

524 4th St South
Sauk Centre, MN 56378
Phone: (320) 352-2231
Fax: (320) 352-6455
Visit us online at: www.srwdmn.org

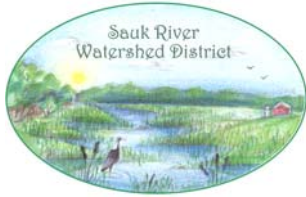
MEETING MINUTES

Regular Meeting
7:00 p.m. Sauk River Watershed District Office
February 17, 2009

Managers Present:	Dan Coughlin, Chub Hensley, Jim Kral, Larry Kuseske, Sharen Kutter Richard Raeker, Virgil Rettig and Jim Rothstein.
Staff Present:	Holly Kovarik, Administrator Starla Arceneau, Heather Lehmkuhl
Guests Present:	Jeff Hoppe, Duane Pung and John Harren – County Ditch 26 & 15 Landowners and Lil Ortendahl – Lake Osakis Resident
Manager's Absent:	Bob Mostad

1. **The meeting was called to order by President Kral and the Pledge of Allegiance was recited.**
2. President Kral asked for additions to the agenda.
3. The proposed agenda was reviewed. **A motion was made by Manager Rettig to approve the agenda with additions. Manager Kuseske seconded the motion.** The motion passed with all in favor.
4. Consent Agenda included:
 - a. Approval of minutes of the January 27, 2009 meeting
 - b. Approval of minutes of the February 3, 2009 meeting.
 - c. Treasurer Report January 23- February 12, 2009
 - d. Resolutions:
 - a. 03-09: Financial Support for Urban Conservationist Position
 - b. 04-09: To Approve a Booth at 2009 Melrose Chamber Family Expo
 - c. 05-09: Approval of Douglas County Waterfest Donation of \$200
 - d. 06-09: To approve the SRWD Scholarship Program & appoint a committee to review the applicants and make a final recommendation to the board for approval.
 - e. 07-09: To approve contract with Minnesota River Basin and the SRWD for the CIG Grant.
 - f. 08-09: Restoring Water Resources of the Sauk River Chain of Lakes Phase III Bond Counsel Resolution Approval.
 - g. 09-09: Osakis Lake Shoreland Enhancement Project Bond Counsel Resolution Approval.
 - h. 10-09: Intern Hiring Process
 - i. 11-09: GUS TMDL Extension
 - j. 12-09: Vacation Policy Change to a Calendar Year Carry Over
 - k. 13-09: Houston Engineering Contract for Drainage Records Modernization

After reviewing the items on the consent agenda, two items(c & e) were pulled for further discussions **a motion was made by Manager Coughlin and seconded by Manager Kutter and carried unanimously to approve the following items on the said agenda:** Approval of



MEETING MINUTES

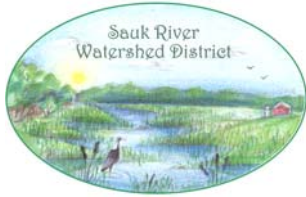
524 4th St South
Sauk Centre, MN 56378
Phone: (320) 352-2231
Fax: (320) 352-6455
Visit us online at: www.srwdmn.org

minutes of the January 27, 2009 meeting , Approval of minutes of the February 3, 2009 Resolutions 03-09: Financial Support for Urban Conservationist Position, 04-09: To Approve a Booth at 2009 Melrose Chamber Family Expo , 05-09: Approval of Douglas County Waterfest Donation of \$200 , 06-09: To approve the SRWD Scholarship Program & appoint a committee to review the applicants and make a final recommendation to the board for approval , 08-09: Restoring Water Resources of the Sauk River Chain of Lakes Phase III Bond Counsel Resolution Approval., 09-09: Osakis Lake Shoreland Enhancement Project Bond Counsel Resolution Approval., 10-09: Intern Hiring Process, 11-09: GUS TMDL Extension, 12-09: Vacation Policy Change to a Calendar Year Carry Over and 13-09: Houston Engineering Contract for Drainage Records Modernization.

Manager Hensley questioned the Green Mill invoice for Seminar meals for \$229.39. Kovarik said it was for the Salt Workshop that was held and this was a two year workshop. The cost was for soup and sandwiches for twenty registrants who attended the workshop. Kovarik is checking with the Board of Water and Soil Resources to get a determination on how to handle future food items.

Manager Kuseske questioned the District's allocated dollars in Resolution 07-09. Kovarik reviewed the overview in the resolution wording and the project deliverables and matching fund services of \$161,062.39 listed in the CIG grant agreement. **Manager Coughlin made a motion to approve the January 23-February 12, 2009 Treasurer's Report and Resolution 07-09 to approve contract with Minnesota River Basin and the SRWD for the CIG Grant. Manager Rothstein seconded the motion. The motion passed with all in favor.**

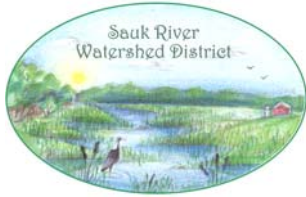
5. The Minnesota Association of Watershed District's (MAWD) Talking Points were discussed. Manager Hensley said that he wants to go with a consensus so the board is all on the same page. Manager Kuseske said that the wording stated it shall be approved by the Counties. Manager Hensley questioned if the board supports MAWD's position or not. Attorney Kolb stated that the board has a copy of the current bill in their board packet. Attorney Kolb referenced the language in the bill that would not affect the District since the language reads Joint Power Water Management Authority formed under section 471.59 covers only Joint Powers Organizations and this District is not a Joint Powers Organization. Attorney Kolb said that the only section that does apply to the District is section 2 and 3 in regards to providing the Counties with the District's Annual Report which the District does on an annual basis already. Since the bill has not changed the board said to leave it until it changes.
6. Manager Rothstein mentioned that there will be an upcoming meeting on the valuation on manure. Carrie Raeber will let Administrator Kovarik know the details when they become available.
7. The Administrator's Report was reviewed. Kovarik reviewed the following information:
 - a. Kovarik asked for approval of a set dollar amount to purchase a canoe and a boat. As of the meeting the staff has not heard anything in regards to the sale of the zodiac. **Manager Coughlin made a motion to authorize staff not to exceed \$4000 to purchase a canoe and boat. Manager Rothstein seconded the motion. The motion passed with all in favor.**



MEETING MINUTES

524 4th St South
Sauk Centre, MN 56378
Phone: (320) 352-2231
Fax: (320) 352-6455
Visit us online at: www.srwdmn.org

- b. Kovarik said a draft copy of the Annual Report will be available as soon as the audit is completed. The board should have a copy to review by the March 3rd regular meeting.
 - c. Kovarik reviewed the Expenditures Budget vs. Actual Report.
8. Attorney's Report by John Kolb reviewed the following items.
- a. Reviewed a time line of completion on the rules.
 - Kick-off
 - Completion of existing rules
 - First of two stakeholder meetings
 - Synthesis of stakeholder input
 - Presentation to the board with feedback and narrowing of scope from Board
 - Draft Rules Complete
 - b. Next Steps:
 - End of February – Distribution of Final Draft
 - March/Early April – Stake Holder Meetings (Counties, Cities and General Interest.
 - June – Board meeting final review and discussion
 - July – Public Hearing
 - August – Permits developed after rules are approved
 - September – Board review of Permits and Application Process
 - c. Reviewed the Summary of the proceedings for the Re-determination of Benefits and Repair for County Ditch 26 & 15.
 - **Receipt of Repair Petition** – *Order appointing viewers*
 - **Appointment of repair Engineer** - *First meeting of viewers: The first meeting of the viewers should be held as an informational meeting with notice given to all owners of property potentially affected by the redetermination of benefits. While, there is no specific guidance as to what type of notice is necessary for a first meeting of the viewers, we recommend that notice be published once per week for two successive weeks before the meeting. Also, notice should be given by mail to all owners of property potentially affected by the redetermination no less than 10 days prior to the date of the first meeting.*
 - **Preparation of Repair Report** -*Gather data/ Identify/verify watershed boundary or max extent of benefitted area. Identify parcels to be viewed by section, township, and range and property ID number. Identify owner/occupant information by name and mailing address. Identify hydraulic efficiency of drainage system (working with engineer).*
 - **Detailed viewing (by parcel, 40 acre max).** *Identify any modification to natural drainage. •identify unique features - land use, impervious surface, isolated basins, erosive soils, conservation practices. Determine element of benefit*



MEETING MINUTES

524 4th St South
Sauk Centre, MN 56378
Phone: (320) 352-2231
Fax: (320) 352-6455
Visit us online at: www.srwdmn.org

utilizing standards in Statutes Section 103E315 and accepted viewing practices. Address direct benefits and outlet benefit and meet with owners on site when necessary to clarify issues.

- **Prepare Viewers Report** - Follow standards of Statutes Section 103E.321. *'Prepare explorable digital format for District's use. *Ensure organization of parcels/owners by PID, legal description, property address, etc. Preparation and mailing of owner's report.(First) Final Hearing on redetermination of benefits: This hearing is to be held within 30 days of mailing of the property owner's report and will be the first of multiple hearings in order to allow for public input and possible adjustment of the redetermination of benefits based on public input. The purpose of this portion of the final hearing is to allow the viewers to answer questions or schedule review of properties as requested by property owners. Notice is required by Statutes Section 103E.325 and attendees should include the viewers, the engineer, if any, the attorney, selected District staff and-the Board of the Drainage Authority, 'This meeting is typically continued in order to allow the viewers to make any adjustments to the Viewers' Report arising either out of the hearing itself or out of individual property reviews.*
 - **Hearing on Repair Report:** *The drainage authority shall make findings and order the repair if the Drainage Authority determines from the Repair Report and the evidence presented that the repairs recommended are necessary for the best interest of the effected property owners. Direct attorney to prepare Findings and Order.*
 - **Continued Hearing** – *Adopted Findings and Order*
 - If the Repair Report is approved direct final preparation of plans specifications and bid the project.
- d. *Kolb reviewed the draft copy of the Viewers Contract. **Manager Kutter made a motion to approve the Professional Services Contract. Manager Rettig seconded the motion. The motion passed with all in favor.***
- e. *Kolb reviewed a Request Letters of Qualifications for Engineers to work on County Ditch 26 and 15. **Manager Coughlin made a motion to authorize staff to send out a Request for Letter of Qualifications directly to the recommended Drainage Engineers. Manager Kuseske seconded the motion . The motion passed it all in favor.***
9. *Open Discussion for the Public - Lil Ortendahl questioned the grant for the Osakis Shoreland and addressed her concerns regarding taxes for the Judicial Ditch 2 Project. Administrator Kovarik reviewed the notice of the grant and the loan funds the District has available. Kovarik also mentioned the article that was in this week's Osakis Review. Kovarik clarified that the Watershed District does not have any jurisdiction over Judicial Ditch 2 that Ortendahl would have to contact the Douglas and Todd County Joint Powers*



524 4th St South
Sauk Centre, MN 56378
Phone: (320) 352-2231
Fax: (320) 352-6455
Visit us online at: www.srwdmn.org

MEETING MINUTES

Board. Kovarik asked Ortendahl to call to setup an appointment to talk to the staff about future projects.

10. Other Business

- a. Borgerding and Kovarik attended the Prairie Lakes COOP Annual meeting. Over 200 people were in attendance.
- b. Kovarik and Lehmkuhl reviewed the RFP's for Monitoring Labs. **Manager Coughlin made a motion to authorize Kovarik to finalize the agreement to designated testing lab (RMB). Manager Raeker seconded the motion .** The motion passed with all in favor.
- c. Kovarik will present the 2008 R.I.V.E.R. Award at the March 3rd regular meeting.
- d. Arceneau informed the board that a police report was filed due to the theft of two amber lights off the Districts trucks.

11. The meeting was adjourned at 8:30 p.m

Secretary, Virgil Rettig
Recording Secretary, Starla Arceneau