



Regular Meeting MINUTES
Tuesday, September 15, 2015
Located at: SRWD Office at 6:00 p.m.

Managers Present:	Larry Kuseske, Lee Bautch, Duane Willenbring, Tyler Carlson, Dennis Ritter, Gary Barber, Gene Rasmusen, Tim Hagemeyer
Staff Present:	Scott Henderson, Administrator; Zach Gutknecht, Ditch and Permit Coordinator; Rebecca Carlson, District Engineer; John Kolb, Attorney
Guests Present:	Bev Bales, Steve Notch, Don Lieser, Allan Gregory, Tom Dimond, Tom Anderson, Randy Neumann
Manager's Absent:	Jason Scherping

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 corrections or additions to the agenda. Administrator Henderson and Manager Barber added items to the agenda. **Manager Willenbring made a motion to approve the agenda as modified. The motion was seconded by Manager Carlson. 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. **August 18, 2015, Regular Board Meeting Minutes**

b. Appropriations

<i>Payee</i>	<i>Description of Payment</i>	<i>\$ Amount</i>	<i>Fund</i>
Rinke Noonan	Retainer	\$600.00	101
Rinke Noonan	State Revolving Fund Matters	\$65.00	338
Rinke Noonan	County Ditch 26	\$75.60	550
Rinke Noonan	County Ditch 11 Repair	\$680.40	525
Rinke Noonan	Ditch 51 Court of Appeals	\$379.00	555



Wenck	General Engineering - Permit	\$103.00	101
Wenck	CD 15 Construction Support	\$136.80	530
Wenck	CD 11	\$9781.50	525

Manager Hagemeier made a motion to approve the consent agenda. The motion was seconded by Manager Ritter. The motion passed with all in favor.

4. **Open Discussion from the Public** – Tom Dimond, a concerned landowner in Birchdale Township addressed his concerns regarding an expansion of the Birchwood Resort that is encroaching on the Pioneer Cemetery. He has been working with staff on this problem. Todd County Commissioner Randy Neumann was present at the meeting to discuss getting a variance from the District to install a dock between the beach and the public access. The variance would be needed because the shoreline is in a contract with the District due to the shoreline restoration done there. Administrator Henderson advised that a formal letter be sent to the District requesting the variance. By consensus of the board, it was decided that both of these issues should be dealt with administratively.

5. **Reports**

a. **Administrator’s Report** – *Administrator Scott Henderson*

1.JD 2 Outlet from Lake Osakis – Tom Anderson, the Drainage and Ag Inspector from Douglas County was present at the meeting to discuss the outlet of JD 2 from Lake Osakis. He asked if there were alternatives for removing the cattail bogs that occur yearly. He would like to excavate a channel deeper than the original grade line and is looking for support from the SRWD, Lake Association, and the Joint Ditch Authority. The board gave directive to the Administrator to work with Mr. Anderson.

2.Environmental Technician Position – Henderson informed the board that he posted for the vacant Environmental Technician Position and received 27 applications. Of those applications, 7 interviews were conducted. Henderson recommended that the board hire Kevin Brown for the Environmental Technician Position pending a clean background check. **Manager Ritter made a motion to approve the hire of Kevin Brown as the Environmental Technician. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**

3.Engineering RFQ Recommendation – Administrator Henderson explained the process of requesting RFQ’s for engineering services. The District received 10 responses. The proposals were reviewed by staff and the top four firms were provided to the board in the packet. Staff recommends entering into a 3 year contract to utilize Wenck Associates for continued engineering services. **Manager Willenbring made a motion to approve Wenck Associates for a 3 year contract. The**



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motion was seconded by Manager Barber. There was extensive discussion on the duties of the District Engineer. President Kuseske asked that a damages clause be written into the contract if deadlines are not met. **The motion passed with the majority in favor.**

4.Accounting RFQ Recommendation – Administrator Henderson explained the process of requesting RFQ’s for Auditing Services. Four proposals were received. Staff recommends entering into a 3 year contract utilizing Bergan KDV for the District’s auditing services. **Manager Ritter made a motion to approve Bergan KDV for a 3 year contract for auditing services. The motion was seconded by Manager Hagemeyer. The motion passed with all in favor.**

5.MAWD Resolutions – Administrator Henderson informed the board that he hadn’t received any suggestions for resolutions to bring to the MAWD Board for consideration.

6.Crooked Lake – Manager Barber expressed his concerns over the lack of progress on the Crooked Lake project. Administrator Henderson said that the Douglas SWCD has 3 landowners interested and they are waiting to find out the RIM amounts for 2016 since it’s been slowly increasing every year. There was discussion on the grant the District received for the project and what can be done to speed up the process before the grant expires in three years.

b. Attorney’s Report – *John Kolb*

1.Manager Compensation – Attorney Kolb reopened the issue of manager compensation and passed out a memo clarifying some of the questions board members may have. He asked the board to review the memo and if it is agreeable, a policy can be drafted.

c. Permits – *Zach Gutknecht*

1.Albany Stone – Zach Gutknecht, Ditch and Permit Coordinator, explained a stormwater permit received from Stark Engineering on behalf of Albany Stone for the construction of a new building site located in the Freeport Industrial Park. A condition of the permit is that a performance surety is submitted to the District. Gutknecht asks that the board give conditional approval subject to the receipt of the conditional items that the President could sign the permit. **Manager Ritter made a motion to conditionally approve the permit for Albany Stone contingent upon the receipt of items listed as conditions. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**

6. Items for Next Meeting Agenda – President Kuseske spoke about a few meetings that he attended in which the use of GIS and LIDAR was showcased. He asked if staff was up to date on the software and would like to see the capabilities.

7. Upcoming Meetings to be Announced



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- a. **Regular Board Meetings**
 1. Tuesday October 20th, 2015
 2. Tuesday, November 17th, 2015
 - b. **Other Meetings**
 1. Lower Sauk Waterfest – Millstream Park, St. Joseph, Sept. 16
 2. 3 Rivers Waterfest – Millstream Park, St. Joseph, Sept 17
 3. U of M Water Resources Conference – St. Paul, MN October 13-14th
 4. MAWD Annual Meeting and Trade Show – Alexandria, MN, Dec 3 & 4
8. **Adjourn Regular Board Meeting – Manager Willenbring made a motion to adjourn the regular meeting at 7:30 p.m. The motion was seconded by Manager Barber. The motion passed with all in favor.**

Drainage Meeting MINUTES

1. **The Drainage Authority meeting was called to order by President Kuseske at 7:35 p.m.**
2. **Additions/corrections to the agenda item–** President Kuseske asked for additions or corrections to the agenda. There were no additions to the agenda. **Manager Willenbring made a motion to approve the agenda. The motion was seconded by Manager Bautch. The motion passed with all in favor.**
3. **Open Discussion from the Public – None**
4. **Report**
 - a. **Pope CD 6**
 1. Progress Report on Culvert Maintenance – Zach Gutknecht, Ditch and Permit Coordinator, informed the board that maintenance had been done on Pope CD 6. The contractor removed vegetation and irrigation crossings and cleaned out culverts on 16,000 linear feet of the ditch. The work has been completed and the District is waiting on invoices. Gutknecht noticed a considerable difference in water level after the cleaning. **Manager Carlson made a motion to direct Gutknecht to conduct a survey on Pope County ditch 6 and JD 1 and to request proposals for engineering if deemed necessary. The motion was seconded by Manager Hagemeyer. The motion passed with all in favor.**
 - b. **Stearns CD 26 Phase II**
 1. DNR Acknowledgement Letter – Administrator Henderson told the board that he mailed a letter of acknowledgement to the DNR with the conditions listed for the work being done on County Ditch 26, Phase II.



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2. Low Flow Crossings – Gutknecht informed the board that he was notified of work being done on County Ditch 26 by Thull's. Additional cattle slats were added to a low flow crossing as well as a change in the slope of the approaches was made. A permit should have been applied for through the District but was not. It was also noted that cattle slats were removed at the Hoppe's at rock was added. Hoppe's should have requested permission from the drainage authority for that work. Attorney Kolb cautioned the board that the original work on CD 26 Phase I was done according to conditions from the DNR and alterations by landowners goes against the specific conditions the District was to abide by. Kolb recommends more research on this to determine what course of action needs to be taken. **Manager Willenbring made a motion to table discussion on the low flow crossings. The motion was seconded by Manager Carlson. The motion passed with all in favor.**

c. Stearns CD 11

1. Proceedings and Order – Attorney Kolb gave a history of Stearns CD 11 and the process going forward on repairs and a redetermination of benefits. He prepared findings and order for board approval. **Manager Willenbring motioned to approve the findings and order for CD 11. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

d. Stearns CD 9

1. Petition for Repair – Attorney Kolb gave a history of CD 9. Zach Gutknecht showed photos from a survey that he did of the area. Gutknecht recommends some repair be done however was not able to get a price from a contractor yet. **A motion was made by Manager Ritter to get a request for proposals from engineers on the CD 9 repair. The motion was seconded by Manager Hagemeyer. The motion passed with all in favor.** A few landowners wanted quicker vegetation removal where water is being held and they are currently unable to harvest. Kolb reminded the board that the cost of this work would be assessed to current landowners. **A motion was made by Manager Willenbring to authorize the removal of vegetation, up to 16,000 linear feet, on CD 9. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

e. Ditch Assessments

1. Stearns County Ditch Assessments and Prepay Options – Administrator Henderson went through the resolutions for ditch assessments one by one. The first resolution discussed was Resolution DA #02-15 for CD 11. **Manager Kuseske made a motion to authorize Resolution DA #02-15 to assess Stearns County Ditch 11 for \$67,000 at 2.5%**



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interest for 4 years with the option for landowners to prepay. The motion was seconded by Manager Carlson. The motion passed with all in favor. Henderson introduced Resolution DA #03-15 for CD 19. **Manager Ritter made a motion to authorize Resolution DA #03-15 to assess Stearns County Ditch 19 for \$11,960.78 for 1 year with no interest. The motion was seconded by Manager Carlson. The motion passed with the majority in favor, Manager Bautch abstaining.** Henderson introduced Resolution DA #04-15 for CD 24. **Manager Carlson made a motion to authorize Resolution DA #04-15 to assess Stearns County Ditch 24 for \$13,289.76 for 1 year with no interest. The motion was seconded by Manager Willenbring. The motion passed with all in favor.** Henderson introduced Resolution DA #05-15 for Zion-Munson ditch. **Manager Willenbring made a motion to authorize Resolution DA #05-15 to assess Zion-Munson ditch in Stearns County for \$19,270.15 for 1 year with no interest. The motion was seconded by Manager Bautch. The motion passed with all in favor.** Henderson spoke with Jim Stegura from the Stearns County Auditor's Office about County Ditches 15, 26 and 51. Stegura suggested the District start the assessment. The District already established resolution stating that the assessment would be a 20 year assessment at 4.0% interest with the opportunity for landowners to prepay. **Manager Ritter made a motion to authorize the certification of assessments for County Ditches 15, 26, and 51 at 4% interest for 20 years as per Bonding Resolution approved on April 22, 2014. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**

- f. Board Manager Reports – President Kuseske spoke about the Drainage Workgroup he attended. He stated that the Board of Water and Soil Resources would like to appoint special group to look at redetermination of benefits and how to simplify the process.

5. Items for Next Meeting Agenda –

- a. Stearns CD 9/CD 11 Informational Meeting, Melrose City Center, September 16th.

- 6. **Adjournment of Drainage Authority Meeting – Manager Ritter made a motion to adjourn the meeting at 9:08 p.m. The motion was seconded by Manager Barber. The motion passed with all in favor.**