

**Watershed District Meeting
MINUTES**

Tuesday, April 20, 2021

Located at: Sauk River District Office, Sauk Centre, MN, 6:00 p.m.

Managers Present:	Gary Barber, Larry Ladwig, Donavon McKigney, Bill Becker, Scott Klatt, Paul Hartmann, Lee Bautch, Scott Wittkop, Emily Wolf
Staff Present:	Scott Henderson, Administrator; John Kolb, Attorney; Sarah Jo Boser, Water Resource Manager; Jon Roeschlein, Ditch & Permit Coordinator
Guests Present:	Scott Green, Jerry Rapp, Leon Duchene, David Berdan, Mary Pfannenstein, Tim Massmann, Matt Symalla, Dan Grundman, Joe Sieben, Bob Zabinski, Jerry Zabinski, Bryan Murphy, Jason Lina, Shantel Hecht, Derek Ebertowski, Drew Kessler
Manager's Absent:	

1. **Call to Order** – The meeting was called to order by President Becker at 6:00 p.m.
2. **Additions/corrections to the agenda items** – President Becker asked for corrections or additions to the agenda. **Manager Wolf made a motion to approve the agenda as modified. The motion was seconded by Manager Barber. Roll call vote was taken. The motion passed with all in favor.**
3. **Consent Agenda**
 - a. **Financial Reports/Meeting Minutes**
 1. Checks for March
 2. Receipt Book
 3. Revenue Guideline
 4. Cash Balances
 5. Expenditure Report
 6. March 16, 2021 Regular Board Meeting Minutes
 7. Permit Status

Manager Ladwig made a motion to approve the consent agenda. The motion was seconded by Manager McKigney. Roll call vote was taken. The motion passed with all in favor.
4. **Reports – Action Items, Reports and Project Updates** – *Administrator Henderson and staff*
 - a. Projects and Programs
 - i. Getchell Creek Project Team – Sarah Jo Boser, Water Resource Manager, informed the board that the Getchell/CD 26 Project Team met again and discussed what will be coming up in the year ahead. The SRWD has a grant through the Board of Water and Soil Resources that expires at the end of the year. The remaining funds will be used to complete some channel stabilization work on the lower end of Getchell Creek/CD 26. Staff requests an approval to request an Engineer's Report from Houston Engineering to continue to move

forward and expedite the process. **Manager Wolf made a motion to approve getting an Engineer's Report on the Getchell Creek/CD 26 Project. The motion was seconded by Manager Barber. Roll call vote was taken. The motion passed with all in favor.**

- ii. Osakis Lake Area TMDL Implementation Project – Crooked Lake – Administrator Henderson read a memo briefly giving a history of the Osakis Lake Area TMDL Implementation Project (Project #2017-01). The District has since secured more conservation easements and outside funding from the Lessard Sams Outdoor Heritage Council for wetland restoration work. Houston Engineering provided a technical memo to identify potential projects in the Crooked Lake Basin and the costs associated with each one.
- iii. Wocken Property Discussion – Sarah Jo Boser, Water Resource Manager, informed the board about a tour she and other partnering agencies received of a large piece of property along the Sauk River Chain of Lakes. There are many reasons directly from the 1W1P/Sauk River Comprehensive Watershed Management Plan why the property should be protected. Staff is asking for a letter of support for the property to become a county park or WMA. **Manager Ladwig made a motion to send a letter to the DNR to express our support of the project. The motion was seconded by Manager Wolf. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-nay, Klatt-aye, Ladwig-aye, McKigney-aye, Wolf-aye, Becker-aye, Wittkop-aye. The motion passed 8 in favor, 1 against.**

b. Administrative Rules/Permits

- i. Permit #21-007 Exception from Rules – Jon Roeschlein, Ditch and Permit Manager, informed the board that Douglas County Public Works submitted permit application #21-007 for CSAH #9 reconstructions. The permit triggers a stormwater permit, erosion control permit, and a drainage permit from the District. Because of the geography and topography of the area, it would add significant expense to the project to add design features to provide the required TSS reduction that is required in District rules. Staff feels that it would be very difficult to justify the additional public expense to get to the rate control requirement of 80% reduction of TSS. Roeschlein included the Rules Exception Procedure worksheet for the board's discussion and decision. President Becker read the questions for the ruling on exceptions to the Administrative Rules. **Manager Bautch made a motion that special conditions apply to the applicant's property that do not apply generally to other property with the District. The motion was seconded by Manager Ladwig. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-aye, Klatt-aye, Ladwig-aye, McKigney-aye, Wolf-nay, Becker-aye, Wittkop-aye. The motion passed with 8 in favor, 1 against. Manager Bautch made a motion that there is undue hardship to the applicant if the strict letter of the rules is carried out. The motion was seconded by Manager Barber. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-aye, Klatt-aye, Ladwig-aye, McKigney-aye, Wolf-nay, Becker-aye, Wittkop-aye. The motion passed with 8 in favor, 1 against. Manager Barber made a motion that the activity will not affect the public health, safety, and welfare, create extraordinary public expense, and will not**

adversely affect water quality, water control or drainage in the District. The motion was seconded by Manager Bautch. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-aye, Klatt-aye, Ladwig-aye, McKigney-aye, Wolf-nay, Becker-aye, Wittkop-aye. The motion passed with 8 in favor, 1 against. Manager Ladwig made a motion that the intent of the District’s rules are met. The motion was seconded by Manager McKigney. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-nay, Klatt-nay, Ladwig-aye, McKigney-aye, Wolf-nay, Becker-aye, Wittkop-aye. The motion passed with 6 in favor, 3 against. The exception was granted.

- ii. Permit #21-008 Appeal – Jon Roeschlein, Ditch & Permit Manager, reported to the board that the he issued Permit #21-008 in March to John Duevel with the condition that they install an 18” tile instead of the 24” tile that they requested. Roeschlein did a site inspection and consulted with the District Engineer. He stated that a larger tile could cause future channel instability and reduced capacity for adjacent lands to drain. There was discussion amongst the board, landowner, adjacent landowners, and Gene Menson from Litzau Farm Drainage Inc. Attorney Kolb reminded the board that the District’s rules are to protect its resources from erosion and the introduction of additional pollutants to the water course. The District has no standard that limits the amount of drainage coefficient that a landowner can install. That is a function of reasonable use law and if they exceed it and harm their neighbor, it is an issue with their neighbor, not the District. **Manager Hartmann made a motion to approve the appeal of the condition limiting tile size to 18” in Permit #21-008. Permit will be issued with 24” tile. The motion was seconded by Manager McKigney. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-aye, Klatt-nay, Ladwig-nay, McKigney-aye, Wolf-nay, Becker-aye, Wittkop-abstain. The motion passed 5 in favor, 3 against, 1 abstention.**
- iii. Zimmermann Buffer Violation – Attorney Kolb gave a history of the buffer acquisition on CD 51 and the laws relating to it. Kolb also explained the Findings and Order. **President Becker made a motion to approve the Findings and Order. The motion was seconded by Manager Ladwig. Roll Call vote was taken: Barber – aye, Bautch-aye, Hartman-nay, Klatt-aye, Ladwig-aye, McKigney-aye, Wolf-aye, Becker-aye, Wittkop-abstain. The motion passed with 7 in favor, 1 against, and 1 abstention.**

c. Administration

- i. Resolution #05-21, LMCIT Insurance Renewal – Administrator Henderson presented Resolution #05-21 League of Minnesota Cities Liability Insurance and Workers Compensation. **Manager Barber made a motion to approve Resolution #05-21. The motion was seconded by Manager Bautch. Roll call vote was taken. The motion passed with all in favor.**
- ii. New Employee – Allison Lightfoot – Administrator Henderson informed the board that Allison Lightfoot, the new Monitoring Coordinator, started on April 5th.
- iii. Sale of Old Building – Administrator Henderson informed the board that the old District building was purchased by the Sauk Centre Chamber of Commerce.

- d. Committee
 - i. Citizen Advisory Committee – Administrator Henderson informed the board that the Advisory Committee met twice since the last board meeting. They discussed alternative ways of funding for the JD 2 Sediment Pond Project.
 - ii. Water Quality/Projects – Managers Hartmann, Becker, McKigney – No comments
 - iii. Rules – Managers Klatt, Ladwig, Wolf – No comments
 - iv. Education/Outreach – Managers Bautch and Wolf – No comments
 - v. Budget – Managers Barber, Becker, McKigney – No comments
5. **Items for Upcoming Meetings or of Interest**
 - a. Public Outreach – Website and Facebook statistics for the board.
6. **Upcoming Meetings to be Announced**
 - a. Regular Board Meetings
 1. Tuesday, May 18, 2021 – Regular Board Meeting
 2. Tuesday, June 15, 2021 – Regular Board Meeting
 - b. Other Meetings and Events
 1. None
7. **Adjourn Regular Board Meeting – Manager Bautch made a motion to adjourn the regular meeting at 7:39 p.m. The motion was seconded by Manager Wolf. Roll call vote was taken. The motion passed with all in favor.**

**Regular Drainage Authority Meeting
MINUTES**

1. **The Drainage Authority meeting was called to order by President Becker at 7:45 p.m.**
2. **Additions/corrections to the agenda item** – President Becker asked if there were changes or additions to the agenda. There were none. **Manager Bautch made a motion to approve the agenda as presented. The motion was seconded by Manager Wolf. Roll call vote was taken to approve the agenda. The motion passed with all in favor.**
3. **Reports**
 - a. Stearns County Ditch 17
 - i. Hydrologic Review – Bryan Murphy, H2Overviewers, informed the board that they received the additional hydrologic data that was requested from Houston Engineering. They also did site visits and met with landowners in that area. Murphy stated that he has requested additional information from Houston Engineering.
 - ii. Continuation of Redetermination of Benefits - **Manager Bautch made a motion to continue the hearing for the Redetermination of Benefits to the May 18th meeting at 7:00 p.m. The motion was seconded by Manager Barber. Roll call vote was taken. The motion passed with all in favor.**

- b. Stearns/Pope JD 1, Pope CD 6 and CD 11
 - i. Informational Meeting – Administrator Henderson spoke about the informational meeting held on April 13th. There was discussion about how repairs would be funded and who was responsible for fixing culverts.
 - ii. Pope CD 11 Beaver Dam – Jon Roeschlein, Ditch and Permit Manager, informed the board that there were two beaver dams that had been removed from the ditch.
- c. Ditch and Permit Manager
 - i. Monthly Report-written report
- 4. **Items for Upcoming Meetings**
 - a. Continuation of Stearns CD 17 ROB Hearing
- 5. **Upcoming meetings to be announced**
 - a. Other Meetings
- 6. **Adjournment of Drainage Authority Meeting – Manager Ladwig made a motion to adjourn the meeting at 8:45 p.m. The motion was seconded by Manager Wittkop. Roll call vote was taken. The motion passed with all in favor.**

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