



Regular Meeting MINUTES

Tuesday, July 15th, 2014

Located at: Sauk River Watershed District Office at 6:00 p.m.

Managers Present:	Larry Kuseske, Jason Scherping, Glen Sanders, Lee Bautch, Duane Willenbring, Tyler Carlson
Staff Present:	Scott Henderson, Administrator; Kale Van Bruggen, District Attorney; Rebecca Kluckhohn, District Engineer;
Guests Present:	Lynn Nelson, John Babcock, Karl Meyer, Wayne Klaphake, Gary Barber, Steve Notch, Gene Sullivan, Martha Meyer, John Funk, Dale Imdieke, Ralph Inderrieden, Ken Zimmermann, Bob Bjork, Pete Linsner, Dean Meyer, Gary Berndt, Jim Waldorf, Erika Kociemba, John Kociemba, Linda Kociemba, Scott Lucas, Mike Wehlage, Matt Silbernack, Ron Ringquist
Manager's Absent:	

1. **The meeting was called to order by President Kuseske at 6:00 p.m. and the Pledge of Allegiance was recited.**
2. **Moment of Silence to Remember Managers Virgil Rettig and Bob Mostad** – President Kuseske asked for a moment of silence to remember the board members that had passed away since the last meeting.
3. **Oath of Office/Bond for newly appointed Todd County Manager Tyler Carlson** – Tyler Carlson read and signed his oath of office and bond. President Kuseske welcomed Manager Carlson to the board.
4. **Annual Election of Officers** – President Kuseske opened the floor for elections and requested nominations for President. Manager Kuseske asked a second time for a nomination for President. Manager Sanders nominated Manager Willenbring for President. President Kuseske called a third time for nominations for President. Manager Bautch seconded the nomination for Manager Willenbring. **President Kuseske asked for those in favor of Manager Willenbring for President. All were in favor.** President Kuseske turned the meeting over to newly elected President Willenbring. President Willenbring called for nominations for Vice-President. Manager Scherping nominated Manager Kuseske for Vice-President. Manager Bautch seconded that nomination. President Willenbring called two additional times for nominations for Vice-President. After there being no other nominations for Vice-President, President Willenbring closed the nominations for Vice-President. **Manager Bautch made a motion to cease nominations for Vice-President. The motion was seconded by Manager Scherping. President Willenbring asked for those in favor of Manager Kuseske as Vice-President. All were in favor for Manager Kuseske as Vice-**



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President. President Willenbring called for nominations for Secretary. Manager Bautch nominated Manager Scherping for Secretary. Manager Kuseske seconded the nomination for Manager Scherping for Secretary. President Willenbring called ~~to~~two additional times for nominations for Secretary. After there being no other nominations for Secretary, President Willenbring asked for a motion to close the nominations for Secretary. **Manager Bautch made a motion that nominations for Secretary cease. The motion was seconded by Manager Sanders. The motion passed with all in favor. President Willenbring asked for those in favor of Manager Scherping as Secretary. All were in favor of Manager Scherping as Secretary.** President Willenbring called for nominations for Treasurer. Manager Scherping nominated Manager Bautch for Treasurer. Manager Kuseske seconded that nomination. President Willenbring called one more time for nominations for Treasurer. **Manager Kuseske made a motion that nominations cease and cast a unanimous ballot. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

5. **Additions/corrections to the agenda items** – President Willenbring asked for corrections or additions to the agenda. Administrator Henderson informed the board of a few additions to the agenda. President Willenbring asked the board and Administrator Henderson to introduce themselves to the newest board members. **Manager Bautch made a motion to approve the agenda with additions. The motion was seconded by Manager Scherping. The motion passed with all in favor.**

6. **Consent Agenda**

- a. **Financial Reports/Meeting Minutes**
 - 1. **Check Register for General Fund 101**
 - 2. **Revenue Guideline**
 - 3. **Grant & Cost Share Logs**
 - 4. **Expenditure Report**
 - 5. **June 17, 2014 Regular Meeting Minutes**
- b. **Contracts for Approval – None**
- c. **Board Action Items for Approval - None**
- d. **Resolutions for Approval – None**
- e. **Grant Application Approvals – None**
- f. **Grant Payment Approvals – None**
- g. **Loan Project Approvals – None**
- h. **Loan Payment Approvals – None**
- i. **Appropriations**

Wenck	2014 Permit Review	\$392.00	101
Wenck	2014 General Engineering	\$2639.92	101



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Wenck	CD 26 Construction Support	\$1770.28	550
Rinke Noonan	Retainer	\$600.00	101
Rinke Noonan	Weed Harvester Project	\$75.60	572
Rinke Noonan	CD 26 Concerns	\$245.70	550
Rinke Noonan	CD 11 Repair	\$56.70	525
Rinke Noonan	Hagemeier Bankruptcy	692.70	101
Lake Restoration, Inc.	Curly Leaf Pondweed Survey – BSLA	\$1,900.00	572
University of Wisconsin – Superior	Macroinvertebrate Study	\$6,900.00	101
RESPEC	Runoff Rates & HSPF Management Scenarios	\$6,604.00	333

Manager Kuseske asked for discussion on item 6.a.3. Grant Log. President Willenbring pulled item 6.a.4. Expenditure Report for further discussion. **Manager Kuseske made a motion to approve the consent agenda minus items 6.a.3 & 4. The motion was seconded by Manager Bautch. The motion passed with all in favor.** Manager Kuseske asked Lynn Nelson for a brief explanations of the grants the District has and what they can be used for. President Willenbring asked about a check to New Look Construction for Payment Request #3 and if a retainage was being kept. Rebecca Kluckhohn, Engineer, stated that a retainage is being kept until the work is complete. **Manager Bautch made a motion to approve consent agenda items 6.a.3 & 4. The motion was seconded by Manager Kuseske. The motion passed with all in favor.**

7. **Open Discussion from the Public** – President Willenbring asked for discussion from the Public. Pete Linsner, John Kociemba, and Gene Sullivan from Little Birch Lake presented pictures of flooding issues that he have experienced and asked for help from the District. Administrator Henderson informed the board of the involvement he and Tara Ostendorf have had with this problem. **Manager Kuseske made a motion to direct staff to move forward using limited engineering services. The motion was seconded by Manager Bautch. The motion passed with all in favor.** Gary Barber, Osakis Lake Association President, stated they look forward to working with the District and they understand that the first years of the new Comprehensive Management Plan entails work in the Osakis area, such as re-creating Crooked Lake and installing biofilters. Lynn Nelson informed Barber that a grant application has been submitted for the Crooked Lake Project. Karl Meyer discussed CD 9 that goes through his land. He stated that John Funk found a sink hole on his and Wayne Klaphake’s land which Funk proceeded to open up. He voiced his concerns of more costs to the ditch landowners,



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of which he feels do not all pay. He would like to fix only what's necessary and if there are more expenses, do a redetermination of benefits. President Willenbring advised Meyer to work with Zach Gutknecht, the SRWD Ditch and Permit Coordinator, to address his concerns. John Funk, CD 9 landowner, gave a history of work done on CD 9 and the water level concerns. Administrator Henderson stated that more on this subject would be presented during the Ditch Inspector's report.

8. Old Business

- a) **Weed Harvest Equipment Sale** – Jim Waldorf, Waldorf Auction Service, worked with Manager Mostad on the sale of the Weed Harvest Equipment before his passing. He has been in contact to other weed harvesting companies and has learned that due to the size and age of the equipment, it would be difficult to sell. He then spoke to some of regular buyers of trucks and equipment and received 3 sealed bids which were presented to the board. President Willenbring suggested that a committee be set up to decide what course of action to take with the weed harvester.
- b) **Public Hearing on CD 51 Buffer Strip Acquisition** – President Willenbring recessed the regular meeting and opened the public hearing for the acquisition of buffer strips on CD 51 at 7:30 p.m. The regular meeting was reconvened at 8:45 p.m.

9. New Business

- a) **Project Repair Maintenance- 2011 Rain Garden Initiative** – Administrator Henderson informed the board of 2 raingarden projects that have failed due to heavy precipitation. It is staff's recommendation to hire a contractor to repair the projects if possible or release the landowners from their contractual obligations if the projects need to be removed. **Manager Bautch made a motion to enlist a contractor to repair the 2 damaged raingardens or release the landowners from their contractual obligations if the projects need to be removed with costs not to exceed \$5,000 per project. The motion was seconded by Manager Carlson. The motion passed with all in favor.**
- b) **Big Sauk Lake – Curly Leaf Pond Weed Assessment** – Administrator Henderson informed the board that the Big Sauk Lake Association did a vegetation survey to determine potential areas of concern for Curley Leaf Pond Weed in 2015.

10. Reports

a) **Administrator's Report** – *Scott Henderson*

1. Annual Report – Administrator Henderson informed the board that the Annual Report has been finished and submitted to the appropriate agencies. Manager Kuseske stated that it has been customary that the Administrator and the appropriate board members for each county present the Annual Report at a County Board Meeting.

2. Grant Application Submittals – Henderson told the board that staff has submitted 4 grant applications. The first application is a Middle Sauk



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area CWP project. The other 3 applications are EPA 319 projects located in the Osakis and Sauk Lake area.

3. Comprehensive Plan –Henderson notified the board that the Comprehensive Management Plan was approved by the Board of Water and Soil Resources (BWSR) on June 25th. President Willenbring asked Kluckhohn for her comments on the plan. She stated that the Plan was highly praised by the BWSR for being cutting edge of how managing water resources in agricultural areas should be. The District has an excellent springboard from which to proceed in the next 10 years to achieve our water quality goals.

4. Discussion about Office Hours – Henderson stated that to save time, this discussion could be skipped.

5. RESPEC – Ditch Interface – Henderson directed the board to a memo from RESPEC in regards to creating a Project Setup Interface to the existing ditch assessment tool to improve the functionality and quality control to the current workbooks. The price of the work will be paid with ditch funds and will cost \$4,442. Manager Kuseske would like this paid out of the BWSR ditch grant and if more information could be provided on. **Manager Scherping made a motion to authorize staff to utilize RESPEC to create a Project Setup Interface for \$4,442 if it could be paid from grant funds. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

b) Attorney's Report – Kale Van Bruggen

1. Bernie Herickhoff – Pope CD 11 Enforcement Letter – Kale Van Bruggen informed the board that John Kolb sent a letter to Bernie Herickhoff extending an opportunity for him correct the violation found on his property and reestablish the grass strips as required or appear before the Board and explain why it cannot be done. The letter gave Herickhoff until August 1, 2014 to reestablish the site before the Board initiates enforcement proceedings. Kolb received a letter from Herickhoff's attorney stating that the reseeding of the buffer areas will happen before August 1, 2014, however, asks for a one month extension to plant around the inlets. **Manager Bautch made a motion to allow Bernie Herickhoff until September 1, 2014 to plant buffers around his outlets. The motion was seconded by Manager Carlson. The motion passed with most in favor, Manager Kuseske opposed and Manager Scherping abstaining.**

c) Engineer's Report – Rebecca Kluckhohn

1. CD 26 Spoil Piles – Rebecca Kluckhohn, Engineer, provided an illustration of the sizes and shapes of spoil piles and repeated the options given at the June 17th meeting. There was discussion of different options and prices. President Willenbring strongly suggested the board continue this discussion at the August meeting rather than make a hasty decision. **Manager Kuseske made a motion to table discussion on the CD 26**



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Spoil Piles. The motion was seconded by Manager Sanders. The motion passed with most in favor, Manager Scherping abstained.

2. Dry Hydrant at CR 176 along CD 26 – Kluckhohn informed the board that a call was received from Jim Rothstein, Mayor of St. Martin, asking the status of the dry hydrant on Getchell Creek, County Road 176. A site visit will be scheduled to determine any damages to the hydrant.

d) Permits Program Report – Zach Gutknecht

1. Riverside Inn Permit Condition – Gutknecht informed that board that Riverside Inn Addition is still out of compliance. Gutknecht spoke with the Project Manager who proposed the local building inspector and SRWD staff witness the groundwater infiltration test to confirm compliance. If there is an issue, the building inspector can hold up the occupancy certificate for the building addition, thereby forcing them to comply with the infiltration test for the groundwater infiltration. Staff recommends the board change the current permit surety from the \$10,000 bond to requiring corrective action before continued building progress based on the witness test by the SRWD and the Building Inspector. **Manager Kuseske made a motion to change the current permit surety from the \$10,000 bond to requiring corrective action before continued building progress based on the witness test by the SRWD and the Building Inspector. The motion was seconded by Manager Sanders. The motion passed with all in favor.** President Willenbring asked for staff to get it in writing that the Building Inspector would hold up the occupancy certificate if the project would continue to be non-complaint.

2. Gold'n Plump – Rebecca Kluckhohn, Engineer, reported to the board about an expansion project for Gold'n Plump in Cold Spring. Kluckhohn has been working diligently with the Engineer for Gold'n Plump to work on some of the fine details. Kluckhohn has a level of comfort that they are approaching a solution that will meet the District's requirements. The permit is covered under the NPDES Construction Permit so the District is not involved with erosion control, however, is concerned about stormwater quality. Gold'n Plump has proposed to take a portion of the water and send it to their own wastewater treatment plant. Another portion of water will go to pond and infiltration trench. The basins are adequately sized but need technical details reflected in the drawings. There hasn't been time to review the final submittal but Kluckhohn stated she feels that Gold'n Plump can meet all the District's requirements. Kluckhohn listed conditions that should be included in the permit. **Manager Sanders made a motion to authorize staff to approve the Gold'n Plump permit with the Kluckhohn's conditions when it's complete. The motion was seconded by Manager Carlson. The motion passed with all in favor.**



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3. Rotochopper – John Babcock from Rotochopper introduced himself and explained the Rotochopper business in St. Martin and the need for expansion. He stated they would like to work with Kluckhohn and staff to resolve the technical issues. Kluckhohn stated she has been working with the Engineer for Rotochopper with some technical issues and difficulties in meeting the District’s requirements and gave a few examples. A larger issue will be getting easements from landowners. The legal issues need to be taken care of before any decisions can be made. **President Willenbring made a motion to defer any decisions on the Rotochopper expansion until the August meeting and authorizes staff to work diligently with Rotochopper to make sure all inquiries are resolved. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

e) **Ditch Program Report** – *Zach Gutknecht*

1. CD 9 Collapsed Tile Recommendation – Zach Gutknecht reported that there have been 2 collapses on a drain tile in CD 9. It is Gutknecht’s recommendation to scope the tile line so that staff knows the current condition of the tile line and if there are more collapsed portions. Gutknecht received a quote of \$1.50/foot of tile from Johnson Jetline. There was discussion from a landowner about doing a redetermination of benefits and just fixing the collapsed portion of the tile instead of spending the money for scoping. **Manager Sanders made a motion to approve the recommendation of the staff to scope the collapsed tile on CD 9. The motion was seconded by President Willenbring. The motion failed with two in favor, 4 opposed.** President Willenbring asked staff to include this on the August meeting agenda. Gutknecht informed the board that beside the tile issue, there is maintenance and repairs that need to be done on the ditch.

2. CD 26 Hoppe Low Flow Crossing – Zach Gutknecht informed the board that Jeff Hoppe brought in an invoice for work done on his low flow crossing on CD 26. Gutknecht stated that Managers Scherping, Kuseske, and Harren were on site after the May board meeting and authorized Hoppe to work on his crossing. Hoppe utilized an outside contractor to add extra armor to the bank approach to allow access to an adjacent field. Because the work was done by an outside contractor, the added armor may void the warranty from New Look Excavating. Staff recommends the SRWD reimburse Jeff Hoppe for the work conducted at the low flow crossing under the condition that any and all warranties under the contract agreement between the SRWD and New Look associated with the area around the low flow crossings on Jeff Hoppe’s property are void and any further liability is now solely on the property owner. **Manager Kuseske made a motion to defer any action on the payment request for the Hoppe low flow crossing until the August**



meeting. The motion was seconded by Manager Bautch. The motion passed with most in favor, Manager Scherping abstaining.

- f) **Calendar Items – Adam Hjelm Anniversary Date: 7 years!**
- g) **Board Member Meeting Reports –** President Willenbring gave kudos to those managers and staff in attendance at the MAWD Summer Tour. Manager Kuseske stated that the whole tour promoted collaboration with other agencies. He also informed the board that he put in a request for the MAWD Annual Meeting, that there is a session for staff on collaboration. Manager Scherping asked when an orientation will be held with Administrator Henderson. President Willenbring stated that he will send an email out to staff. President Willenbring also asked for working sessions that could be held for the board of managers. Henderson let the board know that Adam Hjelm set a tentative date of August 12th at 5:00 p.m. in Osakis. Manager Kuseske asked to be on a committee with Administrator Henderson to further the sale of the weed harvest equipment. President Willenbring stated that Managers Kuseske and Scherping should meet with Henderson to open the sealed bids.

11. **Items for Next Meeting Agenda –**

12. **Upcoming Meetings to be Announced**

<u>Meeting Date</u>	<u>Meeting Description</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
Tuesday, August 19, 2014	Regular Meeting	District Office	6:00 p.m.

13. **Adjournment –** Manager Scherping made a motion to adjourn the meeting at 10:35 p.m. The motion was seconded by Manager Kuseske. The motion passed with all in favor.