

**NORTH FORK CROW RIVER WATERSHED DISTRICT**  
**BOARD OF MANAGERS**  
**Approved Regular Meeting Minutes**  
**September 10, 2018**

Managers Present: James Barchenger, Gary Berndt, Bob Brauchler, John Hanson and James Wuertz  
Managers Absent: None  
Staff Present: Cris Skonard, Christine Knutson and Christopher Lundeen  
Others Present: Kurt Deter (Rinke Noonan), Boyd Fischer, Virgil Fuchs, David Johnson, Earl Kasper, Joe Lewis (Houston Engineering, Inc.), Roger Lyon, Donovan McKigney, Tom Weber, Others  
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc. (LAA)

**CALL TO ORDER**—President James Wuertz called the meeting to order at approximately 7:04 p.m.

**AGENDA**—The following items were added to the agenda: under the Administrator’s Report, Program Report, add Rousslang request; and under Drainage Report, CD7-275<sup>th</sup> Street Culvert and JD1 Br12 FK6 field crossing.

IT WAS MOVED BY JOHN HANSON, SECONDED BY JAMES BARCHENGER, to approve the Agenda with the above 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 September 10, 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**—Corrections to the August 13, 2018 were noted.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to approve the August 13, 2018 Regular Meeting Minutes with the following correction: on page 12 under County Road Crossings on JD1, the fourth bullet should read CR 25. MOTION CARRIED.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to approve the August 21, 2018 JD1 Special Meeting Minutes. MOTION CARRIED.

**Open Discussion from the Public.** Tom Weber, representing the Pierz Lake Association, requested funding approval in the amount of \$1,500 to install a Clemson device due to the beaver problem. The proper permits are being acquired; Cris Skonard will check on the insurance.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to approve funding of up to \$1,500 to the Pierz Lake Association to construct a Clemson device. Funds will be disbursed from the North Fork Crow River Watershed Wide Projects Fund. Invoices will be submitted to NFCRWD.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Boyd Fischer inquired if funding can be authorized for other projects. Skonard responded if the project meets the water quality goals and requirements, it may be permitted but usually ditch projects are separate from water quality projects.

#### STAFF REPORTS—

##### Administrator's Report.

**Activities.** Skonard attended the Minnesota Association of Drainage Inspectors meeting in Alexandria.

**Drainage Assessment Committee.** A meeting will be scheduled on Tuesday, September 18, 2018 at 8:00 a.m. Committee comprised of Jim Wuertz, Jim Barchenger and Cris Skonard.

**Temporary Construction Easement-City of Brooten.** Skonard reviewed the documents for the temporary construction easement, which the City of Brooten needs over, under, across and/or through NFCRWD property to install infrastructure improvements. A brief discussion was held.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to approve a temporary construction easement for the City of Brooten. MOTION CARRIED.

**League of Minnesota Cities Dues.** Skonard noted the 2019 League of Minnesota Cities membership dues of \$1,878 are due and shared the NFCRWD receives a good insurance rate and assistance with human resources among other benefits.

IT WAS MOVED BY Bob Brauchler, SECONDED BY James Barchenger, to approve payment of \$1,878 to the League of Minnesota Cities for membership dues.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**1W1P Memorandum of Cooperative Agreement.** Skonard reported the NFCRWD board adopted the One Watershed One Plan (1W1P) at its August meeting. Comments regarding the agreement were reviewed and sent; Attorney Deter does not have a problem with the comments. Skonard stated the Memorandum of Cooperative Agreement is similar to the first agreement. Hanson commented the agreement is patterned after the Red Lake MOA and shared many counties have approved the agreement and recommended the NFCRWD also approve the agreement. He stated approximately \$600,000 in block grant funds are at stake. Berndt commented on the agreement and stated he is not in favor of the Plan and feels the property owners in the area have been left out.

IT WAS MOVED BY John Hanson, SECONDED BY Bob Brauchler, to approve the One Watershed One Plan Memorandum of Cooperative Agreement.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: Berndt

MOTION CARRIED.

##### Watershed Project Coordinator's Report.

**Activity Report.** Lundeen reported he continues to monitor and has submitted two grant applications: 1) Sub-Watershed Analysis; and 2) Ag BMP Implementation. NFCRWD will be notified in December 2018. He is planning to attend educational events, i.e., waterfests and requested to attend the Minnesota Water Resources Conference, through the University of Minnesota St. Paul on October 16<sup>th</sup>. Conference topics include new issues, practices, soil health and other topics. He is requesting to attend one day at a cost of \$175. Skonard feels it is important to have a staff member attend.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to approve Christopher Lundeen's one-day attendance at the Minnesota Water Resources Conference in St. Paul on October 16, 2018, at a cost of \$175.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**JD1 Subwatershed Analysis Presentation.** Joe Lewis of Houston Engineering presented the Pope-Stearns JD1 Multi-Purpose Drainage Management Plan. Lewis shared principles of the plan, goals to achieve, identified practices for external funding, practices based on cost-effectiveness and specified practice types likely to be accepted by landowners and limit impact on productive agricultural land and example results. Lewis also reviewed the prioritized inlet and regional storage sites and criteria used to automatically identify sites.

**Funds Manager/Administrative Assistant's Report.** As reported.

#### PROGRAM REPORTS

**Permit Reports – Fischer Permit.** Skonard reviewed Boyd Fischer's request to install two side inlets. Fischer explained there currently is one side inlet that has washed out approximately eight times and he is requesting two additional side inlets. A photograph was shown. Fischer shared one side inlet would be off the ditch system; he is willing to pay for the construction of this side inlet. The NFCRWD board concurred to grant the permit on the stipulation work won't be performed until the crops are out and reviewed by the Administrator and MBC.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to grant a permit to Boyd Fischer for a rock inlet located on the north/south ditch (off ditch system) that will be funded by Boyd Fischer and to conditionally grant the side inlet along the road once the Administrator and MBC have reviewed the site.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Fischer also contacted Skonard regarding a side inlet that was installed last year and feels it should be dug out as it does not drain. Skonard will visit the site to review and make a recommendation.

#### Drainage Report

##### 1. CD 32 Repair: Status Update

**RESPEC/SBC.** Skonard reported SBC has been paid and once the beans are harvested, he will coordinate with both parties to identify areas of deflection and make arrangements to measure the pipe deflection. Skonard reviewed a map of two washouts in Raymond Township, Section 26, and reported one or two side inlets may be needed. He will make a site visit. Discussion was held. Berndt commented there is not an as-built plan for CD 32. A suggestion was made to hold an informational meeting to get issues on the table. A three-week notice is not necessary as it is an informational meeting.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to schedule an informational meeting with RESPEC and landowners for 7:30 p.m., September 26<sup>th</sup> or 27<sup>th</sup>, 2018. MOTION CARRIED.

**Mitchell Control Structure.** Skonard recommended hiring Joe Lewis of Houston Engineering to determine the needed repairs of the Mitchell Control Structure.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to hire Joe Lewis of Houston Engineering regarding repairs needed to the Mitchell Control Structure.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

Abstained: Berndt

MOTION CARRIED.

## 2. **CD7: Status Update**

**Lateral A Buffer Payments.** Skonard compiled a list of Lateral A buffer payments totaling \$53,784. Plus an additional payment of \$450 to Boyce Fischer as motioned during the 2/6/17 CD7 Redetermination of Benefits Public Hearing for damages for parcel #11.06780.0000 grass strip acreage on east side of ditch not originally stated in viewers report. Attorney Deter stated payments can be authorized now or within 90 days of the final acceptance hearing. Berndt suggested authorizing payment if/when an acceptance hearing is held. Skonard stated the buffer payments would be a one-year assessment.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to authorize North Fork Crow River Watershed District to pay the Lateral A buffer payments in the amount of \$53,784 within 90 days. Also the additional payment of \$450 to Boyce Fischer.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**MBC Drainage Application for Payment.** Skonard reported he made a site visit with ISG and MBC and the project is substantially complete. MBC Drainage has submitted a Contractor's Application for Payment No. 3 in the amount of \$121,980.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to pay MBC Drainage in the amount of \$121,980.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**CD7 side inlets drop pipes.** Roger Lyon inquired who is liable when a property owner sprays for noxious weeds and suggested NFCRWD look into the issue. Lyon also stated a landowner ran into a side inlet and rolled the UTV. Skonard stated there are markers on the side inlets and Attorney Deter commented contractors are making rock inlets safer.

**MBC Drainage, LLC quote to reset a culvert on 275<sup>th</sup> Street in Lake George Township.** Skonard reviewed the estimated repair costs and questioned the rip rap estimate. He feels some rip rap may be salvaged. This is an additional expense to the repair and NFCRWD's policy is for the affected ditch system to pay 50% of the project with townships. The bottom figure amount is unknown at this point.

IT WAS MOVED BY James Barchenger, SECONDED BY Gary Berndt, to authorize NFCRWD to pay 50% of the final charges for the project.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**3. JD 1 Main and Branches: Status Update:**

**Repair Update.** Skonard shared that JD 1 up to Grove Lake CR 22 is nearing completion. Donovan McKigney mentioned the culvert on CR 22. Skonard reported discussions with the Department of Natural Resources (DNR) have begun. A permit may be needed for a repair; however, tree removal can move forward.

**BR12 FK 6 Realignment Memo.** Lewis reviewed the September 5, 2018 Pope-Stearns JD1 Branch 12 Fork 6 Upstream Realignment Technical Memorandum, which summarizes the evaluation of repair alternatives for a portion of Branch 12 Fork 6 of Pope-Stearns JD1 upstream of CR 192. Lewis presented information regarding options that avoid open channel excavation within the wetland on U.S. Fish and Wildlife Service (USFWS) property: 1) install non-perforated tile along the As Constructed and Subsequently Improved Condition (ACSIC) alignment across USFWS property from station 132+80 to 144+50; 2) realign the ditch beginning at station 144+50 to the south and then parallel CR 192 reconnecting to ACSIC alignment at station 132+80. He reviewed the location map. Lyon inquired if the buffer strips are noted on the map. Lewis responded buffers are for treating non-concentrating flow. Houston Engineering recommends that NFCRWD proceed with Alternative 2: realignment of Branch 12, Fork 6, specifically installing tile and excavation of the road side ditch north of CR 192. Skonard met with Scott Glup of USFWS to review agency documentation of the property. Houston Engineer's Opinion of Probable Construction Cost is \$36,620.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to accept Houston Engineering's proposal for the Branch 12, FK 6 project.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

A question was raised on the engineering cost, which Lewis estimated at approximately \$5,000. Berndt questions the 30-inch pipe and suggested a smaller-size pipe. Lewis shared a smaller pipe may be used. Lewis shared that a petition, public hearing and a final order may be required to proceed with the alignment. Attorney Deter stated that under 103E a ditch may be realigned without any proceedings if it is impacting a wetland.

**BR11 Repair.** Skonard reviewed the project. Lewis explained the repair work to clean out the entire branch and presented a cost estimate of \$64,418.

IT WAS MOVED BY Gary Berndt, SECONDED BY James Barchenger, to allow Skonard to work with MBC Drainage to conduct the repair to BR11.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

**JD1 crossing on BR12 FK6 SP 2.** Skonard shared information on the JD1 Branch 12, Fork 6, Spur 2 crossing. Lewis reviewed four alternatives: 1) install a field crossing upstream of CR 18; 2) install a metal plate with 24-inch orifice; 3) install a 24-inch pipe by jack and bore; and 4) place a 24-inch pipe in existing box culvert. Houston Engineering recommends Alternative 1: install a field crossing upstream of CR 18 at a cost of approximately \$8,000.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to move forward with Alternative 1, install a field crossing upstream of CR 18 at a cost not to exceed \$8,000.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Abstained: Berndt

Opposed: None

MOTION CARRIED.

4. **CD 29, CD 36 and CD 37: ROB Update.** Barchenger performed a quick analysis and suggested the NFCRWD board make a site visit in the future.
5. **CD 21: Status Update.** Dennis Walz contacted the District and shared about buffer spoil issues on CD 21 and noted a temporary side inlet has been installed. He requested the area have the buffers leveled and re-seeding. Skonard has visited the site and agrees with the request. The NFCRWD board instructed Skonard to coordinate the request.
6. **CD 4: status Update.** Skonard presented an invoice from Land Pride Construction, LLC in the amount of \$9,637 to install the 66' culvert on 512<sup>th</sup> Avenue in Union Grove Township and an invoice from Union Grove Township in the amount of \$5,986.10 for a total of \$15,623.10.

IT WAS MOVED BY James Barchenger, SECONDED BY Gary Berndt, to pay \$7,811.55 (50% of the two invoices) and billed to CD4.

Roll call vote was taken.

Affirmative: Barchenger, Berndt, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

7. **Other Ditch Business.** None.

**Board Member Reports.** None.

**Items for Next Meeting Agenda.**

**Calendar Review.**

- September 12: AIS Meeting, St. Paul
- September 14: Pope Waterfest, Glenwood
- September 20: WRAPS II, TBD
- September 25: MAWA, St. Cloud
- September 25: Pope/Stearns Cons Day, Morris

**FYI Items.** None.

**ADJOURNMENT—**

IT WAS MOVED BY Bob Brauchler, SECONDED BY James Barchenger, to adjourn the meeting. MOTION CARRIED.

The meeting was adjourned at approximately 9:34 p.m.

**NEXT MEETING—**The next board meeting is Monday, October 8, 2018 at 7:00 p.m.



John Hanson, Secretary

Oct 8, 2018