



**Regular Meeting MINUTES**  
**Tuesday, November 21, 2013**  
**Located at: SRWD Office at 6:00 p.m.**

<b>Managers Present:</b>	Jim Kral, Larry Kuseske, John Harren, Bob Mostad, Jason Scherping, Vern Vangsness, Tim Lunsford, Duane Willenbring
<b>Staff Present:</b>	Melissa Roelike, Interim Administrator; Tara Ostendorf, Environmental Project Technician; John Kolb, District Attorney; Rebecca Kluckhohn, District Engineer
<b>Guests Present:</b>	Duane Pung, Glen Sanders, Gary Barber, Scott Lucas, Paul Senne, Andrea Plevan, Steven Gilk, Bob Bjork, Adam Hjelm, Lynn Nelson
<b>Manager's Absent:</b>	Virgil Rettig

1. **The meeting was called to order by President Kuseske at 6:00 p.m. and the Pledge of Allegiance was recited.**
2. **Additions/corrections to the agenda items** - President Kuseske asked for additions or corrections to the amended agenda. Manager Mostad asked to speak on the history of the District. Manager Willenbring made a motion to approve the amended agenda. The motion was seconded by Manager Kral. The motion passed with all in favor.

3. **Consent Agenda**

a. **Financial Reports/Meeting Minutes**

1. **Check Register for General Fund 101**
2. **Revenue Guideline**
3. **Grant & Cost Share Logs**
4. **Expenditure Report**
5. **October 15, 2013 Meeting Minutes**
6. **Special Meeting Minutes, October 11<sup>th</sup> 2013**

b. **Contracts for Approval –**

<u>Contracted With</u>	<u>Project / Description</u>
Jason & Kimberly Speidel	Stormwater Management Project

c. **Board Action Items for Approval – None**

d. **Resolutions for approval**

e. **Grant Application Approvals**

<u>Grant Number</u>	<u>Name</u>	<u>\$ Amount</u>
#332 CWF Municipal Stormwater Grant	City of Sauk Centre Rain Garden/Infiltration Basin	\$30,000

f. **Grant Payment Approvals – None**

g. **Loan Project Approvals**

<u>Landowner /</u>				
<u>Project Name</u>	<u>Type</u>	<u>\$ Amount</u>	<u>Fund Code</u>	<u>Pay To</u>
Justin Reeck	Septic	\$11,000	224	



**h. Loan Payment Approvals**

<u>Landowner/ Project</u>	<u>Type</u>	<u>\$ Amount</u>	<u>Fund Code</u>	<u>Pay To</u>
Robert & Myrna Gammons	Shoreland Restoration	\$900	221	Robert Gammons

- Appropriations**

<u>Payee</u>	<u>Description of Payment</u>	<u>\$ Amount</u>	<u>Payment Code</u>
Stearns County Auditor's Office	Assessment Fees	\$7,523.20	101
Rinke Noonan	Retainer	\$600.00	101
Rinke Noonan	Weed Harvester Project	\$359.10	572
Rinke Noonan	General Advise	\$1,159.00	101
Rinke Noonan	CD 15 & 26	\$661.50	560
Rinke Noonan	Clean Water Partnership	\$661.50	333
Rinke Noonan	CD 51 Zimmerman	\$510.30	555
Rinke Noonan	Litigation Advice	\$189.00	101
Wenck	CD 15 & 26	\$6847.90	560
Minnesota Pollution Control Agency	Loan Payment	\$4855.29	219
Minnesota Pollution Control Agency	Loan Payment	\$9495.64	215
Minnesota Pollution Control Agency	Loan Payment	\$28,545.95	218
Minnesota Pollution Control Agency	Loan Payment	\$20,008.57	217
Minnesota Pollution Control Agency	Loan Payment	\$28,285.27	208
Minnesota Pollution Control Agency	Loan Payment	\$23,616.99	203
Minnesota Pollution Control Agency	Loan Payment	\$12,234.05	206
Minnesota Pollution Control Agency	Loan Payment	\$12,391.24	202
Minnesota Pollution Control Agency	Loan Payment	\$7229.75	214
Minnesota Pollution Control Agency	Loan Payment	\$28,118.13	204



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Minnesota Pollution Control Agency	Loan Payment	\$1261.62	207
Minnesota Pollution Control Agency	Loan Payment	\$11,480.59	210
Minnesota Pollution Control Agency	Loan Payment	\$19,610.69	205
Minnesota Pollution Control Agency	Loan Payment	\$8387.16	209
City of Sauk Centre	Stormwater Assessment	\$3756.37	101
Wenck	CD 15 & 26 Mileage	\$135.60	560
Wenck	General Engineering	\$1878.69	101
Wenck	CD 51	\$30.00	555
Wenck	CD 51 Bidding Documents	\$113.57	555
Wenck	CD 15 & 26 Construction Services	\$6,305.57	560
Wenck	CD 51 Zimmerman	\$109.10	555
Wenck	2013 Inspection Mileage	\$87.58	101
Wenck	CD 15 & 26 Supplemental Regulatory	\$776.25	560
Wenck	2013 Permits	\$700.05	101
Wenck	CD 19	\$113.57	540
Wenck	CD 11 Phase Extended Scope	\$180.00	525
Wenck	CD 15&26 Construction Services	\$6847.90	560
Wenck	Sauk River Major Watershed Restoration Plan	\$5,168.00	329
RESPEC	Runoff Rates & HSPF Management Scenarios	\$2,879.50	333

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

4. **Open Discussion from the Public** – Landowner Duane Pung asked to speak during the discussion of CD 15 and 26. Gary Barber and Glen Sanders, from the Osakis Lake Association, spoke about furthering partnering efforts between the Osakis Lake Association, the Watershed District, City of Osakis and other agencies.
5. **Old Business**
  - a) **JD 2 Assessment Presentation** – Environmental Project Technician Tara Ostendorf did a presentation to the board explaining the costs acquired by the JD 2 Sediment Ponds and the process to determine the assessment to be certified. There was discussion on the timing of the certification and if there was still time to submit it in 2013. **Manager Lunsford made a motion to certify the assessment as proposed allowing for additional costs charged by the**



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county and with the recommendation for an additional \$5,000. The motion was seconded by Manager Willenbring. The motion passed with all in favor.

- b) **RESPEC Modeling Update** – Andrea Plevan, from RESPEC Consulting, was present to update the board on the runoff rates and fees for water management districts project. She explained water management districts and went through the approach being taken for the project and the schedule. This was discussion on protocol for parcels not owned privately. Attorney Kolb recommended that the charges and the modeling only be applied to privately owned parcels with tax parcel identification numbers. By general consensus, the board agreed with Attorney Kolb’s recommendation.
- c) **Vacant Positions** – President Kuseske asked for discussion on the vacant staff positions. The current job description has been revised as per the Board of Water and Soil Resources (BWSR), the search committee, and staff’s comments. BWSR will review the newest draft and provide additional comments as necessary. Interim Administrator Roelike informed the board that the District got a price from one Executive Search firm but is waiting on a second. Roelike also spoke with Kathleen Murphy to review and point both the Administrator and Ditch/Permit Inspector job descriptions. **Manager Lunsford made a motion to approve the Administrator and Ditch/Permit Inspector job descriptions, authorize the personnel committee to receive, examine and approve prices from an executive search firm not to exceed \$25,000, and move forward with the executive search as soon as practical. The motion was seconded by Manager Kral. The motion passed with all in favor.** Attorney Kolb asked for clarification that the job descriptions could be sent to Kathleen Murphy for review and pointing. By general consensus of the board, the job descriptions should be sent for review.
- d) **Big Sauk Aquatic Plant Management Project** – Attorney Kolb presented the revised project Agreement and Operation Plan between the District, City of Sauk Centre, and Big Sauk Lake Association. Copies of the plan have been sent to the partners but no response has been received. Bob Bjork, Big Sauk Lake Association President, stated that the Lake Association was in agreement with the Plan, however, asked for clarification on what could be chemically treated. Attorney Kolb stated that the specifics would be determined in the aquatic plant management permit and be part of the work plan. Bjork spoke with the Sauk Centre City Administrator and expressed concern that little progress was being made on the project and the City Council still has concerns with the project. The project is at a standstill until an agreement can be made.
- e) **City of Cold Spring Excess Funds** – Tara Ostendorf informed the board that the City of Cold Spring was allotted funding for a storm water project that will not be used. After borings were done, it was realized that the project was not feasible. She requested the project be dismissed so that the funds can be used elsewhere. **Manager Harren made a motion to dismiss the City of Cold Spring storm water project and allow funds to be used elsewhere. The**



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motion was seconded by Manager Lunsford. The motion passed with all in favor.

- f) **Award bid for County Ditch 26 Phase I** – Rebecca Kluckhohn, District Engineer, summarized the bid results for the County Ditch 26 Phase I project. There were 3 bids, with the lowest bid going to Voss Plumbing and Heating. Kluckhohn stated that the day after bids were opened, Voss emailed her and stated there was a problem with their estimation and they wanted to withdraw their bid. Attorney Kolb stated that according to the bidding documents, bids cannot be withdrawn after bid opening for 60 days; however the board has the discretion of allowing the bid to be withdrawn. Attorney Kolb gave the board their options. There was discussion about the discrepancies in the Voss bid versus the other 2 bidders; however, Kluckhohn stated that the unit prices in Voss’s bid were very much in line with what other local contractors had verbally quoted. The board asked to hear what references had to say about Voss. Kluckhohn read positive reviews from Voss’s references; however, the projects mentioned were not specifically drainage or ditch related. Manager Lunsford asked Steven Gilk, representative from Voss, to comment on what went awry. Gilk stated that he wasn’t the person who bid the project but was in attendance at the pre-bid meeting. His understanding was that Bob, the employee who bid the project, interpreted the tree clearing incorrectly and was light on the herbicide. Manager Willenbring feels the board only has one choice, and that is to award the bid to the lowest qualifying bidder. **Manager Mostad made the motion to award the bid for County Ditch 26, Phase I to the lowest bidder, Voss Plumbing and Heating. The motion was seconded by Manager Willenbring. The motion passed with majority in favor, Managers Harren and Scherping abstaining. Manager Willenbring made a motion that if Voss fails to return the executed contract with the necessary documentation, staff can go ahead and void the award and automatically re-award (at the staff level) to the next lowest qualifying bidder, New Look. The motion was seconded by Manager Lunsford. The motion passed with majority in favor, Managers Harren and Scherping abstaining.** Kluckhohn reminded the board of the bid schedule for the rest of the projects.

6. **Final Hearing CD 51 Ken and Julie Zimmerman** – President Kuseske convened the final hearing for CD 51, the petitioned project from Ken and Julie Zimmerman at 7:10 p.m. President Kuseske asked for comment from the public. After no public comment, President Kuseske asked if the board had any questions or comments. **Manager Harren made a motion to approve the Findings and Order for the improvement of a portion of CD 51 by petition from Ken and Julie Zimmerman. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**

7. **New Business**

- a) **PRAP Grant Application** – Tara Ostendorf informed the board of the PRAP assistance grant as a follow up to the PRAP process. The grant is for \$10,000 and is used to assist with recommendations from PRAP. Ostendorf asked Jason



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Weinerman, BWSR, if the grant could assist the District will filling staff positions. Weinerman gave a tentative “yes” that those would be eligible expenses. **Manager Lunsford made a motion to authorize staff to prepare an application for the PRAP assistance grant. The motion was seconded by Manager Harren. The motion passed with all in favor.**

- b) **CWF Soil Erosion and Drainage Law Compliance Program** – Tara Ostendorf informed the board of a Soil Erosion and Drainage Lake Compliance Program grant. Ostendorf would like authorization to put applications together for the program. **Manager Lunsford made a motion to authorize staff to submit applications for the CWF Soil Erosion and Drainage Law Compliance Program grant. The motion was seconded by Manager Mostad. The motion passed with all in favor.**
- c) **Targeted Watershed Demonstration Program** – Tara Ostendorf informed the board about the Targeted Watershed Demonstration Program. Grant applications would be submitted for the Crooked Lake Basin and the Osakis HUC. **Manager Kral made a motion to authorize staff to submit applications for the Targeted Watershed Demonstration Program. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**
- d) **MAWD Conference Delegates and Alternates Selection** – President Kuseske asked for 2 people willing to serve as delegates and one person to serve as an alternate at the 2013 MAWD Annual Meeting. By general consensus, President Kuseske and Manager Mostad will serve as delegates and Manager Willenbring will serve as alternate. President Kuseske read through the resolutions that will be voted on at the Annual Meeting.
- e) **2014 GIS Web Hosting and Tech Support Agreement** – Tara Ostendorf explained the agreement for GIS Web Hosting and Tech Support from Houston Engineering. **Manager Harren made a motion to approve the 2014 GIS Web Hosting and Tech Support Agreement from Houston Engineering. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**
- f) **Projects to be Assessed for 2013** – Interim Administrator Roelike presented the list of assessments to be certified with the counties and put on the 2014 tax role. **Manager Harren made a motion to authorize staff to amortize and send the 2013 assessments to the counties for certification and inclusion in the 2014 tax role. The motion was seconded by Manager Lunsford. The motion passed with all in favor.**

8. **Reports**

a) **Administrator’s Report** –

- 1. **Information Presented by BWSR** – Interim Administrator Roelike highlighted the information included in the board packets for review. The information was presented to the board by BWSR at the October regular board meeting.



**2. December Meeting and Appetizers** – Interim Administrator Roelike asked the board to move the December meeting time to earlier in the afternoon. **Manager Vangness made a motion to change the meeting time of the December meeting to 1:00 p.m. The motion was seconded by Manager Mostad. The motion passed with all in favor.** Roelike asked if the board was interested in bringing appetizers to share after the meeting for a holiday gathering. The board agreed by general consensus.

- b) **Attorney’s Report** – None
- c) **Engineer’s Report** – None.
- d) **Permits** –

**1. 13-032 Osakis Creamery Administrative Building** - Tara Ostendorf, Environmental Project Technician, asked for approval for Permit 13-032. **Manager Kral made a motion to approve permit 13-032. The motion was seconded by Manager Scherping. The motion passed with all in favor.**

- e) **Calendar Items** –
- f) **Board Member Meeting Reports** – Bob Mostad gave a history of the District and the various projects done early in its history. Jason Weinerman, BWSR, shared a conversation he had with Stearns County Commissioners. He expressed the concerns that County currently has with the District. Tara Ostendorf stated it would be a good idea to continue with the recommendations from the PRAP report and start meeting with partners. Manager Willenbring commented on his interactions with the County Commissioners.

9. **Items for Next Meeting Agenda** – None

10. **Upcoming Meetings to be Announced**

<u>Meeting Date</u>	<u>Meeting Description</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
Tuesday, December 17, 2013	Regular Board Meeting	SRWD office	1:00 p.m.
Tuesday, December 17, 2013	CAC Meeting	SRWD office	12 Noon

- 11. **Close Meeting to Discuss Threatened Litigation and Notice of Claim by Manager Lunsford** – **Manager Harren made a motion to close the meeting. The motion was seconded by Manager Kral. The motion passed with all in favor.**
- 12. **Adjournment** – **Manager Harren made a motion to adjourn the meeting at 9:10 p.m. The motion was seconded by Manager Kral. The motion passed with all in favor.**

**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.