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MEETING MINUTES 6-9-09

Regular Meeting  
7:00 p.m. Sauk River Watershed District Office  
June 9, 2009

**Managers Present:** Dan Coughlin,, Chub Hensley, Jim Kral, Larry Kuseske, Sharen Kutter, Robert Mostad, Richard Raeker, Virgil Rettig and Jim Rothstein.

**Staff Present:** Holly Kovarik, Administrator  
Starla Arceneau, Mike Hayman, Heather Lehmkuhl, Kristin Willer and Chris Lundeen

**Guests Present:** Jason Scherping

**Manager's Absent:**

1. **President Kral called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.**
2. President Kral asked for additions to the agenda. There were a few items added 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. Approval of minutes of the May 19, 2009 meeting
  - b. Financial Report May 1-31, 2009
  - c. Loans & Cost Share Contracts
    - Contracts
      - (1) City of Eden Valley Repair Project \$10,000
    - Loans
      - (1) Norma Snelling Septic System \$8,500
  - d. Permits-(NONE)
  - e. Resolutions
    - 55-09 Training Request-Stormwater & SWPPP
    - 56-09 Richmond Summer School Field Event Funding Request
    - 57-09 Richmond Summer School PWLC Trip
    - 58-09 ROCORI 6<sup>th</sup> Grade Reimbursement for Rally

After reviewing the items on the consent agenda, two items (May 19 minutes and Financial Report) were pulled for further discussions. **A motion was made by Manager Coughlin and seconded by Manager Kuseske and carried unanimously to approve the following items on the said agenda:** The City of Eden Valley Repair Project \$10,000, Norma Snelling Septic System \$8,500 and Resolutions 55-09 Training Request Stormwater & SWPPP, 56-09 Richmond Summer School Field Event Funding, 57-09 Richmond School PWLC Trip and 58-09 ROCORI 6<sup>th</sup> Grade Reimbursement for Rally.

Manager Rettig asked Manager Coughlin to clarify the statement from the previous meeting on May 19<sup>th</sup>. The statement was that he heard thru the grapevine that a member is accusing the District of violating the Open Meeting Law. Manager Rettig asked why he brought this item up at the May 19<sup>th</sup> meeting. Manager Rettig was at the May 19<sup>th</sup> meeting where this statement was made and Manager Coughlin stated why he brought it up was to remind the board of the policy that was recently adopted. This policy was that all Managers should contact the President of the Board and the President will take the corrective action when there is an issue. Manager Rettig then asked if this was the meeting (April 9<sup>th</sup>) when the Administrator took the tape recorder out and the six board members listened to the tape and he questioned if it was illegal to listen to the tape. Administrator Kovarik said that there have been many incidents at meetings where anyone has had an opportunity to add things to the agenda and it was no different at that meeting and it was a general consensus of the board



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of managers at that meeting to listen to the tape. Manager Rettig stated that he did not remember if Administrator Kovarik had asked the Managers to listen to the tape.

Manager Hensley said that this was a special meeting (April 9) which was for a specific reason to interview a candidate and that should have been all that was discussed at that time. Manager Hensley also commented on why there was no mention of the tape being listened too at the May 19<sup>th</sup> meeting and the discussion that took place at the May 19<sup>th</sup> meeting about the Manager not present. Manager Coughlin called for a point of order and stated that we are addressing the last meeting that was held on May 19<sup>th</sup>. He said the minutes are suppose to reflect what transpired at the last meeting and Manager Coughlin asked if the minutes properly reflect what happened at the last meeting (May 19<sup>th</sup>) and then he **made a motion to approve the May 19 minutes as presented.**

Manager Hensley cautioned the board that the May 19<sup>th</sup> meeting did not reflect the exact events of the April 7<sup>th</sup> meeting. Manager Hensley also stated that he feels that this was a violation of the Open Meeting Law. Manager Rothstein stated that these meeting minutes (April 9) were previously approved by the board of managers and if there items missing from those minutes that that is a separate issue. Manager Rothstein also stated that the May 19, 2009 meeting minutes are reflected correctly.

Administrator Kovarik stated that this was a regular meeting not a special meeting that was recessed because of the school referendum. Kovarik stated that she asked if the managers wished to listen to the tape. There was no other discussion about any other manager at this meeting. Administrator Kovarik stated she was in consultation with the attorney prior to and after the meeting and that she felt the information was handled correctly. In the last meeting, this tape was never discussed (May 19, 2009). Manager Rothstein made a suggestion that if this information was missing from the April 9<sup>th</sup> meeting that it should be added. Manager Hensley concurred with this statement made.

Attorney Kolb discussed that the May 19<sup>th</sup> meeting minutes correctly reflect the events of that meeting. If there were issues with the April 7<sup>th</sup> meeting that they should have been corrected at that time. This would be a separate issue and that would need to be added to the agenda for discussion at a later time. Attorney Kolb also stated that there was no violation of the Open Meeting Law. **Manager Rothstein seconded the motion. The motion passed with Manager Hensley abstaining.**

Manager Raeker questioned the void and reversal of check # 18490 for Envirolok. Kovarik explained that the Envirolok were used for the Battle Point Project and it was actually cheaper then invoiced so the check was voided and a new check was re- issued after the board packet was mailed. **Manager Raeker made a motion to approve the Financial Report. Manager Kuseske seconded the motion. The motion passed with all in favor.**

5. **OLD BUSINESS:**

- (a) Administrator Kovarik reviewed the draft agenda for the 2009 Summer Tour. **Manager Mostad made a motion to approve the tentative agenda and the busing for the summer tour. Manager Coughlin seconded the motion. The motion passed with all in favor.**
- (b) Administrator Kovarik gave a brief update on the fair schedule.
- (c) Administrator Kovarik gave an update on FEMA for the Pope County Ditches. Allan Kuseske has completed the inspection on the Pope County Ditches and when his report becomes available Kovarik will send a copy to the Managers.
- (d) Administrator Kovarik reminded the board to submit their Per Diem's before the fiscal year ends.
- (e) Administrator Kovarik reported on the MN Waters Conference she attended May 7<sup>th</sup> and 8<sup>th</sup>. Kovarik met with Jim Eagan from the Sauk River Chain of Lakes on the Cedar Island site and also sat in on several informative workshops.
- (f) Administrator Kovarik mentioned that she will be attending the Storm Water Training Workshop on June 21<sup>st</sup> and will re-schedule the recap for the next regular meeting.
- (g) Administrator mentioned the already approved Wenck CD 15 & 26 Agreement is for the Board's information



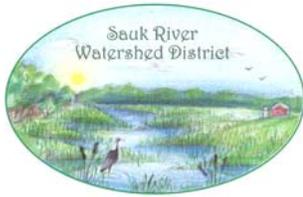
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6. **NEW BUSINESS:**

- *Administrator Kovarik* reviewed an email from Angie Berg from the Stearns County Environmental Services asking if the District is interested in maintaining the stormwater facilities after the Cold Spring Granite Company/Alexander property development on Big Fish Lake is built. The board agreed that the District should not get involved. **Manager Kuseske made a motion to have Administrator Kovarik write a letter to the Stearns County Environmental Services and the Alexander Point Contractors denying their request for maintaining the stormwater facilities. Manager Kutter seconded the motion. The motion passed with all in favor.**
- Administrator Kovarik suggested the board to re-establish committees. Manager Kutter said the committee of the whole is working and suggested to leave it as is. The board agreed by general consensus to leave the committee's of the whole intact for now and if a committee is needed the executive directors could be used.
- Administrator Kovarik reviewed a complaint on County Ditch 11 in Pope County. Attorney Kolb said that in 2002 when this portion of the Ditch was re-aligned there was a \$700 payment and an order that required a buffer area of 16 ½ feet on either side of the ditch. For now this is a heads up and the staff will research on the \$700 payment and then re-address the issue at a future board meeting.
- Administrator Kovarik will be looking into establishing a policy for Data Practices.
- Administrator Kovarik suggested moving next board meeting due to a conflict with the Storm Water Training. **Manager Raeker made a motion to move the next regular meeting to July 14, 2009. Manager Coughlin seconded the motion. The motion passed with all in favor.**
- Manager Hensley brought in pictures of a small delta about 4 feet deep and 50-75 yards wide. Hensley requested a letter be sent asking the Ditch Authority their intent on removing the delta. **Manager Hensley then made a motion to have Administrator Kovarik write a letter to the Ditch Authority. Manager Coughlin seconded the motion. The motion passed with all in favor.**

7. Reports

- Administrator Kovarik introduced Kristin Willer and Chris Lundeen the two new interns.
- Administrator Kovarik gave a brief update on the hour and half conference call with the National Committee in regards to the Ecosystem Services (Water Quality Trading)
- Administrator Kovarik has done research on purchasing a blackberry on her own plan and the District could reimburse a stipend for half her phone bill. Manager Coughlin asked if this should be added to Kovarik's contract. Attorney Kolb said that he does not recommend opening the contract but to establish a resolution authorizing the additional compensation in the amount to be determined. Manger Rothstein suggested that Administrator Kovarik put together a resolution and bring to the next regular meeting.
- Administrator Kovarik asked to table the Performance Review until the next regular meeting so she can do more research. Attorney Kolb suggested that any pay increase be retroactive to July 1.
- Administrator Kovarik reviewed a difference of \$1000 to distribute the 2009 Annual Reviews. **Manager Kutter made a motion to amend the resolution to include the additional \$1000. Manager Rothstein seconded the motion. The motion passed with all in favor.**
- Administrator Kovarik reviewed the Viewers expenses incurred on the County Ditch 26 and 15 Re-determination of Benefits. Attorney Kolb said the invoice is for when the Viewers met with Administrator Kovarik and himself prior to the contract being signed. Manager Kutter made a motion to reject the invoice. Manager Coughlin seconded the motion. The motion passed with Manager Hensley opposing.
- Administrator Kovarik sat in on the MAWD Educational Committee. There was discussion on future trainings opportunities.
- Administrator Kovarik reviewed two amendments to contracts. The Pearl Lake TMDL contract will add an additional \$5010 and extend the expiration date to June 30, 2010 and the Lake Osakis TMDL contract



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will extend the expiration December 31, 2009. **Manager Coughlin made a motion to approve the two contracts and have President Kral sign. Manager Kuseske seconded it. The motion passed it with all in favor.**

- Administrator Kovarik mentioned there is a plumbing problem in the basement. The board approved by general consensus to get the problem fixed.
- Administrator Kovarik attended the Sauk River Chain of Lakes and the Big Sauk Lake Association meetings.
- Administrator Kovarik met with residents in regards to the Cedar Island Bridge erosion problem. Kovarik will be talking to the staff to determine if this area could be considered a shoreland restoration project. Kovarik also recommends inviting these residents to the July regular meeting to discuss this further.

8. No Attorney Report was given.

9. Mike Hayman gave the Ditch/Permit Inspector Report.

- Hayman discussed the proposed cleanout on County Ditch 9. Manager Kuseske mentioned that he was contacted by Dave Bailey from MBC Drainage saying the bid he submitted last fall for the cleanout will remain the same. Hayman and Kolb will continue to work on this and keep the board informed.
- Hayman submitted FEMA applications for the Districts Stearns County Ditches.
- Hayman and Kovarik completed an inspection on CD 26 Right of Way in Oak Townships. Hayman recommends the Board allow the township to cut the trees in the right of way but leave the stumps in place to prevent further erosion and allow the chemical treatment of the tree stumps. **Manager Coughlin made a motion to authorize the township board to remove the trees and chemical treat the stumps. Manager Kutter seconded the motion. The motion passed with all in favor.**

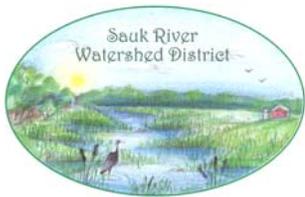
10. Calendar Items:

- Plan County Fair Booth and Scheduling staff
- Monitoring program STORET information due
- Performance Review of all staff
- MAWD Summer Tour
- District Summer Tour
- Preliminary Budget recommendations to counties for approval

11. Board Member Meeting Report;

- Manager Coughlin complimented Administrator Kovarik presentation to Stearns County Commissioners.
- President Kral helped the staff on the Battle Point Project and is impressed how nice the project is coming along.
- Manager Mostad reported on the status of the Weed Harvest Project. Kovarik mentioned that one of the weed harvest crew members resigned and opened it up for the board to discuss hiring a replacement. **Manager Coughlin made a motion to authorize Administrator Kovarik to temporarily hire a person to help with the weed harvest project. Manager Rettig seconded the motion. The motion passed with all in favor.**
- Administrator Kovarik suggested spraying the thistles at Judicial Ditch 2 Sediment Ponds. The board by general consensus gave the administrator the authority to get the spraying done.

12. Open Discussion to the Public. President Kral introduced Gary Johansson from Todd County Planning and Zoning office. Manager Kutter introduced Jason Scherping the newest appointed board member to replace her position.



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President Kral presented Managers Kutter and Hensley plaques for their many years of dedicated services to the District.

13. The meeting was adjourned at 7:45 p.m.

Secretary, Virgil Rettig  
Recording Secretary, Starla Arceneau

_____	_____
Jim Kral	Date
_____	_____
Chub Hensley	Date
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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