



524 4th St South
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MEETING MINUTES 5-19-09

Regular Meeting
7:00 p.m. Sauk River Watershed District Office
May 19, 2009

Managers Present:	Dan Coughlin,, Jim Kral, Larry Kuseske, Sharen Kutter, Robert Mostad, Richard Raeker, Virgil Rettig and Jim Rothstein.
Staff Present:	Holly Kovarik, Administrator Starla Arceneau and Mike Hayman
Guests Present:	Vernon Vangness, Shawn Beaudy and Jake Gibbons
Manager's Absent:	Chub Hensley

1. **President Kral called the meeting to order at 7:00 p.m. 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 Rothstein to approve the agenda with additions. Manager Coughlin seconded the motion.** The motion passed with all in favor.
4. Consent Agenda included:
 - a. Financial Report April 1-30th, 2009
 - b. Approval of minutes of the April 21, 2009 meeting
 - c. Permits for Approval/Extension
 - a. 09-05 Richard Elgroth
 - b. 09-06- Pine Cone Road
 - d. Resolutions
 - 48-09 Camera Purchase
 - 49-09 Newsletter
 - 50-09 Boat Storage
 - 51-09 Canoe Rental for River Assessment
 - 52-09 Chair Replacement
 - 53-09 Marco Services (Data Management Software)
 - 54-09 Fairy Lake Assessment
 - a. After reviewing the items on the consent agenda, three items (09-06 Pine Cone Road, Resolution 48-09 and 51-09) 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:** Financial Report April 1-30th, 2009, Approval of minutes of the April 21, 2009 meeting 09-05 Richard Elgroth, 49-09-Newsletter, 50-09-Boat Storage, 52-09- Chair Replacement, 53-09- Marco Services (Data Management Software) 54-09-Fairy Lake Assessment.

Manager Raeker agreed with purchasing cameras but suggested that the District buy several \$100 cameras instead of the more expensive cameras. **Manager Raeker made a motion to approve Resolution 48-09 allowing the staff a budget to purchase cameras up to \$700. Manager Coughlin seconded the motion. The motion passed with all in favor.**

Administrator Kovarik pulled permit 09-06 to update the board that the permittee has submitted all the necessary documentation. **Manager Kuseske made a motion to approve Permit 09-06 for Pine Cone Road. Manager Kutter seconded the motion. The motion passed with all in favor.**

Manager Rettig pulled Resolution 51-09 (Canoe Rental for River Assessment) to question if the district should purchase a used canoe instead of renting. Administrator Kovarik clarified this item by stating that there was only a need periodically



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for the use of extra canoes for a river assessment. **Manager Rothstein made a motion to approve Resolution 51-09 (Canoe Rental for River Assessment). Manager Kuseske seconded the motion. The motion passed with all in favor.**

5. **OLD BUSINESS:**

- Kovarik reviewed the Wenck Contract/Services scope of work for County Ditch 26 and 15. **Manager Coughlin made a motion to approve the Wenck Contract not to exceed the estimated amount (\$16,164) and to allow Administrator Kovarik to work with Wenck on signing the contract agreement. Manager Rothstein seconded the motion. The motion passed with all in favor.**
- Kovarik gave a brief update on the Cedar Island Bridge issue and that she would be meeting with the group concerned about the bridge.

6. **NEW BUSINESS:**

- Shawn Beaudy, Stearns County Environmental Services; gave a PowerPoint presentation on the NPDES Permit process.
- Kovarik gave an update on the potential FEMA assistance for the District's Pope County Ditches. Kovarik will keep the board informed when more information becomes available.
- Kovarik reviewed the 2009 Fair Schedules for all five Counties and to pursue partnering with other agencies. **Manager Mostad made a motion to have Administrator Kovarik pursue reservations for all five fairs and also allow Kovarik to spend up to \$100 per fair on reservation fees. Manager Rothstein seconded the motion. The motion passed with all in favor.**
- Kovarik suggested July 7th, 2009 as the proposed date for the District's summer tour. Manager Coughlin made a motion to have Administrator Kovarik set-up a tour for July 7th, 2009. Manager Rothstein seconded the motion. The motion passed with all in favor. Invitations & notification will be sent to legislators, commissioners, lake associations, the citizen advisory board, other agencies, and to the general public as well.
- Kovarik handed out a fiscal year update of the Board of Managers Per Diems and Mileage. This report is fiscal year to date July 1, 2008 through April 30, 2009. Kovarik mentioned that the end of the fiscal year is the end of June so she reminded the Managers to submit their claim sheets prior to the year end. Kovarik also described that submitting the manager per diems and mileage quarterly will allow the staff to generate a summary report and keep expenditures in the fiscal year that it was incurred. This report would then be reviewed at a regular board meeting. Starting this next fiscal year submission will be due at the end of the following months: March, June, September, and December.
- The MAWD Summer Tour is scheduled for June 25-27. Manager Coughlin made a motion to approve the attendance and expenses for the following individuals: Administrator Kovarik, Managers Raeker and Kuseske and to open attendance to the rest of the staff. Manager Kuseske seconded the motion. The motion passed with all in favor.
- Kovarik informed the board that a staff member accidentally used the District credit card instead of their own personal credit card. The staff member informed Kovarik right away and has issued a check to the credit card for the expenses incurred. The board said that they are grateful for having honest staff. Kovarik stated the issue had been resolved at this time.
- Kovarik reviewed a \$37 invoice for sandbags for the Little Birch Dam. The expenses incurred will be reimbursed



when the Little Birch CD comes due.

- Kovarik also reviewed a \$30 invoice for a lock on the Ford's topper.
- Kovarik reviewed two SRF Loans
 - A. Steve Coborn for a septic system– \$12,800
 - B. Bonnie Maloney for a septic system – \$6,600

Manager Kutter made a motion to approve Steve Coborn (\$12,800) and Bonnie Maloney (6,600) State Revolving Funds requests. Manager Kuseske seconded the motion. The motion passed with all in favor.

- Manager Mostad thanked the Board and Staff for their prayers and for coming to see him while in the hospital. The board welcomed Manager Mostad back.
- Manager Coughlin mentioned that he had heard through the grapevine that a member is accusing the District of violating the Open Meeting Law. Coughlin said that the District followed the law when 6 members interviewed a candidate for the Ditch Inspector position at the April 7, 2009 meeting. This meeting was properly posted and was recessed before 5:59 p.m. and that the purpose for the recess was due to a school referendum that was taking place. Minnesota Statutes state that a governmental unit cannot meet during official election poll hours (6:00 to 8:00 p.m.). To comply with this statutory requirement, the board of managers interviewed the candidate beginning at 5:00 p.m. and then recessed at 5:59 and reconvened at 8:01 to continue with the regular meeting of the Board of Managers. Manager Coughlin noted that there have been established clear procedures that managers can follow if they believe there are issues that need attention. He said that managers are supposed to mention such concerns to the board president and the president, in consultation with staff and legal council would determine how to address such matters; not the individual board member on their own.

Administrator Kovarik informed the board prior to recessing that no business shall be discussed during the recess and it was determined that a quorum of the managers would not be present during the recess. Administrator Kovarik said that since the claim was raised about the District's supposed failure to follow the open meeting law has occurred; she has developed additional procedures related to meeting notices which should further protect the organization from such claims being lodged against it in the future. The additional procedures include: All meeting notices are signed, dated, and filed along with a printed copy of the website posting; and An "Official Notices" link has been created on the website that links to the same scanned file of the notice posted in the official posting site (the front door). Administrator Kovarik noted that all current and additional practices being used with meeting postings fully meet Minnesota's Open Meeting Law requirements.

- Kovarik also mentioned that the handicap parking sign has been installed and the handicap sign will soon be painted on the pavement.

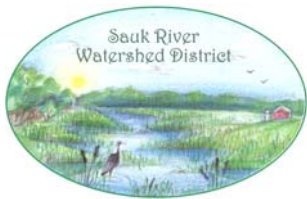
7. Reports

- Kovarik introduced Mike Hayman the new Ditch/Permit Coordinator. Hayman had two agenda items: the first was to attend a storm water certification class. **Manager Coughlin made a motion to allow Hayman and Kovarik to attend the certification class. Manager Rothstein seconded the motion. The motion passed with all in favor.**
- Hayman also discussed the review process on notification from other agencies on projects that do not require a permit. He stated that there are several instances where other agencies are sending us items for comment. In the past sometimes no comment had been made. Hayman asked the board if there should be a general correspondence issued for such projects that would indicate the Watershed District's Mission and goals. **Manager Kutter made a motion to have Hayman develop a correspondence template for**



this type of review process. Manager Coughlin seconded the motion. The motion passed with all in favor.

- Kovarik handed out the minutes of the last all committee Ecosystem Services (Water Quality Trading) meeting.
- Manager Kuseske suggested a board member be on the Technical Committee. **Manager Rettig made a motion to appoint Manager Rothstein to the Technical Committee. Manager Kuseske seconded the motion. The motion passed with all in favor.**
- Kovarik mentioned that landowners are questioning the status on County Ditch 9. The board suggested that Hayman conduct an inspection and report back at the next scheduled board meeting.
- There was discussion on purchasing a Blackberry for Administrator Kovarik to use to check emails, and business calls while away from the office. Manager Kutter questioned the need for a blackberry. Administrator Kovarik mentioned that this was brought up during her personnel review conducted by the board. This issue was raised as Administrator Kovarik was using her personnel cell phone more than anticipated for business. Per the boards request she had pursued looking into this purchase. The blackberry would allow Kovarik to answer emails while out of the office. **Manager Rothstein made a motion to allow Kovarik to invistagate a blackberry and bring a recommendation to the next regular meeting. Manager Coughlin seconded the motion. The motion passed with all in favor.**
- Kovarik reviewed a replacement plan for updating the District's computers. **Manager Mostad made a motion to allow upgrading three computers a year and give Kovarik authorization to purchase a computer if needed but to review the budget and determine if it is cost effective. Manager Rothstein seconded the motion. The motion passed with all in favor.** The board also directed Administrator Kovarik to develop a long term plan for management of the District's computers and associated software.
- Kovarik gave an update on County Ditch 26 & 15. Stearns County GIS department has been developing the maps JB Associates has requested. Kovarik also mentioned that the contract is now signed. Kovarik will update the board as this project continues.
- Kovarik reviewed the 2009 Commercial Insurance renewal. **Manager Coughlin made a motion to renew and sign the Insurance Agreement. Manager Kuseske seconded the motion. The motion passed with all in favor.**
- Kovarik mentioned that the Insurance Adjuster has authorized payment for the plotter and would like authorization to purchase a new plotter. **Manager Coughlin made a motion to purchase a plotter up to \$7000. Manager Rothstein seconded the motion. The motion passed with all in favor.**
- Kovarik mentioned the May Anniversary's for Lynn Nelson (14) and Starla Arceneau (19). The board and Kovarik thanked the staff for their hard work and dedication to the District. The board approved by general consensus to have Kovarik start the evaluation process for all staff. This report will be presented to the board for approval at the June meeting.
- Kovarik reviewed several Lake Association, Water Festival, and County Commissioners meetings that the staff has attended.



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- Administrator Kovarik gave an update on the Battle Point Project and was asked to write a letter to clarify the perimeters within the grant and two issues that were raised. **Manager Kutter made a motion to have Administrator Kovarik write a letter to submit to Todd County. Manager Coughlin seconded the motion. The motion passed with all in favor.**
 - Attorney Kolb commended the board on how the board handled the open meeting law discussion and also gave a brief update on the three draft rules stakeholder workshops that were held in May.
 - Manager Coughlin mentioned that the City of Richmond authorized the facility extension and road project. He thanked the District for its letter of support for the project which helped the City garner \$2.1 million dollars in grants and low interest loans in order to extend municipal sewer and water services to properties located on Horseshoe Lake just south of Highway 23.
 - President Kral introduced Vern Vangness the newest board member who was appointed by Todd County. The board welcomed Mr. Vangness to the board. Kovarik mentioned that Stearns County also appointed Jason Scherping to the Board.
8. Jack Gibbons questioned when the Osakis TMDL meetings are going to be held. Kovarik mentioned that Big Sauk Lake TMDL is the only TMDL meeting that has been scheduled. Gibbons also questioned spraying for curly leaf pond weed on Lake Smith. Kovarik told Gibbons to have the Lake Association call the office to discuss this issue further with the staff.
 9. Items for next meeting agenda – Manager Rothstein requested that DHIA vs. RMB and to change the next meeting date due to several Managers being absent. **Manager Rothstein made a motion to move the next regular meeting to June 9th at 6:00pm. Manager Coughlin seconded the motion. The motion passed with all in favor.** An appreciation dinner for Managers Kutter and Hensley will follow the June 9th regular meeting.
 10. The meeting was adjourned at 9:10 p.m.

Secretary, Virgil Rettig
 Recording Secretary, Starla Arceneau

_____	_____
Jim Kral	Date
_____	_____
Chub Hensley	Date
_____	_____
Sharen Kutter	Date
_____	_____
Virgil Rettig	Date
_____	_____
Bob Mostad	Date
_____	_____
Larry Kuseske	Date



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Richard Raeker

Date

Jim Rothstein

Date

Dan Coughlin

Date