NORTH FORK CROW RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
Approved Regular Meeting Minutes
December 9, 2019

Managers Present: James Barchenger, Gary Berndt, Bob Brauchler, John Hanson and James Wuertz
Staff Present: Cris Skonard, Christine Knutson and Christopher Lundeen
Others Present: Kurt Deter (Rinke Noonan), Boyce Fischer, Boyd Fischer, Virgil Fuchs, Richard Kirckof, Larry Ladwig, Joe Lewis (Houston Engineering, Inc.), Jim Weller and others
Recording Secretary: Diane Beck, Legal & Administrative Assistants, Inc.

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

2. REVIEW & APPROVE AGENDA—Cris Skonard requested to adding Training Event for Manure Application, SRF Funds and Maximum Per Diem to agenda.

   IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to approve the Agenda with the above additions. MOTION CARRIED.

3. CONSENT AGENDA—

   IT WAS MOVED BY, John Hanson, SECONDED BY James Wuertz, to approve the following Consent Agenda:
   1. Treasurer’s Report and bills to December 9, 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.


   IT WAS MOVED BY James Wuertz, SECONDED BY James Barchenger, to approve the November 12, 2019 Regular Meeting Minutes as corrected. MOTION CARRIED.

5. Open Discussion from the Public. Virgil Fuchs asked about agenda topics for winter board meetings and inquired on the following: 1) status of the Lake Koronis Petition. Skonard reported the appraisers would not be out until spring and a hearing will be held in the summer. 2) When will CD 29, CD 36 and CD 37 ROB be finalized? Skonard stated this topic is on today’s agenda under Drainage Report. Boyce Fischer asked if anything will be done regarding the overlapping benefits on CD 7 and CD 32. Skonard reported he will prepare a report and also include this issue on the January 2020 agenda. Attorney Kurt Deter commented if there is overlap, it will be corrected.

6. STAFF REPORTS—
   a. Administrator’s Report.
      1. Activities.
         • Assessments are out and there has been a good response with many prepays.
         • Attended Minnesota Association of Watershed Districts (MAWD) meeting on December 4-7 and reported it was a good conference and well attended.
         • The drainage work group will be held on Thursday, December 12th.
2. **1W1P Update.** Skonard reported the Technical Advisory Committee (TAC) met on December 3rd. It was discussed an additional option to hire a project coordinator as a contract position, which will extend the amount of leveraged grant money. Skonard shared the planners partners may need to pay extra to fund this position. The topic will be discussed at the next 1W1P Policy Committee meeting with the final decision in January or February 2020.

3. **End-of-Year Meeting.** Skonard reported the end-of-year meeting to close out the year-end financials is scheduled for 9:00 a.m., December 27, 2019 and asked to move the time ahead due to mail delivery time at the North Fork Crow River Watershed District (NFCRWD).

   IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to change the start time for the North Fork Crow River Watershed District end-of-year meeting to 9:30 a.m. on December 27, 2019. MOTION CARRIED.

4. **LMCIT Liability Coverage Waiver.** Skonard reported the League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage-Waiver Form regarding statutory tort limits must be completed annually by the members’ governing bodies in consultation with an attorney, if necessary. Skonard stated NFCRWD does not want to waive coverage and shared a dividend check of more than $400 was sent to NFCRWD.

   IT WAS MOVED BY John Hanson, SECONDED BY Gary Berndt, to not waive the statutory tort liability limits to the extent of the coverage purchased. MOTION CARRIED.

5. **Resolution 2019-07-Adopt 2020 Flex Plan.** Skonard reported he has not received the updated flex plan from Total Administrative Services Corporation (TASC) and shared basically the only change is updating the year from 2019 to 2020 not to exceed IRS limits. Manager Berndt requested to table action on the adoption until the year-end meeting on December 27, 2019.

6. **Training Event for Manure Application.** Skonard reported the Stearns County Environmental Services Office suggested holding the training event for manure application at Padua. Skonard suggested offering food for attendees and use general levy funds. Manager Wuertz suggested using the education budget or grant funds, if needed. Expenses will include advertising, mailings and food. Skonard suggested approving an estimated amount of $1,000.

   IT WAS MOVED BY James Wuertz, SECONDED BY James Barchenger, to approve expenses for the manure application training event not to exceed $1,000. Roll call vote was taken.

   Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz
   Opposed: None

   MOTION CARRIED.

7. **SRF Funds.** Skonard reported notice was received regarding early payoff of Minnesota Pollution Control Agency (MPCA) SRF0218 Septic/Feedlot Upgrade loan. After recent county warrant payments have been received, the SRF0218/2010-1 bank account has a balance of $112,071.83. After the December 15, 2019 loan payment is made to MPCA, the principal balance will be $109,902. If NFCRWD makes the final payment by December 15, 2019, there will be a savings of $4,439.83 in interest payments through June 15, 2023, the final payment date. Paying off this loan should reduce NFCRWD’s liability for audit purposes.

   IT WAS MOVED BY James Barchenger, SECONDED BY James Wuertz, that North Fork Crow River Watershed District payoff the Minnesota Pollution Control Agency
SRF0218 Septic/Feedlot Upgrade loan in the amount of $109,902 from the SRF0218 fund.
Roll call vote was taken.
Affirmative: Barchenger, Brauchler, Berndt, Hanson and Wuertz
Opposed: None
MOTION CARRIED.

8. **Maximum Per Diem.** Discussion was held regarding per diem rates for 2020. Skonard reported this year legislative changes allow the per diem to increase to a maximum of $125 per meeting and $125 per diem for meeting preparation. Currently, the NFCRWD per diem rate is $75. Skonard reported the Sauk River Watershed District and Middle Fork Watershed District has adopted $125. The board concurred with $100 per diem for regular meetings and $100 for meeting preparation. They also concurred with a $30/hour billing rate when appropriate. This will be incorporated into the 2020 Annual Information Resolution in January.

9. **Additional Business.** No additional business.

b. **Watershed Project Coordinator’s Report.** Christopher Lundeen shared the following:
   1. **Activity Report.**
      - Working on Subwatershed Grants
      - Completed the WPLMN Monitoring Grant reporting and preparing the final invoice
      - Attended the MAWD Conference and shared the individual sessions provided useful information

   Manager Berndt inquired about the Monitoring Report. Lundeen shared he will begin to work on the report towards the end of December 2019.

   2. **Civic Engagement Workshop.** Lundeen requested to attend a Civic Engagement Workshop. There is no registration fee. Lundeen will carpool with Middle Fork Watershed District representatives and expects he will request for reimbursement of mileage to and from Middle Fork. The Board approved Lundeen’s attendance at the workshop.

   3. **Stearns AIS Meeting.** No report. The next meeting will be held in January 2020.

   4. **Additional.** Manager Berndt inquired about DHIA Lab testing. Lundeen reported lab samples are picked at the District office by RMB.

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 MBC Drainage, LLC plans to hold off on the tile replacement project until spring. Skonard visited with Julie Blackburn of RESPEC, who asked for a status report. Skonard requested Attorney Deter to draft a letter to RESPEC by the end of December indicating NFCRWD will not pay additional funds to RESPEC. Boyd Fischer discussed the water levels on CD 32. Joe Lewis of Houston Engineering commented soil borings were collected and stated, if nothing is found in the records, the report could be finished soon.
2. **JD 1: Update.** Skonard reported Nate Bettis is removing trees on County Road 33 and has not started to remove trees on Branch 5. Skonard talked to Bettis regarding Branch 4, which is expected to be abandoned and noted a petition is required.

Lewis drafted a letter to the Minnesota Department of Natural Resources (DNR) regarding where the spoil will be placed at the JD 1 project north of Pope County Road 22 to Mud Lake. Attorney Kolb provided suggested revisions to the letter.

Lewis spoke with Karl Larson regarding removal of scrub brush on Branch 6.

Skonard and Bettis visited the JD 1, Branch 2 site. Bettis indicated it would not be worth his time to take equipment to the site for the limited number of trees. Alternatives are being explored.

Lewis will finalize the plans for the JD 1, Fork 6 realignment project.

3. **CD 29, 36 and 37 ROB Update.** Skonard spoke with Bryan Murphy with H2Over Viewers, Inc. at the MAWD Conference regarding landowner meeting dates. Options included landowner meeting on January 13, 2020 and final hearing on January 29, 2020 or landowner meeting at 6:00 p.m., January 29, 2020 and final hearing at 1:00 p.m., February 19, 2020. The board concurred with the second option.

   **IT WAS MOVED BY James Barchenger, SECONDED BY James Wuertz, to schedule the landowner’s meeting for 6:00 p.m., January 29, 2020 and the final hearing for 1:00 p.m., February 19, 2020. MOTION CARRIED.**

Skonard mentioned the partial abandonment of CD 36 and if an engineer is needed. Skonard will work with Lewis regarding an opinion on where the division should be between CD 36 and CD 37. Attorney Deter stated if there is a natural break area, documentation is needed for the file why the particular location was made. Lewis estimated his cost should be approximately $200. Skonard will contact the landowner to get the abandonment petition started.

4. **Other Ditch Business.** Richard Kirckof expressed concerns with CD 38 and inquired when a landowner meeting will be held. Board members agreed to hold a landowner informational meeting for all benefited landowners. Skonard suggested holding the meeting after the March 9, 2020 Board meeting. Letters will be mailed to affected landowners.

   **IT WAS MOVED BY John Hanson, SECONDED BY James Barchenger, to schedule the CD 38 landowner informational meeting for approximately 3:00 p.m., March 9, 2020, following the regular North Fork Crow River Watershed board meeting. MOTION CARRIED**

   Jim Weller inquired if there should be a long-term plan for CD 32 and CD 7 regarding the spoil piles. Skonard will discuss the areas with MBC Drainage, LLC.

c. **Board Member Reports.**
   - Manager Wuertz felt the MAWD Conference was good and well organized.
   - Manager Hanson felt the MAWD Conference was more streamlined than previous conferences and commented the new executive director is on task.
• Discussion held regarding resolutions heard at the MAWD Conference. The Board agreed to support all resolutions that were acted upon. Manager Hanson requested the resolutions be included in the January board meeting packet.
• MAWD Legislative Day is on March 18, 2020.

8. Items for Next Meeting Agenda.

9. Calendar Review.
   2019
   • December 11: BVGWMA, Glenwood
   • December 11: Earth Day, PWELC
   • December 12: DWG, St. Paul
   • December 27: Year-End Meeting. Skonard will place meeting notice in the newspaper.
   2020
   • January 6-7: ACPF Workshop, St. Cloud
   • January 8: 1W1P-PC, Litchfield
   • January 9: Civic Engagement, Mankato

ADJOURNMENT—

IT WAS MOVED BY JAMES WURTZ, SECONDED BY Gary Berndt, to adjourn the meeting. MOTION CARRIED.

The meeting was adjourned at approximately 2:04 p.m.

NEXT MEETING—The next board meeting is 1:00 p.m., Monday, January 13, 2020.

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John Hanson, Secretary