

**NORTH FORK CROW RIVER WATERSHED DISTRICT**  
**BOARD OF MANAGERS**  
**Approved Regular Meeting Minutes**  
**August 12, 2019**

Managers Present: James Barchenger, Gary Berndt, Bob Brauchler, John Hanson and James Wuertz  
Manager Absent: None  
Staff Present: Cris Skonard, Christine Knutson, Christopher Lundeen and Tim Struwve (Intern)  
Others Present: Dave Albrecht, Kurt Deter (Rinke Noonan), Boyce Fischer, Boyd Fischer, Virgil Fuchs, Roger Imdieke (Kandiyohi County Commissioner), Richard Kirckof, Larry Ladwig, Joe Lewis (Houston Engineering, Inc.), Paul Osbourn, Steve Notch (Stearns County Commissioner), John Shorba and others  
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc.

1. **CALL TO ORDER**—President Bob Brauchler called the meeting to order at approximately 7:00 p.m.
2. **REVIEW & APPROVE AGENDA**—Cris Skonard asked to add under Administrator’s Report: Pirz Lake Update.

IT WAS MOVED BY Jim Wuertz, SECONDED BY James Barchenger, to approve the Agenda with the addition of Pirz Lake Update to the Administrator’s Report. MOTION CARRIED.

3. **CONSENT AGENDA**—

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

1. Treasurer’s Report and bills to August 12, 2019
  - 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.

4. **MINUTES**—

IT WAS MOVED BY James Wuertz, SECONDED BY John Hanson, to approve the July 8, 2019 Regular Meeting Minutes. MOTION CARRIED.

5. **Open Discussion from the Public.** Paul Osbourn expressed concerns regarding the removal of weeds via the harvester and wants the weed removal stopped as it may spread the weeds. Attorney Kurt Deter interjected that if the representatives are here to take a position on the project, there will be a public hearing on August 29<sup>th</sup> in Roscoe to hear reports from engineers and appraisals and concerns/comments from the public and a determination made if the statute has been followed. The North Fork Crow River Watershed District (NFCRWD) board will need to approve the Pirz Lake Aquatic Invasive Management Project petition. Skonard shared the Department of Natural Resources (DNR) issues permits for vegetation removal and the NFCRWD does not have jurisdiction. John Shorba inquired how many people signed the Pirz Lake petition to meet the 25% and why 25% was selected. Skonard reported there were approximately 45 or 46 properties in the proposed project area; he will send Shorba the exact number. Attorney Deter shared he is not aware of why the 25% number was set and feels it was set years ago. Shorba inquired about the notification process for the upcoming public

hearing in Roscoe. Attorney Deter and Skonard explained the notification process. Every landowner receives a notice and the notice will be published in the *Paynesville Press*. The NFCRWD board will attend the public hearing to hear comments and determine the status of the project. Dave Albrecht inquired about the purchase of the harvester. Skonard provided an explanation and stated the project is not rubber stamped at this point as it will be determined if the statute has been followed. Virgil Fuchs inquired if landowners can appeal the assessment if the project is approved. Skonard shared appraisals will be mailed and again reiterated the statute must be followed.

6. **STAFF REPORTS—**

a. **Administrator's Report.**

1. **Activities.** Skonard reported the following:

- He attended the Drainage Work Group meeting in St. Paul and shared highlights of the meeting regarding drainage, water quality, etc. No consensus was reached during the meeting regarding submitting recommendations to the legislature this year.
- He met with Howard Green Engineering regarding Highway 23 road construction and CD 3. There are BMP's proposed for the project to improve water quality.
- He attended the Koronis Lake Association Annual Meeting and Rice Lake Association meeting.
- Issues continue with bouncing emails and reported NFCRWD will switch to Microsoft Exchange, which is a minimal cost increase. Mike Heveron of Glacial Ridge Computing is checking into the details and cost. Also discussed were computer upgrades; a free Windows 10 upgrade may be possible. Christopher Lundeen's computer is soon out of date and may need replacing. Skonard shared most of this expense will come from the physical hardware purchase budget line item.

2. **Budget Update.** Skonard and the Budget Committee worked on the 2020 budget; he highlighted areas with proposed budget changes. Manager Berndt inquired if there is carryover in the administrative budget. Christine Knutson reported the carryover is large enough to cover additional expenses, i.e., cash flow. Knutson shared the auditor said it is in good standing. President Brauchler suggested Manager pay should be addressed and placed in the proposed budget. Discussion was held. Skonard will discuss the recommendations with the Budget Committee. Skonard shared he is required to publish the proposed 2020 budget two weeks prior to the September 9<sup>th</sup> board meeting.

IT WAS MOVED BY James Barchenger, SECONDED BY John Hanson, to set the 2020 North Fork Crow River Watershed budget hearing for 8:00 p.m., September 9, 2019. MOTION CARRIED.

3. **Watershed Boundary Change.** Skonard mentioned he will attend the Pope County commissioner meeting and Lundeen will attend the Stearns County commissioner meeting, both of which will be held the week of August 19. The Board of Water and Soil Resources (BWSR) board meeting will be held in September; Manager Berndt suggested the BWSR hearing meeting be changed to November after harvest. BWSR is responsible for setting the meeting date.

4. **2019 New Laws Impacting Watersheds.** Skonard referred to the email from Emily Javens of the Minnesota Association of Watershed Districts (MAWD) regarding new laws impacting watersheds: Minnesota's New Wage Theft Law, Open Meeting Law when using Interactive Television and Watershed District Per Diem Increase. Manager Berndt commented the open meeting law portion does not address attendance by phone. Skonard shared attendance must

be via interactive television, i.e., TV/Skype to be considered present and have voting rights. Skonard reviewed BWSR's Board Member Per Diem and Expenses Policy on page 25.

5. **Stearns SWCD Buffer MOA.** Skonard shared Stearns County Soil and Water Conservation District (SWCD) wants to enter into new Memorandum of Agreement (MOA) for the buffer law, which he feels is standard procedure. Sauk River WD would also consider the MOA regarding the buffer law. Attorney Deter provided an explanation of the buffer law.

IT WAS MOVED BY John Hanson, SECONDED BY James Wuertz, approving the North Fork Crow River Watershed District entering into a new Memorandum of Agreement with the Stearns County Soil and Water Conservation District. MOTION CARRIED.

6. **MAWD Update.** Skonard reported MAWD dues will remain the same this year as reflected in the proposed 2020 budget. Skonard discussed the memo to MAWD members regarding the 2019 request for comment on the 2020-2022 MAWD Strategic Plan. If the NFCRWD board has comments they are to be emailed to Emily Javens or Mary Texer.
7. **MAWD/SWCD Governance Conference.** Skonard referred to the Governance 101 Conference handout; the conference will be held on September 12-13, 2019 in Bloomington.
8. **CAC Meeting.** Skonard inquired if there are topics to be discussed at the next Citizens Advisory Committee (CAC) meeting. In the past, discussions on manure management, etc. have been held. Manager Berndt mentioned meetings have included various speakers; Skonard asked for speaker suggestions. Manager Berndt and Manager Wuertz attended the last CAC meeting. Manager Berndt and Manager Hanson volunteered to attend the next CAC meeting on August 27<sup>th</sup> at 10:00 a.m.
9. **Intern Fund.** Skonard announced that Thursday will be the last day for intern Tim Struwve. Struwve commented his internship has been great and thanked the board for the opportunity. He was able to enhance his GIS skills and will use what he has learned in the future. Skonard reported the intern fund is low and suggested using the North Fork Crow River Watershed-Wide Project Fund for Struwve's last paycheck; the amount would be less than \$1,000.

IT WAS MOVED BY James Barchenger, SECONDED BY Gary Berndt, to approve using the North Fork Crow River Watershed District Watershed-Wide Project Fund to fulfill Tim Struwve's last paycheck.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

10. **MPCA 319 Grant-Interview.** Skonard reported the interview went well and it was a positive meeting. NFCRWD will be notified by the end of August, if it has been approved for the grant. The grant provides for BMP installing and water quality improvement. Skonard shared approximately 20 were interviewed and 10 will receive funding.
11. **MADI Conference.** Skonard requested permission to attend the Minnesota Association of Drainage Inspectors (MADI) fall meeting on August 15, 2019 in Alexandria at a cost of \$25.00. He briefly reviewed the agenda.

IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to approve paying

the \$25.00 registration fee for Cris Skonard to attend the Minnesota Association of Drainage Inspectors fall meeting on August 15, 2019.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

12. **Pirz Lake Update.** Skonard reported he is in the process of getting landowner reports out and will place the ad in the *Paynesville Press* for the public hearing at 7:00 p.m., August 29<sup>th</sup> at the Roadside Tavern in Roscoe. Skonard reiterated the engineering and appraiser's reports will be available at the public hearing and on the district website. Skonard will also send Shorba the appraiser's report.

13. **Additional Business.** None.

b. **Watershed Project Coordinator's Report.** Christopher Lundeen shared his report.

1. **Activity Report.**

- Monitoring has slowed down; he continues to obtain samples.
- Water clarity on Rice Lake and Lake Koronis is not good. Rice Lake water clarity is 2½ feet and Lake Koronis is 3½ feet.
- He is sending in monitoring data.
- Two water festivals will be held in September.
- The Stearns County Aquatic Invasive Species (AIS) Committee approved the response plan at last month's meeting. They are looking to amend the budget regarding funding for projects.
- The 2019 Minnesota AIS Research and Management Showcase will be held on September 18<sup>th</sup> in St. Paul.

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

## 7. PROGRAM REPORTS

a. **Permit Report.** No report.

b. **Drainage Report.**

1. **CD 32 Update:** Skonard reported he heard back from States Borders Construction. Greg Vold will contact Skonard on August 15<sup>th</sup> as they may subcontract the tile replacement project.

**Mitchell Control Structure.** Skonard shared an update and showed photographs of the installed structure. The invoice was approved in the financials. The total cost was \$12,950.

2. **CD 38: Update.** Skonard reviewed the area showing tile collapse areas videoed by Ag Water Management. Skonard shared the \$5,750 invoice is more than expected due to the length of time it took to do the video and repair the collapsed sections of tile. Skonard has all the reports.

IT WAS MOVED BY James Wuertz, SECONDED BY Gary Berndt, to approve payment of \$5,750.00 to Ag Water Management for Invoice No. 19-286 for videoing in CD38 in the NE¼ and SE¼ of North Fork Section 20.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz

Opposed: None

MOTION CARRIED.

Richard Kirckof feels the 12-inch tile placed years ago is too small and shared a portion of his property floods due to water from the culvert under County Road 18. Attorney Deter commented a larger tile cannot be installed without an improvement petition from the landowners as NFCRWD only has the authority to fix what is there. Other sections need to be videoed. Kirckof feels the tile lines need to be looked at to determine if there is a restriction. A lengthy discussion was held. Manager Wuertz suggested installing a control structure/berm on the west side of County Road 18. Attorney Deter suggested to either install a control structure/berm or replace the tile. It was the consensus of the NFCRWD board to authorize Skonard to work with Joe Lewis on this issue. Skonard will report at the September 9<sup>th</sup> meeting.

3. **JD 1: Update.** Skonard spoke with Nate Bettis about coordinating the tree removal with MBC Drainage LLC, but he has not heard back. Skonard reviewed the \$8,900 invoice from MBC Drainage LLC for repairs to JD 1 near Grove Lake; Lewis shared details of the project. Skonard recommended payment of the invoice.

IT WAS MOVED BY Gary Berndt, SECONDED BY John Hanson, to approve payment of \$8,900 to MBC Drainage LLC for Invoice No. 5681 for repairs to JD 1 Pope County Road 22.

Roll call vote was taken.

Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz

Opposed: None

MOTION CARRIED

Skonard reported the U.S. Fish and Wildlife Service did not receive the engineering assistance grant; Lewis stated a construction drawing will be prepared and shared with Scott Gulp of the U.S. Fish and Wildlife Service.

The Board was notified of unpermitted tiling on the upper end of the system.

4. **CD 5 Update.** Skonard shared a Minnesota Department of Transportation project update to lower the CD 5 culvert along Highway 4 north of Highway 55 is underway. MnDot has not replaced the culvert yet.
5. **Boyce Fischer-CD 32/CD 7 Benefits.** Skonard has reviewed the information and he feels Boyce Fischer has a valid claim that his benefits were incorrect on CD 32 and CD 7 ditches. Attorney Deter suggested a meeting be held to review the issues in order for the NFCRWD board to clearly document and take appropriate action. Skonard and Fischer will meet in this regard and Skonard will present the information at the September 9<sup>th</sup> board meeting. Boyd Fischer inquired if information has been received regarding the soil borings and as-built on CD 32. Skonard shared RESPEC has the information.

6. **Other Ditch Business - None**

c. **Board Member Reports.**

- Manager Hanson attended the Koronis Lake Association annual meeting and reported it was an informative meeting and well attended.
- President Brauchler attended the Pirz Lake Association annual meeting.

8. **Items for Next Meeting Agenda.**

9. **Calendar Review.**

- August 13: Region WD Admin Meeting
- August 15: MADJ Meeting, Alexandria
- August 21: 1W1P-TAC, Litchfield
- August 27: CAC Meeting
- September 3: AIS meeting in St. Cloud

10. **FYI Items.**

- **Rosholt Field Day.** Skonard reviewed the Rosholt Field Day flyer. The field day is scheduled for August 27<sup>th</sup>, 9:00 a.m.-1:00 p.m. in Westport, MN; Skonard inquired if any board member is planning to attend.
- **Heron Lake Watershed District/Jackson County-Drainage Authority.** Attorney Deter explained the memo from Jan Voit of the Heron Lake Watershed District regarding turning over drainage authority to Jackson County.

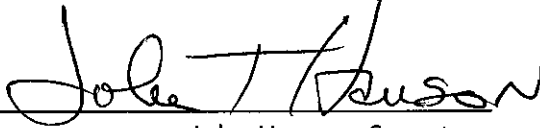
11. **Administrative Policy Review (Time Permitting).** The NFCRWD board continued the meeting to review/revise the Administrative Policy. No action taken. Discussion to continue on September 9<sup>th</sup>.

12. **ADJOURNMENT—**

IT WAS MOVED BY James Wuertz, SECONDED BY John Hanson, to adjourn the meeting. MOTION CARRIED.

The meeting was adjourned at approximately 9:50 p.m.

**NEXT MEETING—**The next board meeting is Monday, September 9, 2019 at 7:00 p.m.

  
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John Hanson, Secretary  
9 Sept 2019