud Rule Exemption Agreement. Resolutions: 59-10 Lower Sauk River Water Quality Protection Project 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval), 60-10 SRWD Watershed Wide Groundwater Protection Project 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval), 61-10 Sauk River Water Quality Protection Phase III 2010 Clean Water Partnership (Application, Resolution, and Conflict of Interest Form Approval), 62-10 May 2010 Journal Entries, 63-10 CSAH 23 Adopt A Highway Approval, 64-10 Mississippi River canoe event tent use. Loans, Grants, Appropriation: **Loans** - Robert Wehseler Feedlot \$25,000 Contract, Tom Brunner Septic System \$3,650 Payment Request, Kimberly Vogler Septic System \$7,360 Payment Request, Chase Hoppe Feedlot Abatement \$45,000 Contract, Kenneth & Debra Blasing Septic System \$5,000 Payment Request, Mike Hart Septic System \$4,220 Payment Request **Grant**- DNR Funds shoreline education-\$111.00 Payment Request, Osakis Demo Site Shoreline Restoration \$240.60 Payment Request, Denise Barsness Shoreline Restoration \$2,537.00 Payment Request, Dorothy Gymerk Shoreline Restoration \$401.90 Payment Request, Karen Hanson-Lil Kvammen After the Fact Cost Share for Shoreline Restoration \$9,750 Contract Approval, Karen Hanson-Lil Kvammen After the Fact Cost Share for Shoreline Restoration \$9,132 Payment Request **Appropriations**- Rinke Noonan \$4,734 Rules-Legal Fees, Health Partners \$2,643.60 Health Insurance, KDV \$5,150 Audit Continuation, PERA \$4,522.91 Heather and Adam Back payment, Sauk Herald \$2,042.33



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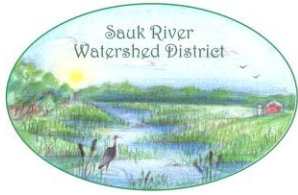
Newsletter, Wenck \$6,854.80 CD 15 & CD 26 General Engineering.

Manager Coughlin suggested the minutes be tabled until the August 17<sup>th</sup> regular meeting in the interest of time for addressing several items.

Manager Scherping questioned the additional engineering work required to modify the report for the Viewers and question why this was not included in the original cost. Administrator Kovarik clarified that the 75' was an all encompassing easement area that is now scaled back to the one rod width. Wenck's recommendation was based on the survey work and the TMDL Study, and was brought to the Board were they directed the staff to work with Wenck on using a 75' easement. During the June meeting the Managers redirected the staff to bring it back down to the one rod buffer easement. Administrator Kovarik clarified that this work required is to scale back the original proposal. It was discussed that the Viewer's may have some additional costs but Inspector Hayman had not heard from them prior to the Board meeting. Inspector Hayman explained the changes necessary to the viewers report and the scope of work that the engineers will provide. **Manager Coughlin moved to approve C2 from the consent agenda and the \$3,469 additional work as proposed. Manager Kral seconded the motion. The motion passed with Manager Scherping opposed.**

7. **OLD BUSINESS**

- (a) Administrator Kovarik reviewed the design plans and total cost estimate for the City of Melrose in reestablishing the shoreland area. Administrator Kovarik recommended taking a portion of the District's labor cost and consider that as inkind to the project. This amount would come out of the general fund which would be ½ of the \$3,360 and ½ of the mileage. Mr. Harren said that anything the board feels is appropriate the City would welcome. **Manager Coughlin moved to follow the Administrator's recommendations. Manager Kral seconded. The motion passed with all in favor.**
- (b) Barr- Eden Valley Project invoice and update. Administrator Kovarik read an email from Steve Klein with Barr Engineering. The email indicates a willingness from Barr to reduce their bill based on Board reception and prior discussion. Administrator Kovarik reviewed that there are incurred costs that go back to the first petition from Eden Valley that had not been passed through to the City for reimbursement to the District. The Managers per recommendation by the Administrator elected to table this item until the August 17<sup>th</sup> regular meeting so that a full report can be given on these issues.
- (c) **CD11 Order Update:** Mike Hayman was onsite today 7-26-10 and inspected that Mr. Herickhoff has not complied with the order but is willing to work with the District. Herickhoff did not like the methods that the District took on this issue. Herickhoff did not like the option of the grass buffer around inlets and would rather use riser pipes and rock. Herickhoff asked for a possible different means of action instead of the order that was placed. President Rothstein asked if Manager Kuseske was on site and he confirmed he had met with Herickhoff. Manager Kuseske gave a report on his meeting with Herickhoff and talked about various mechanical options for inlet protection and had contact with MBC. President Rothstein asked Manager Kuseske if he thought Herickhoff would comply. Manager Kuseske stated he felt that Herickhoff would comply.



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Attorney Deter recommended taking no action until the court date. If Mr. Herickhoff chooses to present the court with an alternative means and the court accepts, the case would then be resolved. If he does not then there would be a means to get this resolved. Manager Coughlin reminded the board of the previous motion that authorized sending this to enforcement and he voiced his concerns over how this appeared to be some sort of negotiation.

- (d) **CD 15 and 26 Re-determination of Benefits/CRP Discussion and Updates:** Administrator Kovarik mentioned that the District could look to off-set the cost to the landowners, if eligible we could possibly dove-tail the buffer acquisition piece with the Conservation Reserve Program. The program would pay 50% cost share plus 40% incentive package plus \$100 per acre sign up for a ten to fifteen year contract. **Manager Rettig moved to have Administrator Kovarik approach some of the landowners to investigate how receptive they may be and if they are interested to have Administrator Kovarik then contact Jason Selvog. Manager Coughlin seconded the motion. The motion passed with all in favor.**
- (e) **Battle Point Park Maintenance Update:** Adam Hjelm reviewed the inspection report and the necessary maintenance needed. Hjelm indicated that there were some weeds that need to be taken care of right now. Administrator Kovarik asked the board for approval to conduct some weeding at the site due to some of the weeds getting ready to go to seed. It was by general consensus that the board agreed that this weeding should be done but to remain in contact with the county until this transition of work can be done with Todd County. Administrator Kovarik will continue to work with Todd County on finding a maintenance solution, most likely requiring some staff support.
- (f) **Septic Grant Applications:** **Manager Coughlin moved authorization of staff to assist Todd and Stearns County on their Septic Grant Applications and to approve submitting a letter in support of the applications and projects. Manager Foster seconded the motion. The motion passed with all in favor.** Lynn Nelson gave an update that an application for funding has been submitted to get watershed wide septic system upgrade funding.

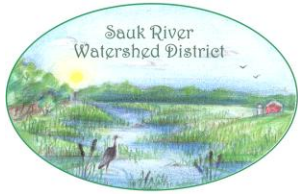
## 8. New Business:

(a) Duane Boogard Letter Road Right of Way Issue – The Board was provided a letter from Mr. Boogard for their information. The board by general consent took no action on this letter.

(b) **CD 9 Boundary Issue with North Fork Crow River Watershed District (NFCRWD):** Administrator Kovarik reviewed the discrepancy on 6 parcels outside of the District jurisdiction. There may also be discrepancies near Paynesville and Trunk Highway 23. **Manager Rettig moved to begin the process of a resolution and joint petition with NFCRWD. Manager Mostad seconded the motion. The motion passed with all in favor.**

(c) **Richard Buerman Loan Contract Amendment:** Administrator Kovarik reviewed the memo. The board tabled until the August 17 regular meeting until Administrator Kovarik and the Chairman could meet with the landowner and his financial agency.

## 9. Reports:



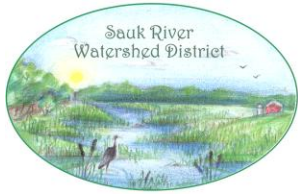
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Administrator's Report-*Administrator Kovarik*

- (1) **Sauk Lake Vegetation Management Plan:** Administrator Kovarik mentioned that the Management Plan will expire in 2010 and will need to be addressed and updated for 2011.
- (2) **Weed Harvester Assessment:** Administrator Kovarik has been in contact with Vickie Willer from the City of Sauk Centre who is questioning if the District is going to certify the \$50,000 annual maintenance levy for the Weed Harvester. Kovarik also discussed the current surplus situation with the fund. **Manager Coughlin moved to forego any assessment on the Weed Harvester for fiscal year 2011. Manager Rettig seconded the motion. The motion passed with all in favor.**
- (3) **2011 Budget Discussion:** The Managers will hold a special meeting on August 24<sup>th</sup> at the District office at 7:00 pm to review the SRWD 2011 draft budget.
- (4) **Building Cleaning Services:** Administrator Kovarik asked for approval to pursue new cleaning services at the District office. **Manager Kral moved to pursue services for cleaning. Manager Foster seconded the motion. The motion passed with all in favor.**
- (5) **Clean Water Fund Application:** **Manager Coughlin moved to approve submitting applications to the Board of Water Soil Resources. These grant applications will also come before the board for final approval. Manager Kuseske seconded the motion. The motion passed with all in favor.**
- (6) **MN Waters River Night Event Participation:** **Manager Coughlin moved to send two staff members to the August 18<sup>th</sup> River Night. Manager Mostad seconded the motion. The motion passed with all in favor.**
- (7) **Monitoring items:** Administrator Kovarik recommended that staff complete the required maintenance at specific monitoring sites per the report provided in the board packet. **Manager Kral moved to approve the needed maintenance. Manager Foster seconded the motion. The motion passed with all in favor.**
- (8) **Citizen Advisory Appointment:** **Manager Coughlin moved to appoint Doug Rutten-Douglas SWCD, Gary Reents- Pope SWCD, and Greg Ostrowski- Todd SWCD to the Citizen Advisory Board. Manager Kral seconded the motion. The motion passed with all in favor.**
- (9) **Additional grant application for the Osakis Restoration.** **Manager Kuseske moved to approve the grant application. Manager Coughlin seconded the motion. The motion passed with all in favor.**
- (10) **Feedlot Application for Sam Sazl:** **Manager Kral moved to approve the feedlot application. Manager Kuseske seconded the motion. The motion passed with all in favor.**



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- (11) **Doug Bice Shoreland Restoration One Year Extension:** Manager Coughlin moved to approve the one year extension. Manager Foster seconded the motion. The motion passed with all in favor.
- (12) **Amendment to contract for Chuck and Martha Weisbrich:** Hail damage from a recent storm caused damages that need repair. Manager Coughlin moved to approve staff recommendation to authorize additional funding for repairs as needed. Manager Rettig seconded the motion. The motion passed with all in favor.
- (13) **Chuck and Martha Weisbrich grant payment request for \$5,888.87.** Manager Coughlin moved to approve the grant payment. Manager Kral seconded the motion. The motion passed with all in favor.
- (14) **Christine Stelling Shoreline Restoration:** Manager Kral moved to approve the grant amount of \$2,500. Manager Scherping seconded the motion. The motion passed with all in favor.
- (15) **Appropriations: Todd County Auditor-\$1,142 and Houston Engineering Ditch Modernization-\$1,367.90.** Manager Kral moved to approve the new appropriations. Manager Kuseske seconded the motion. The motion passed with all in favor.

**Ditch/Permit Inspector Report-***Mike Hayman*

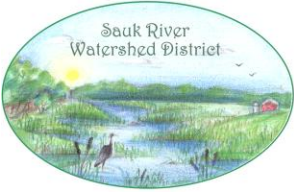
- (1) **Permit 10-25 Trench and berm restoration project:** Manager Coughlin moved to approve Permit 10-25. Manager Mostad seconded the motion. The motion passed with all in favor.
- (2) Inspector Hayman mentioned that the enclosed CD 24 Inspection Report is for the Boards information. The engineers are working with Attorney Kolb to address concerns before Board action is needed.

**Attorney's Report** Attorney Deter mentioned that the Rules recording to all the Counties have been completed.

**Calendar Items** –Election & Oath of Office, fairs, appointment to special committees, expenditure reports due, tour, weed harvester permit expires, Adam Hjelm and Heather Lehmkhul Anniversary date, quarterly reports

(d) **Board Member Meeting Reports-** Manager Coughlin moved to affirm the District's support for Attorney Kolb by submitting a letter stating that the Board does not find a conflict of interest, as accused by a former Board member. Manager Mostad seconded the motion. The motion passed with all in favor.

10. **OPEN DISCUSSION FROM THE PUBLIC:** None



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**11. ITEMS FOR NEXT MEETING AGENDA:**

12. **ADJOURNMENT:** President Rothstein adjourned the meeting at 6:00 p.m.

Secretary, Jason Scherping  
 Recording Secretary, Starla Arceneau

_____	Date	_____
Jim Kral		
_____	Date	_____
James Rothstein		
_____	Date	_____
Dan Coughlin		
_____	Date	_____
Virgil Rettig		
_____	Date	_____
Bob Mostad		
_____	Date	_____
Larry Kuseske		
_____	Date	_____
Jason Scherping		
_____	Date	_____
Vernon Vangsness		