

NORTH FORK CROW RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
Approved Regular Meeting Minutes
October 8, 2018

Managers Present: James Barchenger, Bob Brauchler, John Hanson and James Wuertz
Manager Absent: Gary Berndt
Staff Present: Cris Skonard, Christine Knutson and Christopher Lundeen
Others Present: Kurt Deter (Rinke Noonan), Kevin Farnum, Boyce Fischer, Virgil Fuchs, David Johnson, Ralph Klassen Larry Ladwig, Joe Lewis (Houston Engineering, Inc.), Donovan McKigney, Ken Rademacher, Tom Weber and others
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc. (LAA)

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

AGENDA—The following item was added to the agenda under the Administrator’s Report: clarification on Item 3: MAWD Delegates. Authorize attendance at the MAWD conference in order for registrations.

IT WAS MOVED BY Bob Brauchler SECONDED BY James Barchenger, to approve the Agenda with the above addition. MOTION CARRIED.

CONSENT AGENDA—

IT WAS MOVED BY James Barchenger, SECONDED BY Jim Hanson, to approve the following Consent Agenda:

1. Treasurer’s Report and bills to October 8, 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, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

MINUTES—Corrections to the September 10, 2018 were noted.

IT WAS MOVED BY Bob Brauchler, SECONDED BY, Jim Hanson, to approve the September 10, 2018 Regular Meeting Minutes with the following corrections:

- Under the CD7: Status Update, Lateral A Buffer Payments, the payment amount in the motion is to be corrected from \$57,784 to \$53,784.
- NFCRWD to also pay Boyce Fischer \$450 for buffer payments as noted in the CD7 viewers report.

MOTION CARRIED.

Open Discussion from the Public. Tom Weber, representing Pierz Lake Association, thanked the North Fork Crow River Watershed District (NFCRWD) for approving funding in the amount of \$1,500 to construct a Clemson device. Weber stated the landowners want to withhold the request and return the \$1,500 to NFCRWD. It was determined the Clemson device will not have an impact on the water flow and if the Lake Association moves forward in the future, a permit will be needed from the Department of Natural Resources (DNR).

Kevin Farnam, representing the Lake Koronis Lake Association, expressed appreciation to NFCRWD staff for their partnership. He reported a graduate student is working on a lower cost treatment for Starry Stonewort in Lake Koronis and announced grants will be extended for another year.

STAFF REPORTS—

Administrator's Report.

Activities. Skonard attended a Cover Crop Field Day and shared it was informative and well attended. He also attended the MAWA (Minnesota Association of Watershed Administrators) Conference in St. Cloud and reported there was good discussion on interesting topics, including clean water funds and how they are being allocated.

CAC Meeting-Manager Attendance. Skonard shared NFCRWD received a letter from the Koronis Lake Association regarding adopting rules for the Board of Managers as to attending CAC (Citizens Advisory Committee) meetings; specifically, that a Manager may attend CAC meetings as an observer and, when asked by the chair for clarification, may provide that clarification but not express an opinion, and the chair is responsible for insuring rotation of Managers at CAC meetings. President Wuertz suggested it would be a good idea to rotate Managers and he would like to see the CAC look ahead regarding issues/ideas that can be realized, if funding is available. Manager Hanson is in favor of rotating Managers and suggested looking through the policy regarding responsibility of Managers and the CAC, including other NFCRWD policies.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to approve the rotation of North Fork Crow River Watershed District Managers' attendance at future Citizens Advisory Committee meetings. MOTION CARRIED.

Skonard will notify the CAC of this action. Manager Hanson will attend the next CAC meeting at 4:00 p.m. on November 13, 2018. Skonard suggested reappointing CAC members by January 1, 2019. This issue will be discussed at the November NFCRWD meeting.

MAWD Delegates. Skonard shared the 2018 Annual Conference for MAWD (Minnesota Association of Watershed Districts) will be held November 29-December 1, 2018 and requested authorization for staff to attend and for the board to assign delegates.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to appoint President Wuertz and John Hanson as delegates to the 2018 Annual Conference of the Minnesota Association of Watershed Districts and to appoint Bob Brauchler as the alternate. MOTION CARRIED.

Skonard has reserved six hotel rooms. Skonard and Managers Barchenger, Brauchler, Hanson and Wuertz would like to attend; Skonard will check with Manager Berndt. The registration fee is \$320 per person plus hotel room cost per person.

IT WAS MOVED BY John Hanson, SECONDED BY Bob Brauchler, to approve staff and Managers to attend the 2018 Annual Conference of the Minnesota Association of Watershed Districts and to pay their registration fees and hotel room costs.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

MAWD Resolution-Request for Support. Attorney Deter explained an email from Attorney John Kolb of Rinke Noonan, requesting the NFCRWD join the Rice Creek Watershed District in support of a proposed MAWD Resolution. Attorney Deter stated clarification of the law is needed and urged NFCRWD support the resolution.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to send a letter from the North Fork Crow River Watershed District supporting the 2018 MAWD Resolution in support of new legislation modeled after HF2687 and SF2419 regarding DNR regulatory authority over public drainage maintenance and repairs. MOTION CARRIED.

Approve 1W1P Resolution. Skonard noted a resolution needs to formally adopt and implement the North Fork Crow River One Watershed One Plan (1W1P).

IT WAS MOVED BY John Hanson, SECONDED BY Jim Barchenger, to approve Resolution 2018-07 adopting the One Watershed One Plan.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Drainage Assessments. At the September 10th board meeting, Managers Wuertz and Barchenger were appointed to work with Skonard to determine drainage assessments to be certified beginning in 2019. Since the September meeting, additional costs have been spent on CD36 and CD37. The beaver dam costs are unknown on old CD36 and CD37; the cost could be in excess of \$2,000. It was suggested to assess \$5,248 on CD36 and \$2,000 on CD37 and if the dollars are not needed, they will stay in the Maintenance Fund. A one-time payment of \$450 to Boyce Fischer will also be made. Attorney Deter suggested NFCRWD pay Fischer by check in order to have a record.

Pope-Stearns JD1. Skonard reported work is not complete; however, an assessment must be done to cover a portion of this year's maintenance costs with a larger assessment next year spread over a number of years to cover the remaining repair costs. The amount recommended is close to what was assessed last year. Skonard recommended NFCRWD assess Pope-Stearns JD1 at \$150,000 for one year at 4% interest plus applicable filing fees. Discussion held on prepays.

IT WAS MOVED BY Bob Brauchler, SECONDED BY John Hanson, to assess Pope-Stearns JD1 \$150,000 for one year at 4% interest plus applicable filing fees with prepays due by November 9, 2018.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Stearns CD36.

IT WAS MOVED BY Jim Barchenger, SECONDED BY John Hanson, to assess Stearns CD36 at \$5,248.84 for one year at 4% interest plus applicable filing fees with prepays due by November 9, 2018..

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Stearns CD37.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to assess Stearns CD37 at \$5,092.52 for one year at 4% interest plus applicable filing fees with prepays due by November 9, 2018.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Meeker CD4. Buffers were paid four months ago.

IT WAS MOVED BY Bob Brauchler, SECONDED BY James Barchenger, to assess Meeker CD4 at \$29,658 for one year at 4% interest.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Meeker CD43.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to assess Meeker CD43 at \$30,000 for one year at 4% interest.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Stearns CD7.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to assess Stearns CD7 at \$53,784 for one year at 4% interest plus applicable fees with prepays due by November 9, 2018.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, to send a check to Boyce Fischer in the amount of \$450 as noted in the CD7 viewers report. MOTION CARRIED. (ORIGINAL MOTION TO PAY WAS MADE AT THE SEPTEMBER BOARD MEETING)

Watershed Project Coordinator's Report.

Activity Report. Christopher Lundeen shared he:

- continues work on two Stearns County grant applications that are due in two weeks;
- plans to finish up on water monitoring and boat inspection reporting;
- attended the Pope/Stearns Conservation Day event; and
- attended the Aquatic Invasive Species (AIS) meeting at the University of Minnesota and reported on highlights of the day, including the lab tour to hear what is being done on Starry Stonewort, etc.

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

PROGRAM REPORTS

Permit Application of Paul Zimmerman (Tabled at July Meeting). Skonard reviewed the Permit Application of Paul Zimmerman to construct and install tile in Township 124 (Lake George), Range 34, Section 5 SE, Stearns County. Skonard recommended approving the permit upon condition that Getty and Lake George Townships be notified.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to approve Paul Zimmerman's Permit Application and that Zimmerman work with Cris Skonard to ensure the permit conditions are followed. MOTION CARRIED.

Permit Application of Tom's Backhoe Service, Inc. Skonard reviewed the Permit Application of Tom's Backhoe Service, Inc. to install a well point dewatering system for the sewer and water project in the city of Brooten. The project will begin this fall and be completed next year. Skonard referred to the September 18, 2018 letter from the DNR regarding temporary dewatering public water appropriation permits. Skonard noted the dewatering will be done approximately one mile from Stearns CD29 and very near Stearns CD37. A lengthy discussion was held and it was noted there are many unknowns as to the impact of the dewatering process. Manager Barchenger and Christopher Lundeen will attend the pre-construction meeting on October 11, 2018. Attorney Deter stated the permit can be granted; however, he feels information is missing and suggested tabling the decision to obtain additional information. Virgil Fuchs inquired of springs in the area. Skonard noted a special meeting may be needed.

IT WAS MOVED BY John Hanson, SECONDED BY Bob Brauchler, to table a decision on the Permit Application of Tom's Backhoe Service, Inc. to install a dewatering system pending additional information be obtained. MOTION CARRIED.

Drainage Reports.

1. **CD 32 Repair: Status Update.** Skonard reported the meeting held on September 26th was well attended with good discussion. Other issues surfaced, including tile improvements, etc. It was suggested a drainage committee of five land owners and NFCRWD be formed and to schedule a meeting including Brad Marthaler, Boyd Fischer, Jim Weller, Roger Walz and John Randall. Skonard contacted RESPEC and will obtain dates to measure the pipe deflection and identify repairs.

Mitchell Control Structure. Joe Lewis stated he has reservations about riser pipe as he does not feel it is adequate and stated there may be need for two. Lewis estimated the cost at approximately \$5,000. The project should be completed this fall. Skonard asked if NFCRWD should work with Mitchell regarding future maintenance. Attorney Deter will draft a letter to Mitchell as to his responsibility for future maintenance. Skonard will contact Mitchell for a contractor preference.

2. **CD7: Status Update.** Skonard reported the NFCRWD authorized the repairs which are nearly complete and the acceptance hearing should be scheduled. Boyce Fischer inquired about reimbursement for crop damage. Skonard reported this will be part of the acceptance hearing. The Engineer will have to authorize substantial completion of the project prior to setting an acceptance hearing.

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

Branch 12, FK6 Realignment. Skonard reported Houston Engineering's direction was to go ahead with the realignment as approved by NFCRWD. Lewis shared the scope of the project. Skonard recommended HEI coordinate the project with the U. S. Fish and Wildlife Service.

BR 11 Repair. Skonard reported an estimate from MBC Drainage is needed in order to finalize the project. At the September 10th NFCRWD meeting, Lewis presented a cost estimate of

\$64,418 for the project. Skonard will work with MBC Drainage for an estimate.

CR 22/Mud Lake update. Lewis reported if the repair is done at the current elevation (culvert to culvert), the DNR would permit the project. Donovan McKigney inquired how the improvement repair compares to legal grade. Lewis explained and suggested an additional field review be conducted. Attorney Deter suggested doing the partial depth repair culvert to culvert which is approximately 1½ feet and then address the additional work if needed. Skonard shared Mr. Wilson contacted him regarding cleanout of BR2 and Skonard suggested performing the cleanout next year. Barchenger also suggested addressing BR1, BR2, BR4 and BR5. Lewis suggested performing a partial depth repair of the branches.

4. **CD 29, CD 36 and CD 37: ROB Update.** Skonard reported on the research by Manager Barchenger and reported benefits are outside of the legal watershed and cannot be assessed by the Drainage Authority. NFCRWD Managers made a site visit individually and concluded issues may arise. Discussion on need to make watershed boundary change prior to adoption of the redetermination of benefits. Attorney Deter will send Skonard information on specific boundary change procedures. Issue will be placed on the November NFCRWD agenda for discussion and decision. Skonard also reported he met with two landowners regarding CD36 and CD37.
5. **CD 21: Status Update.** Skonard reported getting the buffers leveled and re-seeded has not been completed because crops remain at the site.
6. **CD 4: Status Update.** Skonard addressed the CD4 meeting during the Administrator's Report.
7. **Other Ditch Business.** None.

Board Member Reports. Skonard mentioned two NFCRWD Board members will be absent at the January meeting; he will decide if the meeting date will be changed. Skonard reported NFCRWD is experiencing issues of returned emails and is working with the IT to resolve the issues.

Items for Next Meeting Agenda.

- CAC membership
- Permit Reports: Tom Backhoe Service, Inc.

Calendar Review.

- October 15: Bonanza Valley GWMA, Pope County
- October 16: Water Resources Conference, St. Paul
- October 18: WRAPS II
- October 29-31: BWSR Academy, Brainerd

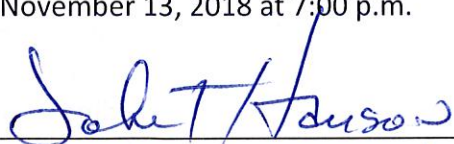
FYI Items. Skonard mentioned a special meeting to pay year end bills will be scheduled in late December.

ADJOURNMENT—

IT WAS MOVED BY John Hanson, SECONDED BY Bob Brauchler, to adjourn the meeting.
MOTION CARRIED.

The meeting was adjourned at approximately 8:48 p.m.

NEXT MEETING—The next board meeting is Tuesday, November 13, 2018 at 7:00 p.m.



John Hanson, Secretary 13 Nov 2018