



**Sauk River Watershed District Regular Meeting  
 MINUTES**

**Tuesday, December 21, 2021**

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

<b>Managers Present:</b>	Bill Becker, Paul Hartmann, Lee Bautch, Scott Wittkop, Kevin Lahr, Curt Botner, David Zerr
<b>Staff Present:</b>	John Kolb, Attorney; Sarah Jo Boser, Water Resource Manager; Jon Roeschlein, Interim Administrator and Ditch & Permit Coordinator
<b>Guests Present:</b>	Randy Neumann, Tim Kalina, Steve Notch, Cody Rogahn, Mike Zimmermann, Chris Herickhoff
<b>Manager’s Absent:</b>	Scott Klatt, Donavon McKigney

1. **Call to Order and Pledge of Allegiance** – The meeting was called to order by President Becker at 6:00 p.m. The Pledge of Allegiance was recited.
  
2. **Additions/corrections to the agenda items** – President Becker asked for corrections or additions to the agenda. Interim Administrator Roeschlein requested that item 4.b.X be moved up to be included with 4.b.II. **Manager Botner made a motion to approve the agenda as modified. The motion was seconded by Manager Bautch. The motion passed with all in favor.**
  
3. **Consent Agenda**
  - a. **Financial Reports/Meeting Minutes**
    1. Checks for November
    2. Receipt Book
    3. Revenue Guideline
    4. Cash Balances
    5. Expenditure Report
    6. November 16<sup>th</sup>, 2021 Regular Board Meeting Minutes
    7. Permit Status

**Manager Bautch made a motion to approve the consent agenda. The motion was seconded by Manager Zerr. The motion passed with all in favor.**
  
4. **Reports – Action Items, Reports and Project Updates** – *Interim Administrator Roeschlein and staff*
  - a. Projects
    - i. Getchell Creek - Sarah Jo Boser, Water Resource Manager, presented an update on the Getchell Creek Project including an inspection report of the current work that’s being done for stream stabilization, results of the survey from the project team and a copy of the feasibility study provided by Houston Engineering for Getchell Creek.
    - ii. JD 2 & Miller Bay Update – Boser presented an update on the JD 2 Project Team and Miller Bay, giving the Board the opportunity to change the direction in

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regard to the offer for financial assistance to the Miller Bay landowners.  
Consensus of the board was to continue on the current path.

- iii. Ellis Wetland Update – Boser presented an update on the Ellis Wetland Restoration. Staff fielded questions in regards to the project.

b. Administration

- i. District Administrator Contract Approval – Interim Resolution – President Becker presented the District Administrator employment agreement with Jon Roeschlein effective January 1, 2022. **Manager Zerr made a motion to approve the employment agreement. The motion was seconded by Botner. The motion passed with all in favor.** President Becker presented Resolution 2021-06 in regard to compensation for interim ditch and permit work until the position is filled. The resolution states that beginning January 1, 2022 when Roeschlein officially begins as the District Administrator, he will receive additional compensation of \$185 per pay period to do the additional duties necessary as interim Ditch and Permit Manager. **Manager Bautch made a motion to approve Resolution 2021-06. The motion was seconded by Manager Lahr. The motion passed with all in favor.**
- ii. Ditch and Permit Manager-Position Vacancy – The board briefly discussed the Ditch and Permit Manager position vacancy and the January workshop. Roeschlein stated that the focus of the workshop will be position descriptions as there were questions how to proceed with the Ditch and Permit Manager vacancy. It was decided by consensus that the board would focus their efforts on reviewing the Ditch and Permit Manager position description with discussion on what would be needed for that position.
- iii. Permit Application 21-049 Performance Bond Agreement – Jon Roeschlein, Interim Administrator and Ditch and Permit Coordinator, presented a performance bond agreement for Brentwood Hills Second Addition in Rockville, which is the second phase of a residential development. SRWD rules require a performance bond for the stormwater treatment facilities, as well as the erosion control practices. In this circumstance, the developer has provided a performance bond to the city for these items as well as additional items as needed by the city. To avoid the developer being required to submit an additional bond with the District, legal counsel has drafted an agreement between the developer, the District, and the City of Rockville that will allow the performance bond posted with the city to be adequate for SRWD requirement and allow the District to draw on that bond if necessary to address any shortcomings with the stormwater treatment and erosion control requirements. **Manager Hartmann made a motion to approve the performance bond agreement for permit application 21-049 and Interim Administrator Roeschlein was authorized to sign. The motion was seconded by Manager Bautch. The motion passed with all in favor.**
- iv. Hunting Policy – Roeschlein stated that staff and board have been contacted by area residents pertaining to the ability to hunt land owned by the Sauk River Watershed District, namely the JD 2 sediment ponds. After considerable discussion and review of the 2003 and 2009 records of the board adopting the no trespass policy, **President Becker made a motion to update the resolution**

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**number and file the new resolution in the permanent record and authorize staff to post the property in its entirety along its borders. The motion was seconded by Manager Hartmann. The motion passed with all in favor.**

- v. 103F.48 Buffer Violation-Zimmermann Update – Roeschlein reported to the board that Ben Ruley from the Stearns County Soil and Water Conservation District (SWCD) has been able to get out and meet with the Zimmerman property owners in regard to the buffer violation of Minnesota Statute 103F.48. Mr. Ruley contacted Roeschlein and stated he would be unable to present a report on his investigation until after the beginning of the new year. A copy of Mr. Ruley’s email and the Common Alternative Practice #4 - Negative slopes or concentrated inflow on public ditches was also presented to the board.
  - vi. CWMP Update – Boser gave an update on the Sauk River Comprehensive Watershed Management Plan (CWMP). All 9 local government unit partners have signed the joint powers collaborative agreement for the partnership. All 9 partners plus Meeker County, Meeker SWCD, and the City of St. Cloud have formally adopted the Sauk River Comprehensive Watershed Management Plan. Staff from each of the partnering entities continue to meet monthly and are selecting priorities from the plan and identifying which work will be completed first. Partners will use this information to apply for the watershed based implementation funding through the Board of Water and Soil Resources (BWSR). The earliest that funding is anticipated to be available is April or May of 2022. There are several committees that are meeting to work on tasks as needed between the monthly meetings. The policy committee is finalizing their by-laws and establishing a quarterly meeting schedule.
  - vii. Minnesota Campaign and Finance – Roeschlein presented a letter received at the office from the Minnesota Campaign and Finance Board reminding the board members to recertify their statement of interest as required.
  - viii. Legal Fee Schedule – Roeschlein presented a letter from Rinke Noonan in regard to the legal fee schedule for calendar year 2022. Roeschlein explained that in 2019, the Board approved the 3 year agreement to adjust the hourly rates for legal counsel. Discussion was held in regard to requesting proposals for legal services. Roeschlein indicated that the board agreed to a term through the year 2022 and suggested that at that time, the board could request proposals for legal services. The board agreed and, by consensus, will continue with legal services as they are with the new rates.
  - ix. Year End Timesheet Notice – Roeschlein reminded the board to get their timesheets in before the last pay period of 2021.
  - x. January Workshop – Already discussed.
- c. Committees
- i. Citizen Advisory Committee – No report
  - ii. Water Quality/Projects – Managers Becker, Hartmann, McKigney – Sarah Jo Boser, Water Resource Manager, presented an update on the Water Quality/Projects Committee meeting. The committee reviewed the current stream stabilization work on the downstream end of Getchell Creek along with the feasibility study for the stream restoration and water storage and treatment projects within Getchell Creek and CD 26. The committee also reviewed the

results of the Getchell Project Team survey. They were provided an update on the JD 2 project team. Committee members also provided 2 recommendations for future workshop ideas for the board. Those recommendations were to describe a 2-stage ditch to better educate the board and the other idea was to find ways to streamline the project development and initialization process.

- iii. Rules – Managers Bautch, Klatt, Lahr - No report
- iv. Public Relations/Education – Managers Botner, Wittkop, Zerr – No report

**5. Items for Upcoming Meetings or of Interest**

- a. January Workshop

**6. Upcoming Meetings to be Announced**

- a. Regular Board Meetings
  - 1. Tuesday, January 18<sup>th</sup>, 2022 – Regular Board Meeting. President Becker reminded the board that there will be a workshop beginning at 4:30 prior to the regular meeting at 6 p.m.
  - 2. Tuesday, February 15, 2022 – Regular Board Meeting, 6 p.m.
- b. Other Meetings
  - 1. None

- 7. Adjourn Regular Board Meeting – Manager Bautch made a motion to adjourn the regular meeting at 7:30 p.m. The motion was seconded by Manager Zerr. 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 7:30 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 Hartmann. The motion passed with all in favor.**
- 3. Drainage Specific Public Comment Period – Chris Herickhoff read a letter regarding Pope CD 11 repairs and gave each board member a copy.**
- 4. Reports**

7:02 Continuation of Public Hearing Kirckof Petition for Property Removal PCD #6 Assessment – President Becker recessed the regular meeting and re-convened the public hearing continuation. The Findings and Order were reviewed. **Manager Lahr made a motion to approve the Findings and Order for the Kirckof Petition. The motion was seconded by Manager Bautch. The motion passed with all in favor. Manager Hartmann made a motion to close the public hearing. The motion was seconded by Manager Bautch. The motion passed with all in favor.**

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- a. Pope CD 6 and Pope CD 11 Repair – Jon Roeschlein, Interim Administrator and Ditch and Permit Coordinator, reported that he had received new repair estimates as directed by the drainage authority at the November 2021 meeting for an extremely scaled back repair of Pope County Ditch 6 branch 1 (upper half mile) and Pope County Ditch 11 main (lower half mile). The new repair estimates were received on December 1<sup>st</sup> and the amounts were under the \$30,000 limit in the drainage policy in which the ditch inspector is allowed to proceed with the repair. The low estimate was with MBC Drainage and was \$11,912.50 for CD 6 branch 1 and \$16,720 for Pope CD 11. MBC was available to do the work right away so Roeschlein authorized them to proceed as the weather was cold and predicted to get colder. Roeschlein reported on his meeting with the US Fish and Wildlife Service regarding closing Willow ditch, which is very controversial. Completely closing it could have drawn (and it was threatened) a civil suit from the US Fish and Wildlife Service. In light of that, Roeschlein opted to put that portion of the repair on hold so as to not subject the ditch system to potential expense. Since that meeting, staff has received several historic documents regarding this subject that have been forwarded to legal counsel for review. Staff will continue to investigate this issue.
  - b. Drone Deploy – Manager Lahr presented a program on drone work called “Drone Deploy”. It is a software program where flight paths and photo patterns can be programmed into the drone and it will fly that flight path automatically. The board discussed some potential uses for the technology. Manager Lahr and Roeschlein will conduct a sample flight in the spring when things have greened up.
  - c. Ditch and Permit Manager
    - i. Monthly Report-written report
5. **Items for Upcoming Meetings**
6. **Upcoming meetings to be announced**
- i. Tuesday, January 18, 2022 – Regular Drainage Authority Meeting
  - ii. Tuesday, February 15, 2022 – Regular Drainage Authority Meeting
7. **Adjournment of Drainage Authority Meeting – Manager Bautch made a motion to adjourn the meeting at 8:25 p.m. The motion was seconded by Manager Hartmann. The motion passed with all in favor.**