

NORTH FORK CROW RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
Approved Regular Meeting Minutes
May 14, 2018

Managers Present: James Barchenger, Gary Berndt, Bob Brauchler, John Hanson and James Wuertz
Staff Present: Cris Skonard, Christine Knutson and Christopher Lundeen
Others Present: Kurt Deter (Rinke Noonan), Boyce Fischer, Boyd Fischer, Virgil Fuchs, Curtis Gruber, Roger Imdieke (Kandiyohi County Commissioner), David Johnson, Ralph Klassen, Ted Kaminski, Joe Lewis (Houston Engineering, Inc.), Roger Lyon, Donovan McKigney, Doug McKigney, John Mueller, Mark Origer (ISG), Jim Weller, Will Wesbur and others
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc. (LAA)

CALL TO ORDER—President Wuertz called the meeting to order at approximately 7:00 p.m.

President Wuertz announced John Hanson was reappointed to another three-year term on the North Fork Crow River Watershed District (NFCRWD) Board. Manager Hanson read the oath of office.

AGENDA—Cris Skonard noted a date correction under the Consent Agenda/Treasurer's Report should read May 14, 2018 instead of April 9, 2018. The following agenda items were added under Other Ditch Business:

- CD43, President Wuertz, question from land owner
- JD1, Ted Kaminski, landowner
- CD3, conversation with Dennis Zimmerman regarding crossing
- New Buffer Law question from Manager Gary Berndt

IT WAS MOVED BY, Bob Brauchler, SECONDED BY Jim Barchenger, to approve the agenda with additions.
MOTION CARRIED.

CONSENT AGENDA—

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to approve the following Consent Agenda:

1. Treasurer's Report and bills to April 9, 2018
 - a. Check register—106 Bonanza checking account.
*Skonard noted the invoice was received for tree clearing on JD1
 - b. Profit & Loss Detail—all accounts
 - c. Balance Sheet—all accountsRoll call vote was taken.
Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz
Opposed: None

MOTION CARRIED.

MINUTES—The April 9, 2018 minutes were reviewed and the following change was noted for page 2, under CD7 Redetermination of Benefits Hearing, prior to the vote, the sentence should read:

“Attorney Deter commented the CD7A portion is a grey area and if the entire approximate 8.5 acres of CD7A buffers...”

IT WAS MOVED BY, Bob Brauchler, SECONDED BY Jim Barchenger, to approve the April 9, 2018 Regular Meeting Minutes with the change noted above and the CD29 ROB minutes of April 10, 2018. MOTION CARRIED.

Open Discussion from the Public. There were no comments by the public.

STAFF REPORTS—

Administrator's Report.

- **Resolution 2018-05 Intern Billing and Work Schedule.** Cris Skonard introduced Andy Johnson, NFCRWD summer intern. Johnson is a senior at St. Cloud State University majoring in Environmental Studies. Skonard reviewed the resolution and noted the wage rate is \$28.33 per hour according to the approved process by the Minnesota Board of Water and Soil Resources (BWSR) for calculating billable rates.

IT WAS MOVED BY, John Hanson, SECONDED BY Jim Barchenger, to approve North Fork Crow River Watershed District Resolution #2018-05, Resolution to set 2018 Billable Rates for Intern Position.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

- **1W1P-Update.** Skonard reported the final draft is ready. A working group will meet on May 23rd to determine a project ranking procedure. Skonard stated the board will have an opportunity to review the plan once it is approved by BWSR.
- **ISG Water Quality Workshop.** The ISG Water Quality workshop will be held June 27th in Mankato. President Wuertz and Manger Brauchler may attend. Mark Origer of ISG provided highlights of the workshop.

IT WAS MOVED BY, John Hanson, SECONDED BY Bob Brauchler, to approve Cris Skonard and North Fork Crow River Watershed District Managers attending the ISG Water Quality Workshop on June 27, 2018 in Mankato.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Manager Expenses. Skonard provided an overview regarding compensation for Manager Hanson to participate in board meetings via teleconference while out of state during the winter months. Skonard felt Hanson's expenses should be covered even though he is not allowed to vote. Skonard also noted NFCRWD board approval is needed when board members attend an outside event. , i.e., compensation of \$50/month to President Wuertz includes a one-hour meetings with Skonard prior to NFCRWD board meetings to review the agenda.

IT WAS MOVED BY, Bob Brauchler, SECONDED BY Jim Barchenger, to approve Managers' expenses when attending via teleconference.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

BWSR PRAP Response. Skonard discussed the NFCRWD May 14, 2018 LGU Comment Letter to Dale Krystosek of the Minnesota Board of Water and Soil Resources, regarding the 2018 Level II Performance Review. The NFCRWD board concurred they do not have any issues with the letter.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to approve the LGU Comment Letter to Dale Krystosek of the Minnesota Board of Water and Soil Resources, regarding the 2018 Level II Performance Review. MOTION CARRIED.

Parking Lot Asphalt Quote. Skonard reported two quotes were received to pave the parking lot: 1) Mark Lee Asphalt & Paving Inc. and 2) Caldwell Asphalt of Hawick. Both bidders visited the site. Skonard shared the plan to pave from the garage to the street, including the small parking lot from the NFCRWD building. Boyce Fischer, City of Brooten, commented Riley Brothers Paving of Glenwood/Morris will be doing a project in Brooten in June and may like to submit a bid. Fischer will send contact information for Riley Brothers Paving to Skonard. This issue will be included on the June NFCRWD agenda.

MAWD Summer Tour. Skonard reported the MAWD (Minnesota Association of Watershed Districts) Summer Tour-2018 will be held June 20-22, 2018 in Chanhassen at a cost of \$175 for all three days. Skonard has reserved three rooms at the County Inn and Suites Hotel. Registrations should be made soon. Manager Hanson indicated he would attend and Manager Barchenger will notify Skonard if he will attend.

IT WAS MOVED BY, Bob Brauchler, SECONDED BY John Hanson, to approve up to three registrations including the Administrator for the MAWD Summer Tour, June 20-22, 2018 at in Chanhassen.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Additional Business. Skonard stated the Natural Resources Conservation Services (NRCS) of St. Cloud inquired if NFCRWD is interested in helping fund a feedlot site assessment project along Highway 55 in Kandiyohi County and inquired how NFCRWD stands on such issues. Although a formal request has not been received from NRCS, Skonard commented Stearns County has the technical capability to assist with a facility assessment. After discussion, the NFCRWD board concurred to table the decision until a formal request is made.

Skonard discussed a request by Raymond Township that all repairs and hookups at 330th Street be returned to pre-construction status. Skonard visited the site and observed that all repairs have been made. Skonard will send a letter to Raymond Township. Boyd Fischer voiced comments/concerns on the project. Skonard will review photos and report at the next meeting.

Manager Berndt inquired of changes in the new Buffer Law and penalties. Attorney Deter believes no changes were made; however, he will look into the issue and notify Skonard of his findings.

Watershed Project Coordinator's Report.

Activity Report. Christopher Lundeen provided his Activity Report, which included:

- Screen monitoring results will be available later this summer.
- Education events:
 - There was a good turnout for Earth Day at Prairie Woods Environmental Learning Center.
 - He attended an event at Belgrade/Brooten Elementary School working with 4th and 5th graders in identifying various types of bugs.
 - Paynesville Water Fest held on May 4th went well.
- Pirz Lake Clemson Proposal. Lundeen reported on the currently installed Clemson device. Another device may be installed at another location in the area and a request made for District support.

IT WAS MOVED BY, John Hanson, SECONDED BY Bob Brauchler, that the North Fork Crow River Watershed District shall act as the LGU contact for permit approval. MOTION CARRIED.

- E-Coli reports. Lundeen referred to a handout regarding quotes for E-Coli samples. The testing results will show only a positive or negative per animal with several tests needed for confirmation. Each test had a significant cost. Lundeen will check with another company and report at the next board meeting.

Stearns County 2018 COLA Invoice. 2018 SCC Membership Invoice was received for 2018 dues of \$60.00 per year for full voting membership for Stearns County Lake Associations and \$30.00 per year for non-voting membership for Stearns County Resorts and Individuals. Manager Hanson reported on the meeting he recently attended.

IT WAS MOVED BY, John Hanson, SECONDED BY Bob Brauchler, to participate in the Stearns County Lake Association as an associate member in the amount of \$30 a year. Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Funds Manager/Administrative Assistant's Report. No report.

President Wuertz suspended the regular board meeting at 8:00 p.m. and reopened the CD29 Redetermination of Benefits Hearing—Continued.

CD29 Redetermination of Benefits Hearing—Continued. Skonard reported changes may be needed. Attorney Deter suggested continuing the CD29 Redetermination of Benefits Hearing at a later date. Skonard will need to re-notice. The Board suggested scheduling the meeting separate from the NFCRWD board meeting.

IT WAS MOVED BY, James Barchenger, SECONDED BY Gary Berndt, directing Cris Skonard to re-notice the CD29 Redetermination of Benefits Hearing—Continued when the viewer's have completed their report. MOTION CARRIED.

PROGRAM REPORTS—

Permit Report. Skonard reported two individuals have stopped in for beaver trapping permits.

Drainage Reports.

1. **CD4 Update.** Skonard noted the check for buffer payment is included in the financials. Barb Loch of Meeker County will send checks to appropriate landowners.
2. **JD1 Main and Branches.** Skonard noted the tree removal is complete along with inspection and the check is included in the financials. David Johnson inquired when his temporarily stockpiles trees will be removed from his property. Skonard will contact Nate Bettis regarding the tress on the Johnson property.

Branch 12, Fork 6. Joe Lewis of Houston Engineering visited the site today and shared information on the project. Repair profiles for the north sections need to be determined.

David Johnson questioned about going into the lake. Lewis stated it is not worth the expense and suggested doing the channel work and leaving the lake alone. Lewis stated a bid package and construction schedule can be put together and the project could be awarded in June.

Main-CR22 to Mud Lake Proposal (HEI). Lewis referred to the proposal letter to President Wuertz regarding engineering services on Pope-Stearns Judicial Ditch 1 Main Trunk between Pope County Road 22 and Mud Lake. The estimated cost for the draft construction plan development, a repair report and regulatory coordination is \$9,885. Lewis will speak with the DNR regarding the repairs. A project timeline was discussed along with tree removal. It was suggested to remove the trees next winter.

Donavan McKigney would like the ditch cleanout from Grove Lake up to Pope County Road 22 done before fall and tree removal to the north begin as soon as possible. Lewis suggested moving ahead with the Grove Lake repair to Pope County Road 22 along with tree removal this fall and proceed with permitting to move forward in the winter. A bid package for tree removal is needed; Skonard stated negotiations for tree removal can be made, if bids are under \$100,000. Discussion was held regarding lowering the culvert at Pope County Road 22.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to authorize Houston Engineering, Inc., to perform the engineering work on JD 1 Main Trunk Repair between Pope County Road 22 and Mud Lake in the amount of \$9,885

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Discussion was held regarding beaver dams.

- Donovan McKigney requested the beaver dams be cleaned out.
 - Skonard will coordinate.
- Lewis commented the multi-purpose drainage plan is making progress; sites have been identified.

Branch 12. Ted Kaminski landowner, requested financial reimbursement for construction of three side inlets on his property due to additional spoil left following the JD1, Branch 12 repair project. Roger Lyon commented on the dirt left on Kaminski's property. Skonard visited the site and feels financial reimbursement is warranted. Attorney Deter is not opposed to the payment; however, he would have preferred a phone call be made to NFCRWD prior to construction of the side inlet.

IT WAS MOVED BY, John Hanson, SECONDED BY Bob Brauchler, to award financial reimbursement to Ted Kaminski in the amount of \$1,543.06 for repairs on his property following the JD1, Branch 12 project.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

3. **CD7 Repair: Update.** Skonard reported NFCRWD is awaiting the 30-day appeal to expire on the ROB on JD7A. Origer stated the punch list is being addressed and noted additional needed repairs separate from the punch list: 1) Re-sloping at the 310th Street culvert-\$10,440; 2) re-sloping a failing ditch bank on the Kasper property-\$10,950; 3) 48-inch culvert crossing on Branch 1-\$12,390. It was noted the Kasper property may not be part of the CD7. Attorney Deter commented repairs on private property are usually not allowed; however, if there is documentation and proof the area is in the system, payment for repairs would be allowed. Attorney Deter directed Origer to prepare a report showing documentation that the area is part of the system.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson that North Fork Crow River Watershed District approves the change order in the amount of \$33,780 with the Kasper repair contingent on supporting evidence.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

4. **CD32 Repair: Update.** Skonard has been in contact with RESPEC but having difficulties contacting SBC to schedule a meeting. The three affected landowners (Jim Weller, Earl Kasper and Boyd Fischer) will be invited to the meeting as only observers.

The Board requested engineering quotes to complete the tile replacements on CD32 at the April meeting. Joe Lewis (HEI) estimated approximately \$21,500 and Mark Origer estimated at \$30,000 plus. Each firm noted that there were still unknowns which can affect the estimate.

5. **CD29, CD36, CD37 ROB: Update.**

Move June Hearing Dates. Skonard reported the viewers are re-valuating the boundaries for all systems which will delay the scheduled hearings and requests the board needs to rescind its April 9, 2018 motion to set ROB hearings for CD36 and CD37.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to rescind the April 9, 2018 motion by the North Fork Crow River Watershed Board of Managers to hold the CD36 ROB Hearing at 10:30 a.m., Tuesday, June 5, 2018 and the CD37 ROB Hearing at 1:00 p.m., Tuesday, June 5, 2018. MOTION CARRIED.

Resignation of Debbie Rynda/Appoint Shantel Hecht. Skonard referred to the resignation letter from Deborah Rynda as one of the appointed viewers for the redetermination of benefits and grass strip acquisition of County Ditches 29, 36 and 37 and the letter from Bryan Murphy, President of H2Over Viewers LLC announcing the requested appointment of Shantel Hecht.

IT WAS MOVED BY John Hanson, SECONDED BY Gary Berndt to approve the appointment of Shantel Hecht as a viewer for CD29, CD36 and CD37. MOTION CARRIED.

6. **JD2: Update.** Lewis shared an overview of the project and displayed a map of the project area. Lewis will put together a repair profile and share the final project map at the next NFCRWD meeting. John Mueller commented on the project; President Wuertz and Attorney Deter provided responses. It was noted the area cleaned out by Mueller is now two feet below the required depth. The affected landowner in attendance inquired who will restore the area on his property since crops are planted. Attorney Deter stated the District can order the restoration of the area with costs passed on to Mueller. Mueller asked for a copy of the NFCRWD March 12, 2018 minutes where the JD2 project was discussed. Skonard will visit the site to determine what repair/restoration is needed and work with Mueller.
7. **Other Ditch Business/CD43.** President Wuertz provided information from Kevin Bruntlett, landowner, regarding cleaning out the channel. Skonard will contact the landowner.

CD3:

Manager Brauchler commented CD3 was cleaned out in the early 1970s and landowners received an assessment. The Zimmerman (CD3) crossing is washing out and may need to be abandoned. Discussion held. Skonard will work with Attorney Deter.

JD1:

IT WAS MOVED BY, Jim Barchenger, SECONDED BY Gary Berndt, to obtain quotes for cleaning from Grove Lake to County Road 22 and a quote to remove trees from County Road 22 to Mud Lake.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Board Member Reports. Manager Berndt attended the 1W1P Public Hearing on April 16th in Litchfield and recently attended an Ag Committee meeting at the Capitol. Manager Hanson attended a Stearns COLA meeting in Rockville on April 17th.

Items for Next Meeting Agenda.

- NFCRWD parking lot

- Raymond Township update
- JD2 Update
- Reorganizational meeting
- CD32 Update

Skonard should be notified if other agenda items should be added.

Calendar Review:

- May 17: WRAPS, TBD
- May 23, 1W1P PWG, Litchfield
- May 26: Grove Lake Association
- May 31: Audit Prelim Phone Conf., Brooten

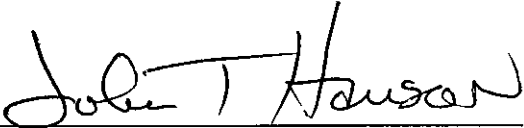
FYI Items. None.

ADJOURNMENT—

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson to adjourn the meeting. MOTION CARRIED.

The meeting was adjourned at approximately 9:05 p.m.

NEXT MEETING—The next board meeting is Monday, June 11, 2018 at 7:00 p.m.



John Hanson, Secretary
June 11, 2018