



Regular Meeting MINUTES
Tuesday, August 20, 2013
Located at: SRWD Office at 6:00 p.m.

Managers Present:	Jim Kral, Larry Kuseske, Virgil Rettig, Bob Mostad, Jason Scherping, Vern Vangsness, Tim Lunsford, Duane Willenbring
Staff Present:	Holly Kovarik, Administrator; Tara Ostendorf, Environmental Project Technician; Sarah Jo Schmitz, Monitoring Coordinator; John Kolb, District Attorney; Rebecca Kluckhohn, District Engineer
Guests Present:	Scott Lucas, Butch Thull, Ryan Blenker, Chris Middendorf, Ron Hoppe, Donald Gaebel, Mike Rosner, Bob Timp, Adolph Wensmann, Julie Blackburn, Jason Love, Jodi Teich, Marcus Miller, Ken Zimmermann, Bob Bjork, Duane Pung
Manager's Absent:	John Harren

1. **The meeting was called to order by President Kuseske at 6:00 p.m. and the Pledge of Allegiance was recited.**
2. **Oath of Office/Bond for newly appointed Stearns County Manager Duane Willenbring** – Newly appointed Manager Duane Willenbring read and signed his oath of office.
3. **Additions/corrections to the agenda items** - President Kuseske asked for additions or corrections to the agenda. Administrator Kovarik added additional items to the consent agenda.
4. **Consent Agenda**

- **July 1-31, 2013 Financial Report/Meeting Minutes**

1. **Check Register for General Fund 101**
2. **Revenue Guideline**
3. **Expenditure Report**
4. **Cost Share & Loan Log**
5. **July Meeting Minutes**

- **Contracts for Approval – None**

- **Permits recommended for approval –**

13-024	Albany Twp 360 th St. Culvert Replacement
13-025	Fred Schlangen poultry barn
13-019	Schoenborn Wetland Bank

- **Grant Applications for approval –**

1.	LCCMR WQExPertApp grant application
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- **Resolutions for approval - None**
- **Board Action Items for approval - None**
- **Loans, Grants, Appropriations –**



- Grant Project Approvals – None
- Grant Payment Approvals

<u>Landowner:</u>	<u>Project Installed:</u>	<u>Amount to Pay</u>	<u>Fund Code:</u>	<u>Pay to:</u>	<u>Partnered with:</u>
Stearns Co. Fair Board	Rain Garden	\$600.00	332	Zeugcraft Cabinets	Fair Board

- Loan Project Approvals

<u>Landowner:</u>	<u>Project Installed:</u>	<u>Amount to Encumber</u>	<u>Fund Code:</u>	<u>Partnered with:</u>
Jason Felling	Feedlot Abatement	\$90,000	223	Stearns SWCD
James & Shirley Fuchs		\$13,000		

- Loan Payment Approvals - None
- Appropriations

	<u>Payee</u>	<u>Description of Payment</u>	<u>Amount</u>	<u>Payment Code</u>
1.	Houston Eng.	Incentives DB	\$4,575.00	333
2.	Houston Eng.	Permit DB	\$5,510.00	333
3.	Rinke Noonan	General	\$1,091.40	101
4.	Rinke Noonan	Watershed Plan	\$623.70	172
5.	Rinke Noonan	Weed Harvester	\$970.00	WH
6.	Rinke Noonan	CD 15&26	\$623.70	CD15-26
7.	Rinke Noonan	Review grant contract RESPEC	\$189.00	333
8.	Rinke Noonan	CD51 Repair	\$969.70	CD51
9.	Rinke Noonan	CD51 Zimmerman	\$214.00	CD51 Zimmerman
10.	Rinke Noonan	CD51 Berndt	\$214.00	CD51 Berndt
11.	Wenck	CD 51	\$510.90	555
12.	Wenck	CD 51 Zimmerman	\$2,390.40	555
13.	Wenck	Shriver/Haust	\$1,977.50	101
14.	Wenck	CD 15&26	\$11,246.90	560
15.	Wenck	Sauk WRPP	\$1,572.00	329
16.	Wenck	CD 19	\$15.00	540
17.	Wenck	General	\$1,229.42	101

Administrator Kovarik pulled the July 2013 minutes from the consent agenda. **Manager Vangsness made a motion to approve the consent agenda minus the July 2013 minutes. The motion was seconded by Manager Kral. The motion passed with all in favor.** Administrator Kovarik informed the board of an incorrect date in the informational



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section of the Minutes. **Manager Rettig made a motion to approve the July 2013 minutes with the date correction made. The motion was seconded by Manager Mostad. The motion passed with all in favor.**

5. **Open Discussion from the Public – None**

6. **Old Business**

a) **County Ditch 15& 26 –**

1. Road Authority Responses from Townships – Oak Township representative Mike Rosner voiced concerns regarding the cost of updating the culverts versus the budget the Township has. Attorney Kolb commented that they would potentially only need to update one crossing. Adolph Wensmann from Millwood Township stated that the Township is willing to work with the District due to the payment schedule discussed at a prior meeting. It is recommended by the Engineer and Staff to only require the culverts the most directly affect the efficiency of the drainage system to be changed at this time. It was determined that those crossings would be: Upper Valley Road (CD 26), Oakview Road (CD 26), Railroad crossing on CD15, County Road 157 (CD 15), Co. Rd. 39 (CD 15), Co. Rd. 157 (CD 26), Co. Rd. 30 (CD 26).

2. Road Authority Response from County – Attorney Kolb gave a brief history of the decision to update various culverts in the County Ditches 15 and 26 drainage area. It was questioned whether it was necessary to replace the culverts that were of minimal impact or just focus on the culverts that would cause obstruction and deterioration of the channel and restore the hydraulic efficiency. Jodi Teich from the Stearns County Highway Department stated that the County would work with the District to schedule and budget for the culvert replacements over the next 5 years, with the exception of a few crossings that they were not interested in doing. Attorney Kolb informed Teich that it was possible for the District to bond for the replacements and be repaid by the County. **Manager Lunsford made a motion to accept the staff's recommendations regarding the culverts to be replaced and direct staff and the treasurer to prepare for the bonding and repayment. The motion was seconded by Manager Kral. The motion passed with all in favor.**

3. County Ditch 15 Bid Responses and Selection – Engineer Rebecca Kluckhohn shared the results of bid opening with the board. There were 8 plan holders, 4 of those 8 plan holders attended the pre-bid meeting, but only 2 bids were received for the CD 15 project. For miscellaneous reasons including: the timing of bidding, size of the project, and existing workload for local contractors, bids came in at \$306,000 which exceeded the engineer's estimate of probable cost of \$180,000. **Manager Rettig made a motion to reject the bids for County Ditch 15. The motion was seconded by Manager Mostad. The motion passed with most in favor, Manager Scherping abstaining.**



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4. County Ditch 26 Bid Responses and Selection - Engineer Rebecca Kluckhohn shared the results of bid opening with the board. There were 9 plan holders, 4 of those 9 plan holders attended the pre-bid meeting, but only 1 bid was received for the CD 26 project. For miscellaneous reasons including: the timing of bidding, size of the project, and existing workload for local contractors,, bids came in at \$1.8 million, which exceeded the engineer's estimate of probable cost of \$500,000. **Manager Mostad made a motion to reject the bids for County Ditch 26. The motion was seconded by Manager Rettig. The motion passed with most in favor, Manager Scherping abstaining.** There was discussion on possible options for tree removal. **Manager Lunsford made a motion to direct staff to proceed with the Engineer's recommendation for County Ditches 15 and 26, adding the bid alternate information, and move forward. The motion was seconded by Manager Rettig. The motion passed with most in favor, Manager Scherping abstaining**
5. Getchell Lake Updates on Proceeding with the DNR – Attorney Kolb stated that a letter and revised plan set were sent to the DNR. As per state statute 103E.701 subdivision 2, the DNR must take action; however, nothing has been received at this point. An updated copy of the plan set was also sent to Stearns County and the Corps of Engineers.
- b) **County Ditch 19 Inspection Report** – Tara Ostendorf, Environmental Project Technician, gave a report on an inspection conducted on County Ditch 19 near Richmond with District Engineer Rebecca Kluckhohn. The ditch has not been maintained and is full of overgrowth, private ditching, and culvert obstructions. There is grant related work projected to be done in this area. **Manager Scherping made a motion to hold a public informational meeting for landowners on County Ditch 19 in conjunction with the project. The motion was seconded by Manager Lunsford.**
- c) **Steffenson/Shriver/Haust Project Update and Inspection Presentation** – Tara Ostendorf, Environmental Project Technician, informed the board that the Stearns SWCD will be hosting an informational meeting for upland landowners on August 28th at the Cold Spring City Hall at 3 p.m. Ostendorf stated that she would be in attendance at the meeting to offer ways in which the District can help.
- d) **County Ditch 51**– Administrator Kovarik informed the board that she scheduled a meeting with Ken Zimmerman to go over cost estimates for the improvement proceeding on his property. Kovarik also informed the board that Berndt's decided to withdraw their improvement proceeding due to recent hail damage. Berndt's portion of ditch will be repaired instead of converting it to tile. Attorney Kolb has prepared a petition for Berndt's; however the final costs have yet to be determined. Administrator Kovarik spoke with Jodi Teich, Stearns County Highway Department, about the repairs on County Ditch 51 and the County has approved the design that has been proposed. President Kuseske



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asked for direction on the request for bids. By general consensus, staff and the engineer is to follow the engineer's recommendation and start looking at the bidding process for County Ditch 51 in November to February based on the recent experience from the bid process on CD 15 and 26.

- e) **Crooked Lake Restoration Project** – President Kuseske asked if the new law passed stating that no land will be given reduced tax rates to be put into conservation easements and how and if it will affect Crooked Lake. Administrator Kovarik stated she will be meeting with the Douglas Soil and Water Conservation District (SWCD) in regards to that issue and to find out where they are on the project. Kovarik stated that a public hearing still needs to be held for the loan funds received for this project and then decide what authority will be utilized to repay the loan.
- f) **SRWD General Engineering Services RFP** – Administrator Kovarik read the resolution to approve engineering services. Manager Scherping suggested that since only 2 firms submitted proposals, that all bids are rejected, and the RFQ's be revised. There was discussion amongst the board regarding the degree of detail in the Request for Proposal's. **Manager Scherping made a motion to reject all bids and revise the RFQ by ditches and other services. Manager Scherping rescinded his motion and made a motion to accept the proposal from RESPEC for engineering services. The motion was seconded by Manager Rettig. The motion failed. Manager Lunsford made a motion to accept staff's recommendation to bring Wenck under contract for the District's general engineering services. The motion was seconded by Manager Kral. Roll call vote was taken: Kral Aye, Scherping Nay, Vangsness Aye, Mostad Nay, Willenbring Aye, Rettig Nay, Lunsford Aye, Kuseske Nay. The motion failed and was tabled until the September meeting.** Manager Lunsford verbally resigned and left the meeting.
- g) **Roofing Contractor Selection** – Administrator Kovarik stated that staff has researched quotes received for roofing contractors. Staff recommends Minnesota Spray Foam at a cost of \$16,530. **Manager Kral made a motion to hire Minnesota Spray Foam to replace the office roof at a cost of \$16,530. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**
- h) **MPCA SRF Contract Extensions**– Administrator Kovarik informed the board that staff would like approval to extend SRF contracts 0240, 0241, 0242, and 0243 for one extra year. **Manager Scherping made a motion to approve project extensions for SRF contracts 0240, 0241, 0242 and 0243. The motion was seconded by Manager Rettig. The motion passed with all in favor.**
7. **New Business**
- a) **Clean Water Fund Grant Applications** – Administrator Kovarik informed the board that agency partners will be meeting soon to discuss plans and opportunities for grant applications.



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b) **City of Cold Spring Release Agreement** – Administrator Kovarik explained that the City of Cold Spring is asking for a partial release on a cost share project for property that is being platted off. The portion of the property for partial release does not encompass the original project. **Manager Willenbring made a motion to approve the partial release for the City of Cold Spring. The motion was seconded by Manager Kral. The motion passed with all in favor.**

8. Reports

a) **Administrator's Report** –

1. **Hunting Approval JD2 Sediment Pond** – Administrator Kovarik asked for approval for a request from Adam Hjelm to hunt the JD2 Sediment Pond property. **Manager Rettig made a motion to allow Adam Hjelm to hunt the JD2 Sediment Pond property in 2013. The motion was seconded by Manager Rettig. The motion was seconded by Manager Kral. The motion passed with all in favor.**

2. **Minnesota Association of Watershed Districts (MAWD) Project & Program of the Year Submittals** – Administrator Kovarik shared what staff had prepared and submitted to MAWD for Project and Program of the Year. **Manager Kuseske made a motion to approve the project and program submittals. The motion was seconded by Manager Scherping. The motion passed with all in favor.**

3. **MAWD Resolutions** – Attorney Kolb explained two resolutions that will be submitted to MAWD. The first resolution is to amend section 103D.905, Subdivision 9 to include all new current, future, state-wide grants, cost share, or low interest loan programs since the Clean Water Partnership was created. The second resolution was for BWSR to pursue funding and develops an abbreviated process for watershed boundary corrections. **Manager Rettig made a motion to submit the resolutions to MAWD. The motion was seconded by Manager Mostad. The motion passed with all in favor.**

4. **Thelen Campaign Proposal** – Tabled until the next meeting.

5. **June Board Meeting Minutes** – Tabled until the next meeting.

6. **Computer Discussion** – Tabled until the next meeting.

b) **Attorney's Report** – None

c) **Engineer's Report** – None

d) **Permits** –

1. **13-025 Kandota Landing Development Permit** - Tara Ostendorf asked for approval of the Kandota Landing Development Permit, Maintenance Agreement, and Escrow Agreement. The project will develop 14 lots on Fairy Lake. **Manager Kral made a motion to approve the Permit, Maintenance Agreement, and Escrow Agreement for Kandota Landing 13-025. The motion was seconded by Manager Scherping. The motion passed with all in favor.**



2.13-025 **Kandota Landing Maintenance Agreement** – Previously discussed.

3. 13-025 **Kandota Landing Escrow Agreement** – Previously discussed.

4.13-026 **Stearns County Highway Bridge Replacement County Road 182** – Tara Ostendorf informed the board of a bridge replacement on County Road 182. The bridge is being changed from a timber structure to a concrete precast box culvert. The permit will be for erosion control and water control under the District’s rules. **Manager Rettig made a motion to approve Permit 13-026 for the replacement of the bridge on County Road 182. The motion was seconded by Manager Willenbring. The motion passed with all in favor.**

5.13-020 **Neal Borgerding Culvert and Tiling Project** – Tara Ostendorf asked for approval for permit 13-020 with the condition that the culvert be placed at the correct elevation on CD 26 as per the design plans and staff or a consultant will need to verify the culvert placement for a road crossing into a different field. Ostendorf stated that Borgerding is also proposing additional tile through a converted wetland pasture.

Ostendorf has asked the landowner to provide information from Stearns County in regards to WCA requirements. To date, nothing has been submitted; however, after referring to legal counsel, it was determined that it is already a benefitting property and as per the District’s rules, are recommending approval of the tiling with the condition that he provides WCA information from Stearns County before the permit is valid.

Manager Rettig made a motion to approve permit 13-020 with the conditions listed. The motion was seconded by Manager Scherping. The motion passed with all in favor.

e) **Calendar Items** – County Fairs, Summer Picnic Discussion, Approve Preliminary levy and certify to Counties, Preliminary discussion about special assessments including drainage assessments.

f) **Board Member Meeting Reports** – Manager Mostad stated that he and Administrator Kovarik attended the Viewer’s Meeting in Fergus Falls and he felt it was a very informational meeting. President Kuseske informed the board that he had attended the Discovery Farm visit with Administrator Kovarik and Sarah Jo Schmitz.

9. **Items for Next Meeting Agenda** – None

10. **Upcoming Meetings to be Announced**

<u>Meeting Date</u>	<u>Meeting Description</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
9-17-13	SRWD Board Meeting	SRWD office	6:00 p.m.

11. **Informational Items** –

- **Job Descriptions and Pay Scale/Range Review** - Staff has been working on revisions to job descriptions and a pay scale range review with consultant



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Kathleen Murphy. This project is being worked on by staff and a recommendation will be made in the fall.

- **DNR Ditch Assessments** - Rinke Noonan sent us a letter stating that the DNR should be paying their ditch assessments. A letter was received from Commissioner Landwehr directing to pay all outstanding ditch assessments. The letter will be available for further discussion if necessary.
 - **CD15/26 Bid Package** - The bid package has been posted. In order for firms to be notified of changes to the schedule they need to have requested a bid package. Pre-Bid meeting to answer questions on the bid package is on August 9th. Proposals are due by August 16th with the board awarding a contractor at the August 20th meeting.
 - **Comprehensive Plan Update** - The plan was submitted to the required agencies and is out for review. We will be waiting now for the comments to come in and to compile them.
 - **City of Osakis WWTP** - A response was received and is included in the packet for the board on the recent bypass conducted by the City of Osakis regarding the WWTP and updates since our last discussion at the July meeting.
 - **Osakis Creamery Letter regarding complaint** - A letter was received from the City of Osakis regarding a complaint received this past spring.
 - **MPCA Letter regarding WWTP Bypass Events** - A letter was sent to MPCA and is included in your packet for information and review.
12. **Adjourn – Manager Kral made a motion to adjourn the meeting at 8:35 p.m. The motion was seconded by Manager Scherping. The motion passed with all in favor.**

All Sauk River Watershed District meetings are handicap accessible.

An attempt will be made in advance to accommodate any other individual need for special services. Call the above number if any special arrangements need to be made.