Regular Meeting Minutes  
Tuesday, June 18, 2013  
Located at: SRWD Office at 6:00 p.m.  


Staff Present: Holly Kovarik, Administrator; Tara Ostendorf, Environmental Project Technician; John Kolb, District Attorney; Rebecca Kluckhohn, District Engineer  

Guests Present: Ron Magner, Larry Bebus, Gary Berndt, Clarence Mielke, Kay Cook, Gary Theisen, Don Scheele, Mike Mayer  

Manager’s Absent: Steve Sellnow  

1. The meeting was called to order by President Harren at 6:00 p.m. and the Pledge of Allegiance was recited.  

2. Additions/or corrections to the agenda items- President Harren asked if there were any corrections or additions to the agenda. Administrator Kovarik shared a revised agenda with the board. Manager Rettig made a motion to accept the revised agenda and Manager Kral seconded the motion. The motion passed with all in favor.  

3. Consent Agenda (approved by one motion)-President Harren  

a. April 1-30 2013 Financial Report/Meeting Minutes  
   1. Check Register for General Fund 101  
   2. Revenue Guideline  
   3. Expenditure Report  
   4. May 21, 2013 Meeting Minutes  
   5. June 4, 2013 Special Meeting Minutes  

b. Contracts for Approval-NONE  

b. Permits recommended for approval-NONE  

d. Grant Applications for Approval-NONE  

e. Resolutions for Approval  
   15-13 Angler Drive  

f. Board Action Items for Approval
16-13 Septic Mailing
17-13 Groundwater Education Kit
18-13 Chemical Kit Restock
19-13 Hach Spectrophotometer
20-13 Summer Teacher Trainings
21-13 Osakis Science Dept Fund Request
22-13 Melrose School Request
23-13 ROCORRI Enviro Program Request
24-13 Infiltrometer purchase
25-13 Penetrometer purchase
26-13 Family Fun Night Approval
27-13 Pontoon Tour Approval
28-13 Erosion Control Materials-REVISED
29-13 Osakis HS Fencing Purchase
30-13 Blue Heron Replacement Plant Materials
31-13 Plant Material Osakis HS
32-13 SRWD BMP Tools Purchase

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**g. Loans, Grants, Appropriations-**

- **Grants Project Approvals**

<table>
<thead>
<tr>
<th>Landowner</th>
<th>Project Installed</th>
<th>Amount to Encumber</th>
<th>Fund Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>William &amp; Caroline Eisenreich</td>
<td>Slope stabilization</td>
<td>$5,000</td>
<td>323</td>
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<tr>
<td>Darwin Siebell</td>
<td>Shoreline</td>
<td>$17,000</td>
<td>315</td>
</tr>
<tr>
<td>Chad &amp; Trista Buening</td>
<td>Shoreline</td>
<td>$4,000</td>
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- **Grant Payment Approvals**

<table>
<thead>
<tr>
<th>Landowner</th>
<th>Project Installed</th>
<th>Amount to Pay</th>
<th>Fund Code</th>
<th>Pay to</th>
<th>Partnered with</th>
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<tbody>
<tr>
<td>Stearns County Fairboard</td>
<td>Rain Garden</td>
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<td>Morning Sky Greenery</td>
<td>Fairboard</td>
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<td>Stearns County Fairboard</td>
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<td>RS Gutters</td>
<td>Fairboard</td>
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<td>Ultimate Landscapes</td>
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<td>Bill Eisenrich</td>
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Manager Mostad made a motion to approve the Consent Agenda items with the exception of Resolution 15-13 and Board Action item 28-13 which were pulled by Administrator Kovarik for
further clarification. Manager Lunsford seconded the motion. The motion passed with all in favor.

Administrator Kovarik pull 3. (e). Resolution 15-13 Angler Drive Resolution and Board Action Form 28-13 Erosion Control Materials under agenda item (f) for clarifications. Manager Mostad made a motion to approve the consent agenda items as presented and Manager Lunsford seconded the motion. The motion passed with all in favor.

Attorney Kolb explained the adjustments in Resolution 15-13 that were made at the request of the landowners. The changes included:

- Angler Road was corrected to Angler Drive
- 3rd paragraph- may cause pollution was changed to could cause pollution.
- 3rd paragraph- Not safe for the traveling public was changed to not safe for the traveling public, local residents, pedestrians, bicyclists and others on the road.

Manager Kral approved the resolution 15-13 Angler Drive with changes made and explained and Manager Rettig seconded the motion. The motion passed with all in favor.

Staff explained the clarifications made to Board Action item 28-13 Erosion Control Materials. Administrator Kovarik shared there was a revision to the previous version to make it more specific to which grant they were affiliated with and this will be the Grand Lake project. Manager Lunsford approved Board Action item 28-13 Erosion Control Materials with suggested revisions and Manager Kral seconded the motion. The motion passed with all in favor.

6. Open Discussion from the Public - President Harren asked if there was anyone from the public that would like to address the board. There was no public comment.

7. Old Business
   a) County Ditch 51
      a) Discussion about the repair plans and proposed project to repair CD51. Engineer Klukhohn explained that a draft plans and specifications were in the board packet. There will be some edits based on landowner petitions and a site visit conducted on the site recently. The next steps were to finalize the plan sets and put the project out to bid in July. President Harren asked about the outlet end of the system and the extension of the additional system. Engineer Klukhohn explained that there was an area downstream that was surveyed and if there was an ability to do some work up into the outlet area. Engineer Klukhohn discussed with the board these few changes and that the next step would be to put the project out for bid.

      Manager Harren asked a few questions on the plans regarding where the plans note an extension of the additional survey. Administrator Kovarik and Engineer Klukhohn clarified the additional area surveyed is considered private ditch. However several landowners indicated that the outlet end of this system needs repairs. The Drainage Authority has the ability to improve or maintain the outlet but a survey of the area was
President Harren asked if these landowners were included in the benefitted property area of the system and would be paying for the costs to maintain the system. Attorney Kolb stated that if they are in the benefitted area and the ditch outlet was improved to provide a better outlet of the system then they would pay their share of the assessments.

President Harren asked about a couple of the culverts and if there is anything being done. Engineer Kluckhohn mentioned the culverts are part of the petitioned project where an improvement will be done and the landowners are converting this to tile. President Harren asked more details about the buffers. The landowners will be notified that the buffers will be done on the project and asked if this would be shared with the landowners. Attorney Kolb discussed this process with the board and will explain later in the agenda. **Manager Lunsford moved to authorize staff and consultants to move forward with the plans with the minor alterations for the petitioned projects to be completed as part of the repair proceedings on County Ditch 51.** Manager Rettig seconded the motion. The motion passed with all in favor.

**b) Zimmerman request for improvement proceeding** Attorney Kolb explained that Mr. Zimmerman’s portions of the drainage system is being requested to be converted to tile from open channel. The landowner has submitted the required bond payment. This project will be considered under separable maintenance provision in 103E. Attorney Kolb will be preparing the petition documents for the next meeting.

**c) Berndt request for improvement proceeding** Attorney Kolb explained that Mr. Zimmerman’s portions of the drainage system is being requested to be converted to tile from open channel. The landowner has submitted the required bond payment. This project will be considered under separable maintenance provision in 103E. Attorney Kolb will be preparing the petition documents for the next meeting.

Administrator Kovarik showed the board using the interactive mapping tool the location of the drainage system and the area for the two improvement proceedings. Attorney Kolb described three options the board could consider on how to handle this with the existing repair.

1. Include the improvement proceedings with the rest of the repair and bid everything as one project.
2. Just work on the maintenance project and bid the improvement work separately

The staff recommendation is to do the project as one and there is a cost savings in doing that. Administrator Kovarik shared that we are still waiting on the tile size before proceeding and at any point the landowners could withdraw the petitions if the cost is too great for the improvement. Attorney Kolb indicated that it will be important to ensure that other benefitted areas still maintain their appropriate drainage with the project being converted to tile. This analysis is being worked on currently. Staff is also looking at other areas of the system where there is some bank sloughing happening due to peat soils. The design plans are being reviewed and modifications are being suggested to address the unstable slopes of the system.

**d) Bid specifications** The bid specifications discussions were shared as part of the discussion under item (a).
e) **Grass buffer strip acquisition memo prepared by legal** – Manager Lunsford made a motion to direct staff seek out recommendations for figuring damages and to proceed with a single consultant to determine damages on County Ditch 51 for the acquisition of the one rod buffer. Manager Rettig seconded the motion. Attorney Kolb explained the process to acquire the one rod buffer strip and the options available to the organization to accomplish this. It is important to have an impartial party that would be neutral to the process. The motion passed with Manager Scherping abstaining.

b) **Comprehensive Plan Update**

   a) **An update on the overall plan status will be shared.** The draft will be available for final review before sending it to required agencies for review. A final plan draft will be ready for the July board packet.

   b) **Discussion about partner meetings on the draft plan as suggested.** President Harren had asked for this item to be added to the agenda. He discussed the necessity for partnering with other agencies and that in the PRAP report we need to work with our partners more closely and identify roles. He asked if we could take an example of projects what partnership would look like. Administrator Kovarik shared the management unit report cards and how the priorities we have identified and the partner objectives align with our goals. Our objectives will be discussed with the partners on an annualized basis and then gaps will be identified. The SRWD would then be able to determine how we can enhance their programs to get at our goals. A technical advisory committee would be established and would be meeting together to plan and conducts follow up on progress on an annualized basis. Engineer Klukhohn described that the plan outlines a process for the plan and this is a starting point. The programs will need to be developed as we proceed. This also sets the ground work where we can make a determination on defining roles as we both work on projects or programs. The plan coordinates those efforts.

Manager Scherping asked what happens if we cannot get an agency to assist. Attorney Kolb stated then we proceed forward to get the work accomplished. Engineer Klukhohn explained that the final plan copy will be included in the next board packet for final review before the document is approved.

c) **County Ditch 15 and 26 Repair Proceeding Update**

   a) **Bid Documents** – Engineer Klukhohn explained the bid documents are published on quest. It was also published in the local papers. There will likely be one addendum in the plans related to the Getchell lake project area and the road authority culverts. Manager Harren asked if the County was contacted related to the culverts.

   Attorney Kolb explained that a letter was developed and would be sent to all Road Authorities that culverts were not at the correct elevation. There are two options that the Road Authorities would need to make a decision.

   1. They will repair the culvert at their own expense and we would provide them the
specifications for where the culvert needs to be placed.
2. The second option is that they would wave to the Drainage Authority to complete the work on their behalf within the existing repair project.
3. If the letter is ignored then the Drainage Authority could proceed and charge the associated costs back to the Road Authority.

CSAH 11 - We coordinated with the County on the replacement of this culvert and sent a letter to the U.S. Army Corps of Engineers. The SRWD response to the USACE was that we received your letter and the County was acting under our instruction as the Drainage Authority to set the culvert at an elevation which is consistent with the As Constructed Subsequently Improved Design grade line. In fact the culvert is still a little high from this grade line but the recommendation is that the culvert is at an elevation that will not adversely impact the system at this time and we are not suggesting adjusting this culvert further. The Drainage Authority position is that the work undertaken by the County is exempt as the work was directed by the Drainage Authority and is consistent with the As Constructed Subsequently Improved Design grade line and the USACE has no jurisdiction over the matter.

We received two letters from Stearns County.

a. **The first letter from the County to the USACE highlights the following:** The County didn’t need a letter of permission on CSAH 11 because of the elevation that a culvert was proposed to be set at. The letter of permission for this road project was sought because the County would potentially be removing fill material and discharging in waters of the state at the project site. You cannot rely on this plan at this time because it was a draft plan. The Drainage Authority directed the culvert lowering consistent with the elevation necessary as part of County Ditch 26 and consistent with the repair proceedings moving forward on that system. The County followed these recommendations.

b. **The second letter was to the Drainage Authority (SRWD) and the following highlights the contents of the letter:** The County stated that they believe at least three times the road would have been repaired during the time that CD 26 was in place. It was not an uncommon practice for the County that the culverts were not placed consistent with the As Constructed Subsequently Improved grade line but rather consistent with current grade of the bottom of the ditch channel. This letter was then sent to the USACE as well.

We have the Stearns Counties back on this particular issue as we directed the placing of the culvert of that elevation. Staff and legal has met with the County Attorney and Engineer to discuss the matter. We have heard no response regarding the letter submitted.

b) **Getchell Discussion:** Attorney Kolb explained he would address items b through e all at
once under this agenda item. Repair of the public drainage systems that affect public waters do not require a permit they are exempt. The Drainage Authority would have to go through a permission process with the DNR as outlined in the drainage code to conduct repairs affecting public water. A memo was included in the packet. The Engineer has reviewed all of the information with the drainage system and the lake. The data included the probe data into the lake. The design plans were revised and we are excavating further into Getchell Lake and at the outlet end of Getchell Lake. The work suggested further into Getchell Lake will improve Getchell Lake allowing the lake to establish more of the emergent fringe vegetation and the hydraulic efficiency of the drainage system.

The original surveying of the lake during the public waters inventory process was conducted years ago suggested that Getchell Lake was a good lake for migratory waterfowl habitat. The lake has been impacted by the high water levels that currently are present due to the obstruction at the outlet of the lake. The Drainage Authority will send a letter and a revised design plan to the DNR to start the letter of permission process. The work proposed will not affect Getchell Lake negatively but will improve the habitat and the conditions noted in the original assessment of the lake and improve the hydraulic efficiency of CD 26. A letter will be sent to the DNR noting the following:

- Here is the revised design plan.
- We are notifying you of our intent to repair.
- The repair of the system will not affect Getchell Lake beyond the level of the original construction of the drainage system but will affect the current regime of the lake. Therefore we are notifying the DNR under M.S. 103.701 E subdivision 2 to initiate the permission process as listed under the drainage code. This is the right thing for the drainage system and the benefitted property owners. The bid document addendum includes this revision.

Manager Harren thanked the consultants and staff on behalf of the landowners for looking into this further. Engineer Klukhohn described that there is about a 1.5 feet of sediment in those areas that backs the water up about a mile in the system. This will make a significant difference in the maintenance of the system. Engineer Klukhohn explained that they would not recommend a structure at the outlet end. Manager Scherping expressed that the landowners would not be supportive of a structure at the outlet end of the Getchell Lake. Manager Scherping asked questions about the low flow crossings necessary and or culverts for three to four landowners. Currently these landowners put dirt in the channel temporarily to cross the channel. This is an obstruction of the drainage system and is not allowed. Staff discussed that if we can identify the landowners we could put in crossings as we proceed with the project. This information would be needed soon to include the work in the addendum. Staff will contact some of the landowners and follow up accordingly. Manager Mostad discussed how the public waters inventory process happened.

c) **Road Authorities Letter** A letter will be sent to the Road Authorities within the next week as directed by the board letting them know if a culvert is not at the correct elevation.
that is consistent with the As Constructed Subsequently Improved design grade of the drainage system.

d) **Drainage System Repairs Memo** - Attorney Kolb described the contents in this memo with the board earlier on the agenda.

e) **DNR and the potential repairs suggested through Getchell Lake** - Attorney Kolb described the contents of this memo with the board earlier on the agenda.

f) **Albany Twp has contacted staff regarding culvert replacements on CD15 on Road 350 and 360** - The SRWD had not heard from them there is only one culvert needs to be replaced at 360 Street. They discussed this with the County and I told them that a letter would be going out to all Road Authorities and that the culvert needs to be lowered. Administrator Kovarik will be attending the township meeting to discuss the culvert.

g) **CSAH 11/ US Army Corps of Engineer Issue**

h) **Borgerding/US Army Corps of Engineer Issue** - Neil Borgerding did some ditching on a branch of the county ditch. He received a letter of notice of violation from the USACE. The Drainage Authority conducted a survey of the area to determine the extent of the work conducted by Neil Borgerding.

d) **Office Location Memo**
   Legal has provided a memo on how the SRWD could address funding of a building or purchase of property.

c) **Weed Harvester Memo**
   A finding of fact memo will be provided to the board regarding the Weed Harvester Project. This was tabled till the July board meeting.

f) **RESPEC Contract for Watershed Wide Modeling and Runoff Rates and Fees for Management Districts**
   A draft contract was discussed with the board at the meeting. Staff is working with the consultant to finalize some of the details in the contract. **Manager Lunsford made a motion to approve the contract and to authorize the President to sign the contract once it has been prepared.** Manager Harren seconded the motion. The motion passed with all in favor.

g) **Engineering RFP Project Update**
   A RFP draft was provided in the board packet for review and discussion. **A motion was made by Manager Lunsford to approve the RFP process and to publicize and solicit proposals utilizing the materials and format shared in the packet.** Manager Rettig seconded the motion. The motion passed with all in favor.

h) **Fee Schedule**
   Legal provided a memo regarding the presentation given by staff at the last meeting and our abilities and authorities to collect fees and fines on projects under our regulatory authorities. The board authorized the staff to move forward by general consensus.

i) **2014 Draft Budget Discussion**
The budget committee met and discussed the draft budget. A draft budget was discussed and a presentation was shared with feedback from the Budget Committee. Manager Lunsford made a motion to proceed to set the public hearing on the draft 2014 budget for the July 16, 2013 board meeting. Manager Kral seconded the motion. The motion passed with all in favor.

8. **New Business**

a) **Resignation**
Manager Lunsford moved to accept the resignation of Monitoring Coordinator Heather Lehmkuhl received on June 4, 2013 effective June 20, 2013. Manager Mostad seconded the motion. The motion passed with all in favor.

Administrator Kovarik explained in the short term the recommendation would be to move Sarah Schmitz (Trainee) into the Interim Monitoring Coordinator position effective the last pay period (June 19, 2013) at the 1st step in the pay grade for that position. Manager Lunsford made a motion to approve placing Sarah Schmitz into the Interim Monitoring Coordinator position effective the last pay period ending on June 19, 2013 at the 1st step in the pay grade for that position $15.49 including benefits. Manager Vangsness seconded the motion. The motion passed with all in favor.

Administrator Kovarik explained that there may need to be training for this newly assigned staff to this program. Manager Rettig made a motion to authorize the Administrator to coordinate and provide training as necessary to aid in training efforts to the newly assigned staff. Manager Lunsford seconded the motion. The motion passed with all in favor.

Administrator Kovarik explained that the long term goal will be to finish the job description review and bring back a recommendation with revised job descriptions and pay scale that align with the new comprehensive plan. Manager Lunsford made to authorize staff to work with Kathleen Murphy on reviewing and changing job descriptions and conducting a salary survey and updating the pay scale. A final recommendation will be provided to the board for approval once this has been completed by the staff. Manager Kral seconded the motion. The motion passed with all in favor.

b) **Job Descriptions and Pay Scale/Range Review**
Previously discussed.

c) **MPCA Clean Water Partnership Grant Applications**
Administrator Kovarik asked for approval of the recently submitted applications for grants to the MPCA and the resolution and conflict of interest forms prepared by staff. Manager Mostad made a motion to approve the resolution for the submitted grant applications. The motion was seconded by Manager Kuseske. The motion passed with all in favor.
d) **Grants ending discussion**

Administrator Kovarik asked for authorization to make payment by June 30, 2013 for invoices that are received for the grants ending at the end of June. Payment needs to be made by June 30th to be covered by the grants. **Manager Lunsford made a motion to authorize payment for invoices covered by grant funds by June 30, 2013. The motion was seconded by Manager Kuskeske. The motion passed with all in favor.**

9. **Reports**

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

1. **Ramsey-Washington Metro Watershed**

Administrator Kovarik informed the board that Ramsey-Washington Metro Watershed District is questioning if other Districts would be willing to pool resources to have someone in a role that Watershed Districts could access for carp. The general consensus of the board was that this was not something the Sauk River Watershed District was interested at this time.

2. **Bank Account Signatures**

Administrator Kovarik asked for approval of a resolution to authorize staff to coordinate with the bank to change the number of authorized signature on checks from 3 to 2. **Manager Lunsford made a motion to approve resolution 16-13 authorizing staff to coordinate with the bank to change the number of authorized signers on checks from 3 to 2. The motion was seconded by manager Mostad. The motion passed with all in favor.**

3. **DNR Grant Contract**

Administrator Kovarik discussed with the board the DNR Habitat Grant received in the amount of $25,000. **Manager Lunsford made a motion to approve the contract and Manage Kral seconded the motion. The motion passed with all in favor.**

4. **Scholarship Recipient Approval**

Manager Rettig made a motion to approve the selection of Tiffany Muellner in the amount of $400 and Manager Mostad seconded the motion. The motion passed with all in favor.

5. **Drainage System Site Visits**

- **Alvord**-Manager Lunsford made a motion for staff to conduct a full system inspection (CD 19) and Manager Kuskeske seconded the motion. The motion passed with all in favor. Staff discussed with the board the site visit conducted and the concerns raised from the Alvord’s.

- **Stommes**-Staff shared that the site visit showed that the slope on CD24 on the Stommes property will be monitored this fall and a cross section will be taken at that time. However the current state of the system is not causing any harm to the
ditch system.
  • **Blonigen:** Staff shared the site visit conducted on CD 17 to the Blonigen site. He is questioning his benefits on the system. Staff was out on site and had difficulty accessing some parts of the system. There is no action suggested at this time.
  • **Zimmerman-Berndt:** Staff shared that on CD 51 two landowners would like to conduct improvements to their section of the system to convert it to tile. Staff will work with these individuals and bring more details forward at a later date.

b. **Attorney’s Report**
   Attorney Kolb commented to the board that the meeting was incredibly efficient.

c. **Engineer’s Report**
   There was nothing additional to report from the engineer.

d. **Permit Program Report**
   1. **Todd County East Lake Bridge Replacement:** Manager Rettig made a motion to approve the permit with conditions listed in the permit. Manager Kral seconded the motion. The motion passed with all in favor.
   2. **Todd County Boss Creek Bridge Replacement:** Manager Vangsness made a motion to approve the permit with conditions. Manager Kral seconded the motion. The motion passed with all in favor.
   3. **Alexander Point/Big Fish Development:** Manager Lunsford made a motion to approve the permit with conditions. Manager Rettig seconded the motion. The motion passed with all in favor.
   4. **JD2 Assessment Update** *(The information is ready but will be shared at the July meeting due to the number of items on the agenda.)*-Tabled
   5. **Wenner Gas Company Escrow Agreement:** This was an FYI item shared with the board and there was no need for any action as we are waiting for the escrow payment before proceeding.
   6. **Trident Development LLC:** Manager Kral moved to approve the permit with conditions listed in the permit and Manager Lunsford seconded the motion. The motion passed with all in favor.
   7. **City of Eden Valley:** This permit was approved administratively

e. **Calendar Items:** The calendar items were shared with the board and have been addressed.

e. **Board Member Meeting Reports:**
   • There was discussion by the board members about a policy on our drainage systems for controlling rodents. Staff will look into a policy.
   • Manager Rettig asked for an update on the 210th Street project. Tara explained that the costs were prohibiting the project to move forward and some landowners have declined to do a project.
   • Manager Mostad shared information about the viewers meetings and ride sharing.
Manager Kuseske reported on the Drainage Work Groups efforts to look at the laws pertaining to the Redetermination of Benefits process and clarifications needed.

Clarence Mielke addressed the board at this time about a small project on his property where he would like cost share. His concern is relating to a dock and he believes fill material is needed. He says that this was due to a requirement that the County/DNR/and SRWD had required a few years back. Staff explained that the cost share available does not cover this type of expenditure. President Harren directed the landowner to discuss his project with the DNR and Todd County.

10. Items for Next Meeting Agenda
Managers and staff can suggest items for discussion for the next board meeting.

11. Upcoming Meetings to Be Announced

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<th>Meeting Date</th>
<th>Meeting Description</th>
<th>Meeting Location</th>
<th>Meeting Time</th>
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<tbody>
<tr>
<td>6-25-13</td>
<td>Stearns County Commissioners</td>
<td>St. Cloud (Holly, John, Steve, Jason, and Tim)</td>
<td>9:05 a.m.</td>
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<tr>
<td>7-16-13</td>
<td>SRWD Board Meeting</td>
<td>SRWD office</td>
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12. FYI ITEMS

- FEMA Project completion on Pope County drainage systems has been completed with the receipt of the final payment of $1,692.50.
- City of Osakis, MDA representative, and Osakis Creamery have been notified regarding the concern raised at the May 2013 board meeting. A copy of the letters can be provided at the Manager’s request.
- We received a thank you from the Lehmkuhl family.
- We received a thank you from the Bechtold family.

13. Adjourn –Manager Lunsford made a motion to adjourn the meeting and Manager Rettig seconded the motion. The meeting was adjourned at 8:55 p.m.

All Sauk River Watershed District meetings are handicap accessible.
An attempt will be made in advance to accommodate any other individual need for special services. Call the above number if any special arrangements need to be made.