

NORTH FORK CROW RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
Approved Regular Meeting Minutes
June 11, 2018

Managers Present: James Barchenger, Gary Berndt, Bob Brauchler, John Hanson and James Wuertz

Staff Present: Cris Skonard, Christine Knutson, Christopher Lundeen and Andy Johnson

Others Present: Art Bauer, Aaron Dahl (BerganKDV), Kurt Deter (Rinke Noonan), Boyce Fischer, Boyd Fischer, Virgil Fuchs, Curtis Gruber, Tim Henze, Ken Hess, Dick Johnson, Ralph Klassen, David Johnson, Joe Lewis (Houston Engineering, Inc.), Roger Lyon, Donovan McKigney, John Mueller, Steve Notch (Stearns County Commissioner), Ken Rademacher, Jeff Strom (Wenck Associates, Inc.), Will Wesbur, Jim Weller, Earl Kasper and others

Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc. (LAA)

CALL TO ORDER—President James Wuertz called the meeting to order at approximately 7:00 p.m. and announced that James Barchenger was reappointed to the North Fork Crow River Watershed (NFCRWD) Board representing Pope County. Barchenger recited the oath of office.

REVIEW AND APPROVE AGENDA—Cris Skonard presented the agenda. The following items were added under Administrator's Report:

- Continuing education credits—Skonard
 - Citizens Advisory Committee update—Roger Lyon
- and item 9.a.3., Legal Firm Review was moved to after CD 32.
- Gruber drainage request (JD2)

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to approve the amended agenda. MOTION CARRIED.

Election of 2018 Officers. President Wuertz opened the floor for election of officers.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to cease nominations and elect James Wuertz as President. MOTION CARRIED.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to cease nominations and elect Bob Brauchler as Vice President. MOTION CARRIED

IT WAS MOVED BY Bob Brauchler, SECONDED BY James Barchenger, to cease nominations and elect John Hanson as Secretary. MOTION CARRIED

IT WAS MOVED BY John Hanson, SECONDED BY Bob Brauchler, to cease nominations and elect James Barchenger as Treasurer. MOTION CARRIED.

Consent Agenda Items.

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

1. Treasurer's Report and bills to June 11, 2018
 - a. Check register—106 Bonanza checking account.
 - b. Profit & Loss Detail—all accounts
 - c. Balance Sheet—all accounts

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

MINUTES—The May 14, 2018 minutes were reviewed and a change was noted to the last sentence in the second paragraph under Main-CR22 to Mud Lake Proposal (HEI). The word bridge should be replaced with culvert.

IT WAS MOVED BY Jim Barchenger, SECONDED BY Bob Brauchler, to approve the May 14, 2018 Regular Meeting Minutes with the last sentence in the second paragraph under Main-CR22 to Mud Lake Proposal (HEI) changed to read: "Discussion was held regarding lowering the culvert at Pope County Road 22." MOTION CARRIED.

Open Discussion from the Public. Roger Lyon inquired if board members car pool to attend outside meetings and if board members share hotel rooms when attending overnight meetings and conferences. President Wuertz reported no more than two board members can ride in one vehicle due to the open meeting law and when board members car pool, only one receives compensation. Board members usually have separate hotel rooms.

REGULAR AGENDA ITEMS

2017 Audit Report—BerganKDV. Aaron Dahl, auditor with BerganKDV, reviewed the 2017 Audit Report and highlighted the following areas: Opinion, Management and Discussion, Basic Financial Statement and Fund Balance. Dahl reported no significant deficiencies were found.

IT WAS MOVED BY Jim Barchenger, SECONDED BY John Hanson, to accept the 2017 Audit Report by BerganKDV as presented.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

STAFF REPORTS—

Administrator's Report.

1. **Activities.** Skonard gave an update on the May 26th Grove Lake Association meeting and an update on the 1W1P BWSR Central Committee vote for approval to BWSR Board.

2. **Subwatershed Assessment Grant Update.** Skonard introduced and welcomed Jeff Strom of Wenck Associates, Inc. Strom provided an overview of the Subwatershed Assessment Grant for CD29, CD37 and CD5.

Question was raised if any soil testing was done as the problem is the runoff from land into streams. Strom stated no soil testing was done; next steps could include soil testing in appropriate areas.

Summary and Next Steps. Further prioritization, target, BMP feasibility, discussion with landowners, explore grants/cost share opportunities and design-build.

Skonard stated a link to the full report will be placed on the NFCRWD website.

3. **MAWD Summer Tour.** Hanson and Skonard will attend the Minnesota Association of Watershed Districts (MAWD) Summer Tour on June 20-21st in Chanhassen. Inquiry was made if other managers plan to attend. No other managers were available to attend.
4. **Continuing Education Credits.** Skonard noted he is required to attend a two hours Ethics Training and stated the Minnesota Society of Professional Engineers has a class available that will fulfill the requirement.

IT WAS MOVED BY John Hanson, SECONDED BY JIM BARCHENGER, to approve Cris Skonard attending a two-hour Ethics Training sponsored by the Minnesota Society of Professional Engineers.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

5. **Citizens Advisory Committee (CAC) Meeting Update.** Roger Lyon gave an overview of today's CAC meeting. Fifteen people attended and there was very good discussion. Lyon shared the CAC's concern with the lack of action on recommendations brought by the CAC to the NFCRWD board. A list of questions was submitted from the CAC requesting Board responses.
6. **Additional Business.** None

Technician's Report.

1. **Activity Report.** Christopher Lundeen reported he took E-Coli samples in May and additional samples after today's rain. Lundeen recently attended an AIS meeting regarding Lake Koronis and announced an upcoming Starry Stonewort meeting. He discussed issues occurring in Lake Mille Lacs; reported on the WRAPS (Water Restoration and Protection Strategy) meeting held last week; and stated DHIA Laboratories does not conduct source E-Coli testing, only general testing. Manager Berndt will look into the issue.
2. **Grant: JD1 Subwatershed Analysis.** Joe Lewis of Houston Engineering gave a brief update on the implementation plan. Lewis will report at the July meeting. Houston

Engineering is also conducting a storage report on the drainage system. Lewis will visit with Skonard regarding a map.

3. **Aquatic Invasive Species (AIS) Inspection Update.** Lundeen reported on the inspection hours. Following discussion,

IT WAS MOVED BY John Hanson, SECONDED BY Jim Barchenger, to have North Fork Crow River Watershed District staff track AIS in-kind administrative hours for future grant applications.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Funds Manager/Administrative Assistant's Report. As noted in consent agenda.

PROGRAM REPORTS—

Permit Report. No report.

Drainage Reports.

1. **CD 21 Status Update.** Skonard shared a concern from Dennis Walz. Skonard feels it is a good location for a side inlet request. A permit will be needed.
2. **CD 32 Repair.** Boyd Fischer provided background and requested to put in a field crossing, fence off an area for pasture and repair two washouts. Skonard feels it would be a good location for a cattle crossing and will make a site visit to the property. Skonard questioned the pile of trees on Fischer's property; Fischer will remove the trees once the rain water has receded.

Skonard mentioned a meeting with Greg Vold of States Borders Construction in November 2017 regarding the CD32 tile replacement project. As instructed, Skonard contacted other engineering firms and is working with RESPEC on a meeting date. It was suggested to hold the meeting prior to the July board meeting and if no meeting is held or scheduled, the contract termination process will begin. Boyd Fischer inquired as to the overrun amount; Skonard stated that will be determined at the final acceptance hearing. Roger Lyon inquired as to the fiduciary responsibilities.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to authorize Cris Skonard to direct legal counsel, to begin the process to terminate the contract with RESPEC if no action occurs prior to the July meeting. MOTION CARRIED. MANAGER BERNDT DECLARED AS A BENEFITED LANDOWNER.

Manager Berndt inquired who conducts a grade search when ditches are repaired and mentioned a letter written in the 1980s regarding ditches dug below grade. Discussion was held and clarification provide by staff and legal.

Skonard shared information on a previous buffer violation and reported another buffer violation has occurred on the rental property. NFCRWD will send the landowner a letter with a deadline to get into compliance. Skonard also informed the Board of a washout on the Fischer property.

3. **Legal Firm Review.** Discussion was held as to seeking other law firms to represent the NFCRWD. Following discussion,

IT WAS MOVED BY Jim Barchenger, SECONDED BY John Hanson, that the North Fork Crow River Watershed District retain the services of the Rinke Noonan Law Firm of St. Cloud.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

4. **CD7 Update.** Skonard reported damages were paid on CD7, but not on CD7 Lateral A. Attorney Deter suggested he and Skonard meet prior to the July board meeting. Skonard will prepare a list of payments for the CD7 Lateral A buffer damages.

5. **JD 1 Main and Branches Status Update.**

- Two quotes were received for the JD1 Main Grove Lake to Pope County Road 22 repair: 1) MBC and 2) Land Pride Construction. Skonard noted MBC was the low bidder in the amount of \$40,295.60, which was less than the estimated cost.

IT WAS MOVED BY BOB BRAUCHLER, SECONDED BY John Hanson, to accept the quote from MBC in the amount of \$40,295.60 to clean out the portion of JD1 Main from Grove Lake to Pope County Road 22.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

- Two quotes were received to clean out Branch 12, Fork 6: 1) MBC and 2) Land Pride Construction. Skonard noted the low quote was by MBC for \$29,871.25, which was less than the estimated cost. Lewis will check into how much the ditch must go down.

IT WAS MOVED BY Bob Brauchler, SECONDED BY John Hanson, to accept the quote from MBC in the amount of \$29,871.25 to clean out the portion of JD1 Main Branch 12, Fork 6.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Skonard suggested amending the contract with Nate Bettis to extend tree clearing from Pope County Road 22 to Mud Lake. Property owners will be contacted. Skonard will meet with Nate to gather information and work out a cost. David Johnson inquired if it is possible

to lower the culvert at Pope County Road 22. As it is up to Pope County, Skonard will contact the county to determine its plans.

6. **CD29, CD36 and CD37 ROB Update.** Skonard reported the viewers were out on CD29 and CD36.
7. **JD2 Update.** Skonard reported on the unauthorized excavation done and showed maps. John Mueller submitted a bill for the excavation in the amount of \$925.00. John Mueller asked for a copy of the March 12, 2018 NFCRWD minutes, which Skonard will provide. The issue was tabled until the July meeting.

Curtis Gruber suggested a tile be installed downstream of his field crossing. Discussion was held regarding the cost, size of pipe, length and the need to notify landowners. Lewis will make a site visit.
8. **Tile Outlet Markers.** Skonard suggested using posts with stickers marking tile outlets. Discussion was held. The NFCRWD board concurred with using stickers.
9. **Other Ditch Business.** Boyce Fischer commented there is no riprap on CD7. Fischer will re-mark the areas in question.

Board Member Reports. None.

Items for Next Meeting Agenda.

- CD7 list
- Earl Kasper property (CD7)
- Engineering quote, estimated cost of pipe
- Paving of parking lot

Calendar Review:

- MAWD Summer Tour, June 20-22, 2018

FYI Items.

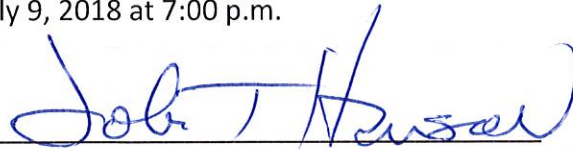

- Roger Lyon: CAC response; handout given to Skonard
- Curt Gruber inquired if the removal of dirt on JD2 can be left until fall. Skonard responded yes.

ADJOURNMENT—

IT WAS MOVED BY Gary Berndt, SECONDED BY James Barchenger, to adjourn the meeting.
MOTION CARRIED.

The meeting was adjourned at approximately 9:33 p.m.

NEXT MEETING—The next board meeting is Monday, July 9, 2018 at 7:00 p.m.


John Hanson, Secretary
July 9, 2018 
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