

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

Managers Present: Gary Berndt, James Barchenger, Bob Brauchler, John Hanson and James Wuertz
Staff Present: Cris Skonard, Christine Knutson and Christopher Lundeen
Others Present: Kurt Deter (Rinke Noonan), Boyd Fischer, Steve Fuchs, Kevin Farnum, Steve Fuchs, Virgil Fuchs, Roger Imdieke (Kandiyohi County Commissioner), David Johnson, Ralph Klassen, Larry Ladwig, Joe Lewis (Houston Engineering, Inc.), Roger Lyon, Donavan McKigney, Will Westbur, Jim Weller and Others
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc. (LAA)

CALL TO ORDER—President James Wuertz called the meeting to order at approximately 1:00 p.m.

AGENDA—The following items were added to the agenda under Other Ditch Business:

- Letter from Fluegel, Anderson law firm concerning maintenance of CD37 downstream of the V&J Farm property;
- Letter from Boyce Fischer requesting remainder of balance of the easement agreement on CD32; and
- A materials and installation estimate from Houston Engineering regarding a different type of structure for the Mitchell property.

IT WAS MOVED BY James Barchenger, SECONDED BY Bob Brauchler, 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 December 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, Brauchler, Berndt, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

MINUTES—President Wuertz presented the November 13, 2018 regular board meeting minutes. Manager Berndt requested the wording under CAC Appointments be revised as to the paragraph regarding manager's input. Consensus not to make changes.

IT WAS MOVED BY Bob Brauchler, SECONDED BY John Hanson, to approve the November 13, 2018 Proposed Regular Meeting Minutes. MOTION CARRIED.

Open Discussion from the Public. Ralph Klassen inquired as to the reason for canceling the Citizens Advisory Committee (CAC) meeting this morning and commented on poor coordination. Skonard explained he received the notice early this morning. Attorney Deter suggested the CAC set regular meeting dates/times.

Kevin Farnum, Koronis Lake Association, requested agenda time during the January NFCRWD board meeting to discuss options regarding how to sustain AIS activities on Lake Koronis and discuss the petition process.

Larry Ladwig, reported he has the second highest assessments for JD1 and inquired what the assessment was paying. Skonard stated that it was due to outstanding and upcoming costs. The next assessment will include all costs and be spread out over a number of years. Manager Berndt inquired if the assessment includes charges for the ditch cleaning done this summer. Skonard stated the assessment does not include all of the ditch cleaning costs that were completed during the summer of 2018.

STAFF REPORTS—

Administrator's Report.

Activities. Skonard reported:

- All board approved ditch assessments were sent out and received a good response.
- He attended the BVGWM meeting in Glenwood. DNR are looking for more rain monitors. Skonard commented the NFCRWD may be able to recruit some volunteers.
- He attended the Crow River Joint Powers Board meeting last week where some issues with the One Watershed, One Plan (1W1P) were discussed.
- Skonard provided an overview of the Minnesota Association of Watershed Districts (MAWD) Annual Meeting in Alexandria. The meeting format was good and the topics were interesting with information on funding techniques and large projects. Manager Brauchler also reported he was impressed with the focused discussion during the board meeting and made it flow well and took less time. President Wuertz highlighted the sessions he attended and found them useful.

CAC Meeting. Skonard reported that President Wuertz attended a MAWD informational meeting which discussed CAC meetings. Discussion included the role of the NFCRWD board members at CAC meetings. President Wuertz stated CAC meetings and times are set by the board. Attorney Deter reviewed Minn. Stat. 103D.331, which states there is a minimum of five members. Others are appointed at the discretion of the NFCRWD board. CAC meetings are public meetings; however, only appointed members may participate in the meeting. CAC Chair Roger Lyon shared he allows non-CAC members to speak at CAC meetings, but not vote. Attorney Deter suggested only the appointed members be allowed to make comments. CAC members may ask questions of attending board managers. CAC member appointment will be discussed at the end of year meeting.

Watershed Boundary Change Resolution. Skonard reported he met with Middle Fork Watershed District regarding the proposed boundary changes. Attorney Deter referred to the draft Resolution Authorizing Change of Boundary, which will be sent to the Minnesota Board of Water and Soil Resources (BWSR). A hearing will be scheduled. The costs incurred for the boundary change process will come under general administrative fund. Manager Berndt inquired if the northern boundary edge will be addressed in the future to resolve differences. Skonard will contact Sauk River Watershed District.

IT WAS MOVED BY Bob Brauchler, SECONDED BY James Barchenger, to adopt the Resolution Authorizing Change of Boundary Prior to Signing a Petition for a Boundary Change.

Roll call vote was taken.

Affirmative: Berndt, Barchenger, Brauchler, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

1W1P Update/Meetings. Skonard reported there is a long list for the planning work group to address, i.e., ranking of projects, etc. The Policy Committee will meet in January to review the Bylaws and the Memorandum of Understanding (MOU). There will be a meeting on December 20th in Grand Rapids regarding the pilot 1W1P participants and the NRCS Regional Conservation Partnership Program (RCPP) initiative. Skonard suggested the board send Christopher Lundeen as NFCWRD's representative. Berndt inquired who represents the District at 1W1P in the absence of Manager Hanson. Manager Brauchler is the alternate who attends the Policy Committee meetings in lieu of Manager Hanson.

End of Year Meeting. At the November NFCRWD meeting, it was suggested to hold the end of year meeting at 10:00 a.m., December 26th. Discussion was held. Agenda topics will include: CAC appointments, reclassification of grant expenses versus in-kind and other issues.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to schedule the end of year special meeting for 10:00 a.m., December 26, 2018, at the North Fork Crow River Watershed District office. MOTION CARRIED.

Evaluations/Wage Review. The NFCRWD Board began conducting wage evaluations this afternoon and will continue at the close of today's meeting. Final action will be conducted at the December 26th year-end special meeting.

Additional Business. None.

Watershed Project Coordinator's Report. Lundeen reported:

- The MAWD Conference presentations and breakout sessions were informative and useful.
- He continues to submit and check quality control on monitoring data.
- WRAPS meetings will continue into next year.

Lundeen updated the CAC member list and is waiting to hear back from some contacts. Lundeen shared that RMB Labs will continue to do the water sample tests in 2019; RMB is used by most of the watershed districts. Lundeen receives reports in approximately one month. He can provide a preliminary report, but additional data is needed from the state for the final report. Ralph Klassen asked if testing will be done on nutrient loading on fields with manure placed on top of frozen ground. Lundeen stated such testing is done by the county feedlot officers.

Funds Manager/Administrative Assistant's Report. As reported in the financial statements.

PROGRAM REPORTS

Permit Report. Skonard reported the Tom's Backhoe dewatering permit was closed.

Drainage Report: CD 32 Repair: Status Update. Skonard discussed the letter from Boyce Fischer, who requested reimbursement of \$1,200 for costs incurred relating to the easement agreement for the CD32 tile installation project. Attorney Deter stated an itemization is needed before the Board will take action. Skonard will contact Fischer.

Mitchell Control Structure. Joe Lewis gave a report at the November NFCRWD meeting and was directed that Houston Engineering prepare a draft report for a modified control structure and obtain quotes. After taking a closer look at the materials on hand, he determined they would not work. Lewis obtained a quote from TrueNorth Steel at a cost of \$3,598.14 and asked for approval. There will be some installations costs which are unknown at this time. Discussion was held on the type of pipe to use.

Attorney Deter suggested the Board look at options. Lewis will obtain a quote for plastic pipe.

CD7: Buffer Payment Update. Skonard shared buffer payments will be sent out this month after receiving the IRS Form W9 from eligible landowners. It was noted that if the W9 form is not returned by an individual landowner, their buffer payment will not be sent.

JD1 Main and Branches: Status Update.

- HEI provided an estimate for engineering services regarding repair of Pope-Stearns JD1, Main Trunk between CR22 and Mud Lake at a cost of \$18,945, which includes, development of plan, regulatory coordination, construction staking and observation, as-built survey and record drawings.
- Lewis also provided an update for work completed to date on Branch 12 Fork6, Branch 10 and Branch 11. Lewis also reviewed the payment requests for this work.

IT WAS MOVED BY Bob Brauchler, SECONDED BY John Hanson, to approve the HEI proposal in the amount of \$18,945.

Roll call vote was taken.

Affirmative: Brauchler, Hanson and Wuertz

Abstained: Gary Berndt, Jim Barchenger

MOTION CARRIED.

Skonard received the tree removal estimate from Nate Bettis in the amount of \$87,964.30 for JD1 Main and Branches 1, 2, 3, 4 and 5. A determination will be made if the present bond is valid or if it should be increased.

IT WAS MOVED BY John Hanson, SECONDED BY, Bob Brauchler, to accept the estimate submitted by Nate Bettis in the amount of \$87,964.30 for tree removal on JD1 Main and Branches 1, 2, 3, 4 and 5, which includes the bond.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Hanson and Wuertz

Abstained: Gary Berndt

MOTION CARRIED.

Babekuhl Letter. Skonard reported a letter was received from Ben Babekuhl regarding backup on Branch 6, north of Sedan. Skonard believes it is a beaver issue. Attorney Deter commented beaver dams can be removed and beavers can be eliminated.

Other Ditch Business. Skonard referred to the letter from Fluegel Anderson law firm concerning maintenance of CD37 downstream of V & J Farm (Virgil Fuchs) and future redetermination of benefits meetings. Attorney Deter reported he will prepare a response. Steve Fuchs inquired of the plan to address the concerns. Attorney Deter stated once the redetermination of benefits is made, an engineer will propose a possible repair plan. It was noted redetermination of benefits is part of the boundary change. Fuchs inquired what has changed since 1991 as he has never had water on his land before. He requested a culvert replacement and that it be restored to its original state. Attorney Deter suggested obtaining information on the culvert. Skonard will make a site visit to look at the culvert.

CD32. Boyd Fischer inquired of the status with Border States Construction regarding CD32. Skonard reported there has been no update. He will look into the issue.

Board Member Reports.

- Manager Brauchler attended a drainage seminar meeting.
- Brauchler also attended the Bonanza Ground Water Management meeting noted that future irrigation permits may be limited under drought conditions.

Items for Next Meeting Agenda.

- Koronis Lake Association-Kevin Farnum

Calendar Review.

- Wednesday, December 12: SWAG, Spicer
- Thursday, December 13: 1W1P-PWG, Litchfield
- Friday, December 14: BWSR Grants
- Thursday, December 20: BWSR-1W1P RCPP, Grand Rapids
- Wednesday, January 2: 1W1P-PC, Litchfield
- Monday, January 7: Stearns SWCD, Brooten

FYI Items. None.

ADJOURNMENT—

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

The meeting was adjourned at approximately 2:50 p.m.

Employee reviews continued after adjournment.

NEXT MEETING—The next board meeting is Monday, January 14, 2019 at 1:00 p.m.



John Hanson, Secretary