

North Fork Crow River Watershed District
Regular Meeting Approved Minutes
January 11th, 2016

Managers Present: Berndt, Wuertz, Barchenger, Hanson (via Teleconference), Brauchler (via Teleconference)

Managers Absent: None

Staff Present: Tara Ostendorf, Christine Knutson, Christopher Lundeen

Others Present: Harold Marthaler

Call to Order:

Chairperson Wuertz called the meeting to order at 1:00 pm.

Chairperson Wuertz asked for motion to appoint acting secretary. Motion to appoint Manager Berndt as acting secretary made by Manager Brauchler, seconded by Manager Hanson. Motion carried with all in favor.

Review and Approve Agenda

Chairperson Wuertz asked for additions or correction to the agenda. Ostendorf asked to table item 7.b.9 titled Drainage Inspection and Proceedings Plan. Ostendorf stated that it was not completed in time for the meeting. Manager Berndt concurred with tabling the item until all Managers are present in person. Manager Berndt asked to table item 6.a.1. titled Approve Resolution 2016-01: Annual Information in order to further discuss attorney appointment. After discussion, the Board decided not to table the item. Motion to approve the agenda as amended made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

Consent Agenda Items

Chairperson Wuertz called for a motion to approve consent agenda. Manager Barchenger made a motion to pull the December 14th minutes for further discussion, seconded by Manager Berndt. Motion to approve consent agenda items made by Manager Brauchler, seconded by Manager Barchenger. Motion carried with all in favor.

1. Treasurer's Report and Bills to January 11th, 2016
 - a. Check Register - 106 Bonanza Checking Acct
 - b. P & L Detail – All Accounts
 - c. Balance Sheet – All Accounts
2. Minutes
 - a. December 14, 2015 Regular Meeting Minutes
 - b. December 29th 2015 Special Meeting Minutes

Corrections made to the December 14th meeting minutes to revise statement of board meeting discussion to Manager Hanson; Ostendorf reviewed clarification to the Board recommendations for staff wage increases. Motion to approve December 14th meeting minutes as revised made by Manager Berndt, seconded by Manager Barchenger. Motion carried with all in favor.

Open Discussion from the Public

Chairperson Wuertz called for public comment. None heard.

Regular Agenda

Public Hearings

None

Staff Reports

Administrator's Report:

Approve Resolution 2016-01: Annual Information

Ostendorf presented resolution for annual business information. Manager Brauchler asked that the Board obtain a quote for services from a different insurance agent. Manager Berndt asked that the Board discuss the attorney retainer statement in April. Board directed staff to obtain quotes from different insurance agencies. Board directed staff to place discussion of attorney as an agenda item at a later meeting. Motion to approve resolution 2016-01 and revisit items of concern as stated made by Manager Hanson, seconded by Manager Brauchler. Motion carried with all in favor.

Approve Resolution 2016-02: Interest Rate for Insufficient Funds

Ostendorf presented resolution to set annual interest rates for drainage funds with insufficient balances. Manger Barchenger corrected the resolution to incorporate CD 36. Motion to approve resolution 2016-02 made by Manager Hanson, seconded by Manager Brauchler. Motion carried with all in favor.

Approve Resolution 2016-03: Monthly Billing

Ostendorf summarized the resolution. Motion to approve resolution 2016-03 made by Manager Hanson, seconded by Manager Brauchler. Motion carried with all in favor.

Approve Resolution 2016-04: Staff Billable Rates

Ostendorf summarized the resolution to set billable rates for 2016 for drainage, grant, and in-kind related activities. Motion to approve resolution 2016-04 made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

Review and Approve Resolution 2016-05: Salary Administration Policy (Personnel Policy Amendment)

Ostendorf summarized the resolution and the salary administration policy draft. Motion to approve Resolution 2016-05 made by Manager Hanson, seconded by Manager Brauchler. Motion carried with all in favor.

Review and Approve Job Description Revisions - Watershed District Technician, Funds Manager / Admin. Assist. , Administrator / Drainage Inspector, District Intern

Ostendorf reviewed changes to the Technician position. Ostendorf stated that an additional Technician (Level 4) position will be created and approved at a later meeting. Motion to approve job description revisions as presented made by Manager Hanson, seconded by Manager Berndt. Motion carried with all in favor.

Ostendorf reviewed changes to the Bookkeeper/Admin. Assist. position. Board requested that the job percentages be corrected. Motion to approve job description revisions as presented and requested made by Manager Hanson, seconded by Manager Barchenger. Motion carried with all in favor.

Ostendorf reviewed changes to the Administrator / Drainage Inspector position. Ostendorf asked for Board clarification regarding hiring / termination authorities. After discussion Board clarified that the Administrator position may hire / terminate seasonal or temporary positions with Chairperson approval, but hiring / termination of regular full-time employees must have Board approval. Motion to approve job description revisions as presented and clarified made by Manager Hanson, seconded by Manager Barchenger. Motion carried with all in favor.

Ostendorf presented the intern position description. Motion to approve job description made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

LMCIT Insurance Update

Ostendorf stated that the District's current policies with LMCIT are set to renew February 16th, 2016. Ostendorf met with Fenstra Insurance to go over policy details and make revision. Upon the Board's request, Ostendorf asked for clarification from Fenstra regarding the District's errors and omissions coverage. The District is covered for errors and omissions under its municipal liability policy, however, any fiduciary errors and omissions are covered under the District's LMCIT municipal bond. Board directed staff to obtain additional quotes and information from Central MN Insurance agency before submitting insurance renewal.

Review Internship Posting

Ostendorf presented internship posting. The posting has been submitted on the MnSCU website, as well as the job opportunities pages at NDSU, SCSU, and with various professional contacts. The position will also be posted in the local newspapers.

Authorize attendance to Rinke-Noonan Drainage and Wetlands Conference.

Motion to authorize staff and Board to attend conference made by Manager Hanson, seconded by Manager Brauchler. Motion carried with all in favor.

Additional Business

None

Technician's Report:

Lundeen gave activity report for December-January. Lundeen will be presenting the 2016 and 5-year extended monitoring plan and budget; attended an environmental statistics workshop and will be attending a week-long course in February to help with analyses of monitoring data and determining trend lines in water quality; met with MPCA to review flow data and sample collection procedures; working with MPCA to define standards and collections procedures for monitoring E.coli in order to have a statistically significant sample size.

Bookkeeper / Administrative Assistant Report:

As reported in Financial Statements.

Program Reports

Permit Report:

2016-01: Application for Tile & Lift Station (Lake Henry TWP):

Ostendorf presented memo to the Board. Permit application does not meet rules criteria to require a permit from the District. After discussion, the Board directed staff to draft a letter to the applicant to recommend that the applicant get written permission from the adjacent property owner, with the understanding that the Board does not require a permit for the proposed activities

2016-02: Tile Replacement (Lake Henry TWP)

Ostendorf presented memo to the Board. Proposed activity consists of replacement of existing private drainage tile which outlets into JD2. District rules require a permit for work with the right-of-way of the ditch, consistent with the proposed tile outlet replacement and excavation within the buffer strip. Ostendorf recommended permit approval with conditions as stated in the memo. Motion to approve permit with conditions made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

Drainage Report:

CD 32 Repair: Status Update: Update on permitting, bid modifications

Ostendorf stated that the District had received notice of approval regarding the Stearns County Conditional Use Permit (CUP) for working within a floodplain designated area. Ostendorf stated that she attended a meeting with RESPEC and DNR to discuss CD 32 Phase II permitting requirements and had requested DNR to make a decision as to whether a letter of permission or a public waters permit would be required by mid-January. Ostendorf also attended a meeting with RESPEC and MN Native Landscapes to discuss project bidding for excavation and buffer establishment.

CD 4 Repair: Houston Eng. Scope of Services– Review and approve scope of services from Houston Engineering for construction oversight and as-builts.

Ostendorf presented scope of services from Houston Engineering for construction oversight and record drawings of repair for CD 4. Motion to approve scope of services as presented [in the amount of \$9,535] made by Manager Brauchler, seconded by Manager Hanson. Motion carried with all in favor.

JD 1 BR 12 Repair: Status Update

Ostendorf stated that she had gotten confirmation from Stearns County regarding the culvert replacements to be conducted in 2016. The County engineer stated the County is still committed to replacing the first two culverts in June of 2016, and the remaining two culverts by June of 2017. The County may be able to replace more in 2016, but is not able to commit to replacing all culverts in 2016. Ostendorf presented a timeframe for project completion to the Board. Manager Berndt asked that a summary of the culvert replacements be provided to the Board. Ostendorf stated that the Board had made a motion to replace and possibly resize four county road crossings, and left it to the engineer to determine private culvert adjustments based on the recommendations to the County and the previous culvert sizing study. Ostendorf stated that the Board would review the final determinations once completed by the engineer. Ostendorf will prepare a memo of decisions to date and distribute to managers.

JD 1 Main and Branches: Status Update

Ostendorf informed the Board that Houston Engineering had completed the survey work for JD1 main and branches other than BR12. They will be working on putting together plan and profile sheets of existing conditions. The Board will review the existing conditions survey and make recommendations for repair. Ostendorf presented the schedule for repair proceedings.

CD7 Repair: Project summary to date and review of existing conditions plan and profile (Bollig Engineering).

Ostendorf presented the plan and profile of existing conditions to the Board. The current survey was only conducted from the Highway 13 crossing to the upstream end. The profile shows that the ditch is out of repair for this extent. Ostendorf stated that she is concerned that the information is only to the midway point of the ditch and that repair of the upstream end of the ditch would not be advisable without knowing the current condition of the outlet of the ditch. Ostendorf asked for Board direction on obtaining outlet information, and requested that the Board release a request for proposals for engineering services to complete the plan and profile for the full extent of the ditch. Motion to release request for proposal for engineering services for full extent of CD 7 made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

CD 43: Status Update: Review of revised existing conditions survey and repair. Direct engineer to prepare revised bid documents, administer contract, conduct construction staking, conduct construction observation and prepare as-built surveys and drawings

Ostendorf presented revised plan and profile for CD 43. The ditch shows areas of excavation needed. The 2013 repair also shows some areas that are now below the ACSIC either because of over excavation or erosion. The 555th avenue culvert is failing and needs to be replaced. Ostendorf presented previous scope from Houston Engineering and requested approval of remaining tasks to be completed. Motion to approve HEI scope tasks 3-6 [revise bid documents, contract administration, construction staking, construction observations or preparation of record drawings in the amount of \$24,754] made by Manager Barchenger, seconded by Manager Berndt. Motion carried with all in favor.

Stearns County Refund of Drainage Funds

Ostendorf stated that the District had received \$117,762.29 from Stearns County as release of various drainage fund balances that the County had been holding from when systems were turned over to the District over the years. Ostendorf had inquired on the District's behalf if the County would also refund the District for any interest that would have accumulated for those fund balances. The County had responded that they had not accrued interest on the funds and will not reimburse the District any interest. Ostendorf stated the funds were deposited as follows: \$196.01 to JD2 account, \$38,179.62 to CD 8 which will be held in the Admin fund until a consolidation with CD 32 can be finalized, \$7,115.52 to CD 29 account, \$68,264.73 to CD 32 account, \$4,006.41 to CD 37 account.

Stearns CD 8: Consolidation with CD 32 (103E.801): Consider proceedings to consolidate CD 8, as the outlet of CD 32, into CD 32 and combine drainage funds.

Ostendorf stated that the District does not have a fund account for CD 8, nor the District have records of benefitted properties owners. Historic maps show that CD 8 is currently functioning as the outlet of CD 32. CD 8 has been considered CD 32, and was included as CD 32 during the redeterminations of benefit for CD 32. Technically, all of the property which would be benefitted to CD 8 is currently listed as benefitted to CD 32. Therefore, Ostendorf

asked that the Board consider drafting a petition for consolidation to be submitted to the Board in February and considered at the March meeting. Motion to authorize drafting a petition for consolidation to be submitted at the February meeting and heard at public meeting to be held March 14th at 2:00 made by Manager Barchenger, seconded by Manager Hanson. Motion carried with all in favor.

Drainage Inspection and Proceedings Plan: *Review Inspector's 5 –year plan for drainage proceedings and inspections.*

Item tabled to later meeting date.

NFCRWD Drainage Policy: Review and Updates: *Discussion of review and amendment procedures.*

Ostendorf asked that the Board review the current drainage policy and submit comments and questions to her by the February meeting. Manager comments and questions will be researched and compiled to be discussed at the March meeting.

Other Ditch Business:

None

Board Member Meeting Reports:

None

Items for Next Meeting Agenda:

None

Calendar Review:

No Discussion

FYI Items

None

Adjournment:

Motion to adjourn made by Manager Berndt, seconded by Manager Brauchler. Meeting Adjourned.



Gary Berndt – Acting Secretary