



**Sauk River Watershed District Regular Meeting  
 MINUTES**

**Tuesday, August 15<sup>th</sup>, 2023**

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

<b>Managers Present:</b>	Bill Becker, Paul Hartmann, Scott Wittkop, Scott Klatt, Donavon McKigney, Russell Miller, David Zerr, Kevin Lahr, Eugene Mensen
<b>Staff Present:</b>	John Kolb, Attorney; Jon Roeschlein, Administrator; Galen Gruber, Ditch and Permit Manager, Steve Zeece III, Water Resources Manager
<b>Guests Present:</b>	Randy Neumann, Paul Wildman, Alisha Sunderman, Jerry Rapp, Tim Kalina, Robert Floerke, Megan Jacob, Carmie Mick, Hal Undersander, Matt Symalla, Dan Elemen, Steve Gudgell, Jeff Madejczyk, Mike Haller
<b>Manager’s Absent:</b>	

**Public Comments - None**

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** – President Becker asked for corrections or additions to the agenda. There were none. **Manager Klatt made a motion to approve the agenda as presented. The motion was seconded by Manager McKigney. The motion passed with all in favor.**
  
3. **Consent Agenda**
  - a. Financial Reports/Meeting Minutes
    1. Checks for July
    2. Receipt Book
    3. Revenue Guideline
    4. Cash Balances
    5. Expenditure Report
    6. July 18<sup>th</sup>, 2023 Regular Board Meeting Minutes
    7. Permit Summary Table

**Manager Hartmann made a motion to approve the consent agenda. The motion was seconded by Manager Zerr. The motion passed with all in favor.**
  
4. **2024 Preliminary Budget Hearing** – President Becker opened the 2024 Preliminary Budget Hearing at 6:30 p.m. Roeschlein gave a brief introduction, highlighting the summary of the budget numbers, indicating that a total preliminary budget is set at \$1,145,914. This includes \$995,914 for the general administration and a project tax levy of \$150,000. Roeschlein recommended that the board adopt this preliminary budget after hearing public comments. He also noted that the budget committee will revisit the preliminary budget in November to adjust where appropriate. They will then present the final 2024 budget for approval at the December 2023 board meeting. President Becker opened the hearing for any public comment. There was no public comment. **President Becker made a motion to adopt the preliminary budget of**

---

**\$1,145,914. The motion was seconded by Manager Wittkop. The motion passed with all in favor**

**Reports – Action Items, Reports and Project Updates – Administrator Roeschlein and staff**

a. Administration

- i. 2024 Preliminary Levy Certification – Administrator Roeschlein. Roeschlein did a brief introduction for the board about the levy certification that needs to be certified to the counties by September 15<sup>th</sup> for the Truth in Taxation Statements that will go out to every taxpayer in the Watershed. He indicated that the District’s maximum general fund levy can be \$1,138,279.28. This is \$142,365.28 over what the preliminary budget is. He also noted that once a preliminary levy is certified, it can be reduced before certifying the final levy but it cannot be increased. Therefore, Roeschlein recommended the board approve the following amounts for a preliminary certification: General levy \$1,138,279.28; Project Tax levy \$150,000; For a total certification of \$1,288,279.28. **Manager Hartmann made a motion to approve the 2024 preliminary levy certification for the Sauk River Watershed District set at \$1,288,279.28. The motion was seconded by Manager Zerr. The motion passed with all in favor.**
- ii. Administrator Report – Roeschlein reported that the district received a bid from Peterson Company LTD to do both fiscal year 2022 and 2023 audit at a reduced rate if both are done together. The bid was \$17,000 for the 2022 audit and \$17,500 for the 2023 audit. **Manager Zerr made a motion to authorize staff to proceed with hiring Peterson Company LTD to conduct both the 2022 and 2023 annual financial audits of the Sauk River Watershed District. The motion was seconded by Manager McKigney. The motion passed with all in favor.**
- iii. Outreach/Education Department Update-Web Analytics – The board reviewed the outreach and education written report submitted by Adam Hjelm, Public Outreach Coordinator. The Public Relations/Education Committee had just met prior to the regular board meeting. Committee members commended Adam for all of the things his department has going on with the public and schools.
- iv. Monitoring Department Update – The board reviewed Allison Lightfoot’s Environmental Monitoring Manager’s Report.
- v. Water Resources Manager Update- Water Resources Manager Steve Zeece III gave a brief overview of his monthly written report indicating that work continues on the Lessard Sams grants. Phase 5 proposal is in and staff will be meeting with the council on August 30<sup>th</sup> to give a brief presentation of the proposal in hopes that the District would be selected for funding. He noted that the WRAPS II program is now complete and the EPA has approved our TMDL. He asked for questions from the board, but there were none.

b. Projects

- i. JD 2 Project Team Update – Administrator Roeschlein indicated that he provided a copy of the last meeting notes from the JD 2 Project Team to the board.
- ii. Long (Higgins) Lake Outlet Project – Roeschlein reported that he met with representatives of the Long (Higgins) Lake landowners to review petition language and the flyer that was developed for them to circulate for signatures. He also reported that he attended a Todd County work session to discuss that project with the Commissioners and the landowners. He also had the estimated

costs of the overall project calculated and presented that to the board on the screen. One reason to have an estimated cost for the project is to know what the cost is going to be to the local landowners if the project gets built. The other reason is to determine how large of a bond may be required for processing a project petition initiating this project. The board asked Administrator Roeschlein what he would recommend for a bond amount. He responded that as Administrator of the District and to protect the District's tax payer interests, his recommendation would be \$265,000 bond to be provided with the signed petition from the landowners. He also stated that landowners could provide a smaller bond, however, once expenses reached that amount, all work would stop on the project until additional bond would be posted. It was also noted that the petitioners can stop work on the project at any time as long as they paid all of the expenses up to that point.

- iii. Little Birch Lake Outlet Structure – Roeschlein presented a draft preliminary engineer's report, cost estimate and a design for the Little Birch Lake outlet project. There were two items that needed to be addressed by the board. First, the board needed to approve the district applying for a Conservation Partners Legacy Grant, which, if awarded, would provide 90% of the cost for this project. It also allows for any expenses incurred within the last 18 months to be accounted for as local match. The application requires there to be a land manager and a project manager. Roeschlein recommended that he be named the land manager for this grant application and to name Steve Zeece III as the project manager. **Manager Hartmann made a motion to name Jon Roeschlein as the land manager and Steve Zeece III as the project manager for the grant application. The motion was seconded by Manager McKigney. The motion passed with all in favor.** Staff were authorized to proceed with applying for funds. Roeschlein then reported that staff has been working on an update for the assessment area from the 1988 original assessment roll. He highlighted several obstacles that have caused issues to updating the roll. He recommends that the board approve the resolution of intent to reopen the proceedings to update benefits and damages. Essentially, to use the process that was used back in 1988 to determine the assessment area for the project. **Manager Miller made a motion to adopt the Resolution of Intent to Reopen Proceedings to Update Benefits and Damages. The Board shall follow the procedures on statutes chapter 103D to address the repair needs of Project 87-2. The Board shall appoint "appraisers", as that term is used in statutes chapter 103D, to determine project damages and update benefits. Such appointment may be made by subsequent order. The motion was seconded by Manager Wittkop. Roll call vote was taken: Zerr, aye; Becker, aye; Hartmann, aye; Klatt, no; Lahr, aye; Mensen, no; McKigney, aye; Miller, aye; Wittkop, aye. The motion passed with majority in favor, two against.**

c. Committees

- i. Water Quality/Projects – Managers Becker, Hartmann, and McKigney – Roeschlein provided the notes from the Water Quality/Projects committee meeting.
- ii. Rules – Managers Klatt, Lahr, Mensen - No report

- 
- iii. Public Relations/Education – Managers Wittkop, Zerr, Miller – Meeting just prior to 8-15-23 Board Meeting.
  - iv. Budget Committee – Executive Board - No report
  - v. Personnel Committee – Executive Board - No report
- 5. Items for Upcoming Meetings or of Interest**
- a. September 7<sup>th</sup>, 2023 – JD 2 Subwatershed Bus Tour – Flyer
  - b. SRWD General Lunch and Learn pdf – November 30<sup>th</sup>, 2023 - Flyer
- 6. Upcoming Meetings to be Announced**
- a. Regular Board Meetings
    - 1. Tuesday, September 19<sup>th</sup>, 2023 – Regular Board Meeting, St. Cloud Municipal Drinking Water Plant-Tour at 4:30 p.m.
    - 2. Tuesday, October 17<sup>th</sup>, 2023 – Regular Board Meeting, SRWD Office
  - b. Other Meetings
- 7. Adjourn Regular Meeting – Manager Wittkop made a motion to adjourn the regular meeting at 7:25 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 7:25 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 Wittkop made a motion to approve the agenda as presented. The motion was seconded by Manager Lahr. The motion passed with all in favor.**
3. **Drainage Specific Public Comment Period** – Carmie Mick discussed her concerns with the Miller properties and the potential for them to cut off their drainage to CD 17. It was determined that this was in response to the public hearing.
4. **Stearns County Ditch 17 Hearing-Petition to Add Lands** - President Becker opened the public hearing for Stearns County Ditch 17 to petition to add lands for the Miller properties. Tim Kalina, Douglas County Commissioner, spoke to the board in regard to the process for abandoning a portion of a legal drainage system. Moore Engineering representatives addressed the board and answered questions that the board had about their calculations coming off of the Miller properties into CD 17. President Becker closed the public comment portion of the public hearing. In the matter of the proceedings for an order to add and outlet to CD 17, **Manager Hartmann made a motion to approve the Order Authorizing Outlet, Setting Outlet Fee, and Establishing Future Benefits with the conditions listed on the signed order. The motion was seconded by Manager McKigney. Roll call vote was taken: Zerr, aye; Becker, aye; Hartmann, aye; Klatt, no; Lahr, no; Mensen, no; McKigney, aye; Miller, aye; Wittkop, aye. The motion passed with majority in favor, 3 against.**
5. **Reports**
  - a. Stearns CD #11 – Vogel Claim for Damages – Galen Gruber, Ditch and Permit Manager, gave the history and overview of the situation. Mr. Vogel is claiming damages from the 2018 repair of Stearns County Ditch 11. Mr. Vogel was given the opportunity to state his claim and specifically identified the damages that occurred on this property. When asked the dollar amount of that damage claim, Mr. Vogel indicated \$20,000. Legal Counsel John Kolb indicated that Mr. Vogel has neither clearly articulated a claim for compensable damages to his property nor identified any activity of the contractor or the District that is outside of the scope of authority possessed by the District as the drainage authority. He advised the District that it would not be liable for any criminal or civil trespass because its (and its contractor) entry and occupation of land adjacent to the drainage system occurred under a claim of rights established by the drainage system and drainage code. A detailed report was included in the board packet. The board agreed with Attorney Kolb and determined that there was no compensable damage claim from Mr. Vogel. Mr. Vogel left the room upset and with intent to sue the drainage authority.
  - b. Ditch & Permit Manager – Gruber presented his monthly written report.



6. **Items for Upcoming Meetings – None**
7. **Upcoming meetings to be announced**
  - i. Tuesday, September 19, 2023 – St. Cloud
8. **Adjournment of Drainage Authority Meeting – Manager Wittkop made a motion to adjourn the meeting at 8:32 p.m. The motion was seconded by Manager Hartmann. The motion passed with all in favor.**