



Regular Meeting MINUTES
Tuesday, May 19, 2015
Located at: SRWD Office at 6:00 p.m.

Managers Present:	Larry Kuseske, Lee Bautch, Duane Willenbring, Tyler Carlson, Tim Hagemeyer, Jason Scherping, Dennis Ritter, Gary Barber
Staff Present:	Scott Henderson, Administrator; Rebecca Kluckhohn, District Engineer; Zach Gutknecht, Ditch and Permit Coordinator; John Kolb, Attorney; Lynn Nelson, Environmental Project Coordinator
Guests Present:	Will Huston, Janel Bitzan, Duane Pung
Manager's Absent:	Bruce Ferris

1. The meeting was called to order by President Willenbring at 6:00 p.m. and the Pledge of Allegiance was recited.
2. **Additions/corrections to the agenda items** – President Willenbring asked for corrections or additions to the agenda. **Manager Ritter made a motion to approve the agenda as presented. The motion was seconded by Manager Hagemeyer. The motion passed with all in favor.**
3. **Consent Agenda**
 - a. **Financial Reports/Meeting Minutes**
 1. Check Register for General Fund 101
 2. Deposit Receipts
 3. Revenue Guideline
 4. Grant, Loan & Cost Share Logs
 5. Expenditure Report
 6. Fund Balances
 7. April 21, 2015, Regular Board Meeting Minutes

b. Appropriations

<i>Payee</i>	<i>Description of Payment</i>	<i>\$ Amount</i>	<i>Fund</i>
MPCA	CWP Loan Payment – Big Sauk Lake	\$600.00	101
MPCA	CWP Loan Payment – Middle Sauk Rehabilitation Project	\$94.50	101
MPCA	CWP Loan Payment – Osakis Lake Watershed Mgmt.	\$245.70	101



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**

524 4th St South, Sauk Centre, MN 56378
Phone: (320) 352-2231 Fax: (320) 352-6455

MPCA	CWP Loan Payment – Restoring Water Resources, SRCLs	\$56.70	572
MPCA	CWP Loan Payment – Middle Sauk River Continuation	\$52.00	319
MPCA	CWP Loan Payment – Osakis Lake Watershed Mgmt.	\$56.70	101
MPCA	CWP Loan Payment – Big Sauk Lake Continuation	\$415.80	337
MPCA	CWP Loan Payment – Sauk River Chain of Lakes Cont.	\$26.00	555
MPCA	CWP Loan Payment – Middle Sauk Water Quality Restoration	\$264.60	101
MPCA	CWP Loan Payment – Osakis Lake Shore Enhancement	\$16,500.00	101
MPCA	CWP Loan Payment – Restoring Water Resources, SRCLs	\$31,347.10	334
MPCA	CWP Loan Payment – Middle Sauk Water Qual. Restor.	\$4,376.15	530/550
MPCA	CWP Loan Payment – Restoring Water Resources, SRCLs	\$288.40	101
MPCA	CWP Loan Payment – SRWD Watershed Wide GW Prot.	\$1,784.70	101
Rinke Noonan	Retainer	\$600.00	101
Rinke Noonan	Rules	\$252.80	101
Rinke Noonan	Weed Harvester Project	\$132.30	572
Rinke Noonan	CD 26	\$604.80	550
Rinke Noonan	Ashley & Adley Creek CWF	\$132.30	341



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**
524 4th St South, Sauk Centre, MN 56378
Phone: (320) 352-2231 Fax: (320) 352-6455

Rinke Noonan	Hagemeier Bankruptcy Notice	\$49.30	101
Rinke Noonan	Drainage System Bonding	\$56.70	530, 550, 555
Rinke Noonan	Ditch 51 Appeal	\$205.00	555
Wenck	CD 26 Construction Support	\$4,936.40	550
Wenck	CD 15 Construction Support	\$923.40	530
Wenck	CD 11 Extended Scope	\$375.00	525
Wenck	General Engineering Retainer	\$600.00	101

Manager Kuseske asked why there was a bill for general engineer retaining if the board hadn't entered into a contract. He asked that the payment to \$600 to Wenck Engineering be pulled for more discussion. **A motion was made by Manager Scherping to approve the consent agenda minus the Wenck payment for \$600.00. The motion was seconded by Manager Carlson. The motion passed with all in favor.** Manager Kuseske commented that he thought the decision to enter into an agreement for a retainer with a firm should be the decision of the board. A committee consisting of Managers Scherping and Kuseske was created by the President to work with the Administrator. **President Willenbring made a motion that Managers Kuseske and Scherping would work with the Administrator as it relates to long term in-house engineering. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

4. **Preliminary Audit Finding** – Janel Bitzan from KDV gave a presentation to the board on the Audited Financial Statements for the year ended December 31, 2014. **Manager Hagemeier made a motion to approve the Audited Financial Statements for the year ended December 31, 2014. The motion was seconded by Manager Barber. The motion passed with all in favor.**
5. **Open Discussion from the Public** –
6. **Public Hearing**
 - a. **Public Hearing on Order Establishing Project Number 341, Ashley Creek and Adley Creek Inventories** – President Willenbring recessed the regular meeting and opened the public hearing. Attorney Kolb explained the purpose of the project. President Willenbring opened the public comment portion of the hearing. After there being no public comments, **Manager Bautch made a motion to close the public comment portion of the hearing. The motion was seconded by Manager Scherping. The motion passed with all in favor. Manager Kuseske made a motion to establish the project and**



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**

524 4th St South, Sauk Centre, MN 56378
Phone: (320) 352-2231 Fax: (320) 352-6455

assign project 341. The motion was seconded by Manager Ritter. The motion passed with all in favor. Manager Bautch made a motion to close the public hearing and reopen the regular meeting. The motion was seconded by Manager Carlson. The motion passed with all in favor.

7. Reports

a) Administrator's Report – *Scott Henderson*

1. Administrative Policies – Administrator Henderson explained the need for the new Technology and Public Data Request Policies and changes made to existing Public Data Request form and Credit Card policy. **Manager Barber made a motion to approve the Administrative Policies as presented. The motion was seconded by Manager Carlson. The motion passed with all in favor.**

2. Salary Survey Policy – Administrator Henderson explained the Salary Policy and the process taken to draft the policy. **Manager Hagemeyer made a motion to approve the Salary Administration Policy as presented. The motion was seconded by Manager Carlson. The motion passed with all in favor.**

3. Middle Sauk Hayed Buffer Policy - Administrator Henderson explained the Hayed Buffer Policy that the District hopes to establish. There were questions for the Environmental Quality Coordinator, Lynn Nelson, in regards to the project. **Manager Carlson made a motion to approve the Hayed Buffer Policy. The motion was seconded by Manager Ritter. The motion passed with all in favor.**

4. Project #338 Additional Fund Acceptance – Administrator Henderson informed the board that the District was offered additional funds in project #338. Henderson asked for approval of the additional funds and authorization for the President to sign the contract when it is available. **Manager Kuseske made a motion to approve the additional funds to project #338 and to authorize the President to sign the contract when it's available. The motion was seconded by Manager Barber. The motion passed with all in favor.**

5. New 319 Grant Funding Awarded – Administrator Henderson notified the board that the District was awarded two grants. The grants are for the Mill Creek and Osakis Lake areas. **Manager Ritter made a motion to authorize the contracts as they become available. The motion was seconded by Manager Scherping. The motion passed with all in favor.**

6. MAWD Summer Tour – Administrator Henderson asked for interest in the MAWD Summer Tour in Duluth.

b) Permit Coordinator's Report – *Zach Gutknecht*

1. Rule Interpretation – Administrator Henderson explained that the current permits approved by the District are valid for 12 months. In some cases, especially large projects and developments require more time



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**

524 4th St South, Sauk Centre, MN 56378
Phone: (320) 352-2231 Fax: (320) 352-6455

to complete and, therefore, 12 months is an unrealistic deadline. Staff requests permit expirations be determined based on the type project being done, not to exceed 5 years. **Manager Ritter made a motion to adopt the recommendation of the Administrator to allow permit expirations up to a maximum of 5 years based on the type of project being done. The motion was seconded by Manager Carlson. The motion passed with all in favor.**

2. Gold'n Plump Permit 2014-012 Extension and Violations – Zach Gutknecht, Ditch and Permit Coordinator, explained that Gold'n Plump submitted a request for a 2 year extension of their permit with the District. The construction plans remain the same only that they plan to build another small infiltration pond. The design plans for the new infiltration pond are not available at this time but he recommends that in the permit extension require the new pond meet all the District's rules. **Manager Scherping made a motion to grant the extension until July 24, 2017 with the understanding there will not be an increase to impervious surface as proposed by the original application and that the design of the new infiltration pond will meet the District's current rules. The motion was seconded by Manager Ritter. The motion passed with all in favor.**

3. River Links Permit 2013-005 Extension and Violations – Gutknecht informed the board that a request was received for an extension of permit for the River Links 2nd Addition in Cold Spring. The permit was approved on June 4, 2013 with special conditions and expired June 4, 2014. There are several outstanding issues with this permit that need to be resolved. There was considerable discussion on permitting requirements. **Manager Hagemeyer made a motion to grant a 3 year permit extension for the River Links 2nd Addition. The motion was seconded by Manager Ritter. The motion passed with majority in favor, President Willenbring abstaining.**

4. VA Permit 2013-004 Extension and Witness Test – Gutknecht informed the board of a request for a permit extension from the St. Cloud VA Health Care System as well as a reduced number of locations for the infiltration tests. **Manager Ritter made a motion to approve a 1 year extension and allow the 6 infiltration tests be reduced to 3. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**

5. Black Oaks Wind Farm 2014-0026 Revised Right of Entry – Attorney Kolb informed the board that the Right of Entry had to be revised. The document is exactly the same as previously approved with the exception of the dates in Exhibit A. Attorney Kolb asked for authorization for the President to sign the revised Right of Entry. **Manager Kuseske made a motion to move forward with the**



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

- c) **Board Managers Report** – Manager Kuseske asked the District’s role involving buffer strips and new legislation. Attorney Kolb spoke briefly on this topic but will bring more information to the June meeting. Managers Scherping and Bauth and President Willenbring reported that they attended Water Festivals. President Willenbring strongly recommends Managers attend these Festivals.

- 8. **Items for Next Meeting Agenda**
 - a. **Preliminary Budget**

- 9. **Upcoming Meetings to be Announced**
 - a. **Regular Board Meetings**
 - 1. Tuesday, June 16th, 2015
 - 2. Tuesday, July 21st, 2015
 - b. **Other Meetings**
 - 1. MAWD Summer Tour, June 24-26th, Duluth

- 10. **Adjourn Regular Board Meeting** – Manager Ritter made a motion to adjourn the regular meeting at 8:30 p.m. The motion was seconded by Manager Hagemeyer. The motion passed with all in favor.

Drainage Meeting MINUTES

- 1. **The Drainage Authority meeting was called to order by President Willenbring at 8:35 p.m.**

- 2. **Additions/corrections to the agenda item**– President Willenbring asked for additions or corrections to the agenda. **Manager Ritter made a motion to approve the agenda. The motion was seconded by Manager Carlson. The motion passed with all in favor.**

- 3. **Open Discussion from the Public** – None

- 4. **Report**
 - a. **District Administrator’s Report**
 - 1. Draft Ditch Assessment Resolutions – Administrator Henderson presented the board with draft Ditch Assessment Resolutions for review on County Ditches 11, 19, 24, and Zion/Munson. The assessments would clear any negative balances and establish a maintenance fund. There was no board action taken.
 - b. **Attorney’s Report**



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**

524 4th St South, Sauk Centre, MN 56378
Phone: (320) 352-2231 Fax: (320) 352-6455

1. CD 51 Grass Buffer Appeal – Attorney Kolb reported that Zimmerman and Berndt decided to appeal the judge’s decision to the court of appeals. Administrator Henderson submitted the assembled information to the League of Minnesota Cities to see if they would take this appeal case and they will not so Rinke Noonan will respond to the appeal.

c. Ditch Program

1. CD 26 – Zach Gutknecht, Ditch & Permit Coordinator, informed the board that he did an inspection on County Ditch 26 in order to create a punch list of items for the contractor to finish or correct. There was concern from a few board members of land being under water and how that was valued by viewers. Attorney Kolb stated that he will prepare information on that for the next meeting.
2. CD 15 – Gutknecht did an inspection on County Ditch 15. He showed the board pictures of the issues he found. Gutknecht also reported a complaint from Adam Blenker. Blenker has some flooding on his land that cannot make it to the ditch. This area has not been cleaned out.
3. Landowner Invoices – Gutknecht presented invoices for a low flow crossing on Jeff Hoppe’s land that was authorized by Managers Scherping, Kuseske, and Harren in 2014. Hoppe used an outside contractor to do the work at a cost of \$1651.84. **Manager Barber made a motion to reimburse Jeff Hoppe for the authorized work at the low flow crossing at a cost of \$1651.84 under the condition that the contracted warranty is void for any further liability. The motion was seconded by Manager Kuseske. The motion passed with majority in favor, Manager Scherping abstaining.** Gutknecht presented a second invoice from Dennis Dirkes, who removed the woody debris that was left in the spoil piles. He is asking for payment for the use of his skid loader. **Manager Carlson made a motion not to pay Dennis Dirkes for the use of his skid loader for unauthorized work. The motion was seconded by Manager Hagemeyer. The motion passed with majority in favor, Managers Scherping and Ritter abstaining.**
4. Pope CD 11 As-Built Elevations – Gutknecht continued discussions on the as-built elevations for Pope CD 11. A repair was done in November of 1993 and that record contains the grade line of the ditch that was proposed in 1907. Staff will be requesting quotes from surveying companies since the District’s equipment will not work on that landscape. **A motion was made by Manager Scherping to use the 1907 grade line and the 1993 repair to establish elevation locations for future maintenance and repair on Pope CD 11. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

5. Items for Next Meeting Agenda – None



**SAUK RIVER WATERSHED DISTRICT
BOARD OF MANAGERS**

524 4th St South, Sauk Centre, MN 56378

Phone: (320) 352-2231 Fax: (320) 352-6455

6. **Adjournment of Drainage Authority Meeting** – Manager Ritter made a motion to adjourn the meeting at 9:30 p.m. The motion was seconded by Manager Carlson. The motion passed with all in favor.