



524 4<sup>th</sup> St South, Sauk Centre, MN 56378  
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Minutes November 16, 2010 Meeting

MINUTES

**Sauk River Watershed District Regular Meeting**

**Monday, November 16, 2010**

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

<b>Managers Present:</b>	Bob Mostad, Larry Kuseske, Jim Kral, Jim Rothstein, Dan Coughlin, Virgil Rettig, Vern Vangness, Todd Foster, Jason Scherping
<b>Staff Present:</b>	Holly Kovarik, Administrator; Mike Hayman, Ditch/Permit Coordinator, John Kolb, Attorney (Rinke-Noonan)
<b>Guests Present:</b>	Joe Rigdon, KDV; Kay Cook; Bob Bjork; Don Otte; Jeremiah Pung; Duane Pung; John Harren; Jesse Hagemeyer
<b>Manager's Absent:</b>	

1. **The meeting was called to order by President Jim Rothstein at 7:00 p.m. and the Pledge of Allegiance was recited.**
2. President Rothstein asked for additions to the agenda. The proposed agenda was reviewed and a few items were added by Administrator Kovarik. **Manager Coughlin moved to approve the agenda with the items added by Administrator Kovarik. Manager Kral seconded the motion. The motion carried with all in favor.**
3. **Consent Agenda (approved by one motion)-President Jim Rothstein**
  - a. October 11, 2010 Regular Meeting Minutes
  - b. MPCA SRWD Watershed Wide Groundwater Protection Clean Water Partnership Loan Contract \$250,000
  - c. University of Wisconsin Superior Contract for taxonomic analysis of the macroinvertebrate samples October 1, 2010 to May 1, 2011 \$5,000
  - d. Items for Approval –
    - 88-10** Adult Education Workshops and Guest Speaker Fees

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    - 89-10** Fall Newsletter and Inserts  
Middle Sauk Continuation Grant Monitoring  
Equipment Purchases  
Administrative Purchases  
Education and Physical Assessment Equipment Purchases  
Education Field Equipment

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    - 90-10** Restoring Water Resources of the SRCL-  
Technical Services Needed

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    - 91-10** Melissa Roelike Notary Fees and Designation

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    - 92-10** Community Education

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    - 93-10** Middle Sauk Water Quality Restoration  
Continuation Project-Technical Services  
Needed

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    - 94-10** MPCA SRWD Watershed Wide Groundwater

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Protection Clean Water Partnership \$250,000  
loan Resolution

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f. Loans, Grants, Appropriations

- **Loans**

- (1) Michael Gately Septic System Loan \$7,500 Contract

- **Grants-**

- (1) Thomas & Margaret Zidon Restoration 11-11 Landscaping \$5,936.25 Payment

- **Appropriations**

1. JB Associates \$3,495 CD 15 & 26 revisions
2. Roger Beiswenger \$1,607.60 CD15 &26
3. Gene Harren \$114.00 Trailer storage rental
4. St. Cloud Area School District \$1,733.35 Water Fest Bussing
5. Marco \$1,295 Alchemy Software
6. Health Partners \$3,129.50 Premium Payment

**Manager Coughlin moved to approve the consent agenda. Motion was seconded by Manager Foster. The motion passed with all in favor.**

4. **Old Business**

- (a) Budget Hearing/CD11 Assessment. President Rothstein opened the budget hearing at 7:15 p.m. During public comment Kay Cook encouraged the board to review exactly the dollar amount that people in the district pay on their taxes for the District to function and she feels a 22% increase is not exorbitant. She urged the board to realize how much it will cost to clean up the water the longer it takes to get it done. It's important to have good people to do the work. It needs to be done now, rather than wait. President Rothstein thanked Kay for her comments and hopes he can call on her next year to get people here. **Manager Coughlin moved approval of the presented 2011 budget. Manager Foster seconded the motion. The motion passed with all in favor.**

Administrator Kovarik briefly explained the special assessment on CD11. The assessment is being certified to the county to recuperate expenditures for legal fees, seeding costs, and enforcement actions. **Manager Coughlin moved to approve certification of the CD11 assessment to Pope County. Manager Kral seconded the motion. The motion passed with all in favor.**

- (b) Joe Rigdon-KDV Presentation & Discussion. Joe Rigdon gave an update on the current status of the accounts and book keeping system along with the

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issues he has found. Administrator Kovarik stated this is part of the continued audit and that the staff will need assistance with the transition, reconciliation, journal entries and various other aspects. Manager Mostad agreed that now is the time to get this taken care of. **Manager Coughlin made a motion to have Joe Rigdon assist the staff with the accounting and bookkeeping system not to exceed \$10,000. The motion was seconded by Manager Mostad. The motion passed with all in favor.**

- (c) CD 15 & 26 Updates. Mike Hayman told the board that the District has received all the revisions and updates to the Viewers Reports and assessment rolls. Potentially at the next meeting the board will need to adopt the Owner's Reports. Mike Hayman asked the board if they would like a presentation from Jerry Bennett. The board indicated that they would like Jerry to do a brief presentation and explanation.
- (d) Ecosystem Services Joint Powers Agreement/Program Discussion  
Administrator Kovarik explained that it would not be possible to utilize all the remaining funding as planned within the current CIG for the SRWD activities and that it would be good to turn some of the funding back to the Minnesota River Board to be reallocated to other areas in the project. **Manager Coughlin made a motion to approve transferring back \$40,000 to the Minnesota River Board for as described by Administrator Kovarik. Motion was seconded by Manager Foster. The motion passed with all in favor.**
- (e) Open House update. Administrator Kovarik gave a brief update on the Open House hosted by the District the last Monday in October. The staff did a fantastic job putting together displays. Both Administrator Kovarik and President Rothstein said that the Open House was a success.

### 5. New Business

- (a) Clean Water Partnership Obligations. Administrator Kovarik informed the board that the 4 new loan contracts the District was awarded from the Minnesota Pollution Control Agency require a bond council opinion. Typically in the past, the District has requested approval to acquire the services of Dorsey and Whitney to proceed with the bond council opinion, promissory note and resolution. That would be brought back to the board for approval. This is a requirement of the loan contract. Administrator Kovarik requested approval to proceed with a \$1 million note for each project if needed. **Manager Coughlin moved to proceed with a \$1million note for each project if needed and to complete the bond council opinion as required and explained. The motion was seconded by Manager Kral. The motion passed with all in favor.**
- (b) Friends of the Sauk River Request. Administrator Kovarik referred to a memo from Friends of the Sauk to request to use the District's GIS software to develop maps. **Manager Kral made a motion to allow Friends of the Sauk to use the District's GIS software to generate maps. The motion**

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**was seconded by Manager Coughlin. The motion passed with all in favor with Manager Foster abstaining.**

- (c) Landshark Registration. Administrator Kovarik informed the board that staff have been running into issues when trying to record contracts due to the lack of full legal descriptions. Stearns County has a program called Landshark that the District can register for to obtain these descriptions. Administrator Kovarik notified the board there are fees included in this including the initial registration fee and \$10 per report. **Manager Coughlin moved to approve the District registering for Landshark. The motion was seconded by Manager Kral. The motion passed with the majority in favor, Manager Kuseske opposed.**
- (d) Financial Report October 1-31, 2010. Administrator Kovarik informed the board there will be a financial report and journal entries for the board in December. **President Rothstein tabled until the next meeting.**

**6. Reports**

**a. Administrator's Report-Administrator Kovarik**

1. Printer & Copier. Administrator Kovarik notified the board that Marco installed the new printer and copier, as well as, reimbursed part of the overage and credited the District for the service call to the old printer. The printer and copier are working well and will save the District money.
2. Assessments. Administrator Kovarik told the board of issues encountered due to re-platting done in Todd County. The JD 2 assessment didn't follow the new parcel numbers, affecting 10 parcels. Administrator Kovarik is working to remedy that. Another assessment that needs to be fixed is for the Graves property. The assessment was certified twice and so they paid it down twice as fast. This will probably require payback to the landowners.
3. Pit Abandonment. Administrator Kovarik informed the board of a grant contract request that needs to be approved for Aaron Lahr to abandon a pit for \$10,000. **Manager Coughlin moved to approve the grant contract for \$10,000 to abandon a pit for Aaron Lahr. Manager Foster seconded the motion. The motion passed with all in favor.**
4. Special Assessment Bill. Administrator Kovarik notified the board of a bill from Stearns County for assessments and for doing the paperwork related to the special assessments in the amount of \$1870. **Manager Coughlin moved approval to pay \$1,870 to Stearns County for assessment. Manager Kral seconded the motion. The motion passed with all in favor.**
5. MAWD Project of the Year application. Administrator Kovarik notified the board that the application for MAWD Project of the Year

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- was submitted for the Battle Point Park Project.
6. Project billing. Administrator Kovarik informed the board of a contractor seeking damages for a payment that he thinks should have been sooner. The board approved payment at the last board meeting and checks were cut and sent that week however, he was under the understanding he was to be paid on the Monday prior to the board meeting. Manager Coughlin stated the District as a minimum of 30 days to pay claims. Attorney Kolb reminded the board that the last meeting was one week earlier than normal and so the claim was paid before it typically would have. The board asked Administrator Kovarik to draft a letter that explains the payment process and that the board took no action. The draft letter will be approved by President Rothstein before being sent.
  7. Hagemeyer Reimbursement Submittal. Administrator Kovarik notified the board of a submittal for reimbursement for the Jesse Hagemeyer project. The submittal is for only part of the project as the project has not yet been completed. Jesse Hagemeyer was present to explain the bill. The check will not be cut until funds have been received by the MPCA. **Manager Coughlin made a motion to approve payment as soon as funds are received by the District from the MPCA. Motion was seconded by Manager Foster. The motion passed with all in favor.**
  8. Administrative Processes & Updates. Administrator Kovarik notified the board of some administrative processes that will need to be updated. Changes will need to be made to the business credit cards, access to the bank account, and bank signature cards. She asked that the changes at the bank be done while we have Joe Rigdon working with the District because rather than have so many different signature cards, the various accounts will be condensed to two. Various accountants along the years have recommended the District condense the account and now seems to be the right time to do it. **Manager Coughlin made a motion to move ahead with the Administrator's recommendation to condense all the accounts into just 2 accounts with the note that the District change to 1 signatory for the safety deposit box. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**  
Administrator Kovarik notified the board of active business credit cards of staff no longer with the district. By general consent, the board authorized staff to make any needed adjustments to the credit card account. Also, Administrator Kovarik questioned the board how they felt about online banking only for use of viewing the accounts. Administrator Kovarik will bring a resolution to a future meeting. **Manager Coughlin moved to allow online banking only to view the status of accounts. The motion was seconded by Manager**

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**Mostad. The motion passed with all in favor.**

9. MAWD Booth & Delegates Discussion. Administrator Kovarik asked who was interested in being delegates for the MAWD Annual Meeting. Manager Coughlin and Manager Scherping volunteered to be delegates. **Manager Coughlin moved to have Managers Scherping and Coughlin as delegates for the MAWD convention. Motion was seconded by Manager Scherping. The motion passed with all in favor.** Administrator Kovarik informed the delegates of the resolutions that are to be voted on at the MAWD Annual Convention and got general consensus on each. Resolution #1 = in favor. Resolution #2 = in favor. Resolution #3 = in favor. Resolution #4 = deny. Resolution #5 = in favor. Resolution #6 = deny. Resolution #7 = deny. Resolution #8 = delegates discretion.

Administrator Kovarik asked the board if the District should have a booth at the convention. The cost of the booth is \$75. **Manager Coughlin made a motion to have a booth at the MAWD convention. The motion was seconded by Manager Mostad. The motion passed with all in favor.**

10. SRF Payments. Administrator Kovarik referenced Resolution 95-10 regarding the SRF payment back to the state. **Manager Coughlin made a motion to approve the SRF payment to the state as outlined in resolution 95-10. The motion was seconded by Manager Kral. The motion passed with all in favor.**
11. Holiday Clarifications. Administrator Kovarik asked the board for clarification of the holiday closings. The office will be closed in December for ½ day on the 23<sup>rd</sup> and all day on the 24<sup>th</sup>. Administrator Kovarik informed the board that some years, the office has been closed the day after Thanksgiving and that staff used vacation time to do so. **Manager Coughlin made a motion to declare the day after Thanksgiving a paid holiday and to amend the Personnel Policy Manual. The motion was seconded by Manager Mostad. The motion was passed with all in favor.**
12. Grants Update (Items #1, 2, 3). Administrator Kovarik updated the board on the total grants received thus far. Hopefully the district will be notified by the end of December. Administrator Kovarik also updated the board on the status of the funds the District is awaiting from the state. Much of the outstanding money has been received. Lynn Nelson put together a sheet showing how much grant and loan funds have been brought in since 1994.
13. Sauk Lake Vegetation Management Plan. Administrator Kovarik had conversations with Audrey Kuchinski with the State and Bob Bjork with the Lake Association to extend the existing plan for one year.
14. City of St. Cloud has signed the Exemption Agreement-FYI Only.

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Stearns County has asked to start implementing and working on an exemption agreement as well from the SRWD Administrative rules that may already be enforced in Stearns County Ordinances.

### 15. Environmental Technician Review by Administrator Report.

Administrator Kovarik conducted Tara Ostendorf's annual review as a full-time employee. She had a favorable review and Administrator Kovarik recommended a step increase from group 8, step 3 to a step 4.

**Manager Coughlin made a motion to increase Tara Ostendorf from a group 8, step 3 to step 4. Motion was seconded by Manager Foster. The motion passed with all in favor.**

### 16. Overall Plan RFP and Process Discussion. From a session at the BWSR Academy, Administrator Kovarik has ideas on how to facilitate getting the process started. She recommends we turn on the management districts at the same time or put that into the revision. Also, in each management district, finding landowners to participate and identify high priority areas.

### 17. Christmas Party Discussion. Administrator Kovarik asked the board about having a meal after the December meeting at JT's in Sauk Centre. President Rothstein said that the Administrator can plan that. Manager Coughlin asked if the meeting would then start earlier. Administrator Kovarik suggests that the board meeting begin at 5:30.

## b. Ditch/Permit Inspector Report-Michael Hayman

1. Permit: Ruhland update, Coborns (Granite Landing). Mike Hayman updated the board on the status of the Eden Valley-Ruhland site. The landowner is working with the SRWD to complete the restoration and protective measures. A cold weather seeding with mulch will be completed. The Army Corp will be making the final determination on the culvert size and final wetland impacts and mitigation. No Board action is necessary at this time. The project falls under Administrative rule.

Coborn's-Granite Landing site had requested time on the agenda, but has since indicated that they will be submitting permit information for the December meeting. Staff is working with the engineer to clarify rules questions and District parameters.

2. CD24 Discussion of Process. Hayman made a site visit with the County wetland official for a final designation on a wetland impact of concern. The Type 3 wetland will now be designated as Type 2. Attorney Kolb gave a brief presentation on the upcoming process that the Board will be adhering to. The Board will be moving forward to correct the records of CD24 and adopt the functional alignment of the ditch. A hearing will take place once final information is received from the engineer, allowing the Drainage Authority to complete repairs to the ditch system that is present today.

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3. CD 17 Beaver Dam removal. Hayman informed the Board that a trapper had removed beaver from CD17 and that the dams on the system would now require removal.
  4. Ditch System Repair Requests. Hayman notified the Board that two landowners owning property on three ditch systems have requested repairs. The requests are on Stearns CD51 and Pope CD6 and CD11. The Board asked for inspections to be completed and that the ditch inspector reports the status of these systems once investigation is complete.
- c. **Attorney's Report- John Kolb**
1. Separation Agreement. Attorney Kolb updated the board on the status of the separation agreement between the Sauk River Watershed District and Starla Arceneau. The Separation Agreement was received by Starla but the District has not received any response back. President Rothstein recommended that a board of manager call her to ask of her intentions and encourage her to respond and to extend the deadline one week. Manager Mostad volunteered to call Starla. **Manager Coughlin made a motion to extend the paid administrative leave 8 days until the end of business Wednesday, November 24th and designate Manager Mostad to contact her and ask of her intentions. If nothing is resolved by that deadline, paid administrative leave will cease, the position will be eliminated, sick and vacation will be paid out and notice of Cobra rights will be given. The motion was seconded by Manager Foster. The motion passed with all in favor.**
- d. **Calendar Items:**
- e. **Board Member Meeting Reports.** Manager Coughlin commended Melissa Roelike on the job that she has done in assuming the front office work. Administrator Kovarik reminded the board that even though her job had involved some administrative functions, the job description has changed. **Manager Coughlin moved to authorize the Administrator to review the current job duties of Melissa Roelike and to adjust the points for that position accordingly as deemed necessary. The motion was seconded by Manager Rettig. The motion passed with all in favor.**

President Rothstein discussed the Heiko Schoenfuss presentation about endocrine disrupters. Attending the presentation, were couples unable to have children who are the same age and live in the same area. President Rothstein would like to suggest that they petition the Watershed District to work with Heiko and do a study. He feels it's the Watershed District's duty.

Manager Foster is a board member of the Friends of the Sauk River. They just received a grant from the Northface Company to purchase a fleet of canoes, trailer,

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paddles, and pfd's. They will be developing a program for community members to be able to check out the equipment to use on the Sauk River.

Administrator Kovarik has made a request to Don Adams to check into the junkyard near Melrose and she is still waiting to hear back.

Manager Rettig voiced his concern over the City of Cold Spring dumping their snow by the river. The board asked Administrator Kovarik to send a letter to the City to remind them not to dump there.

Administrator Kovarik notified the board of 2 additional items. One being a Rinke-Noonan bill for \$8941.02 and the other Rodney Langaas for \$462. **Manager Coughlin made a motion to approve the Rinke-Noonan bill for \$8941.02 and the bill from Rodney Langas for \$462. Manager Foster seconded the motion. The motion passed with all in favor.**

- f. **Open Discussion for the Public-None**
- g. **Closed Session for Annual Review of Administrator-**

The board went into a closed session for the purpose of conducting the annual performance review of the Administrator Holly Kovarik

**This is a summary of the discussions from the closed session:**

*Administrator Kovarik provided a copy to the Board of her self appraisal form.*

*Several Managers discussed that Administrator Kovarik had been handed a difficult situation that preceded her employment with the District. In addition the board stated that Kovarik was the right person at the right time for the position. Kovarik was also commended for her professionalism in handling the difficult situations encountered.*

*Manager Coughlin based on the discussions of several managers asked the board if that this was a general consensus to put that the Administrator exceeds expectations in all areas and that the final appraisal form reference the self evaluation form.*

Manager Coughlin moved to reopen the regular meeting and then moved to approve amending the employment agreement as suggested and accepting the employee appraisal as described and to approve a one step increase for the Administrator with our thanks. Manager Foster seconded the motion. The motion passed with all in favor.

- 7. **Items for Next Meeting Agenda-None suggested**
- 8. **Adjourn-Manager Coughlin made a motion to adjourn the meeting at 9:25 p.m. and Manager Kral seconded the motion. Motion approved.**

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**NEXT MEETING: Regular Meeting– December 21, 2010- Sauk River Watershed  
District Office Sauk Centre MN**

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Jim Rothstein, President

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Date

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Jim Kral, Vice President

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Date

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Jason Scherping, Secretary

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Date

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Dan Coughlin, Treasurer

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Date

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Virgil Rettig

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Date

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Vern Vangsness

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Date

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Larry Kuseske

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Date

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Robert Mostad

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Date

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Todd Foster

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Date

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