North Fork Crow River Watershed District  
Proposed Regular Meeting Minutes  
April 11th, 2016

Managers Present:  Berndt, Brauchler, Wuertz, Barchenger, Hanson  
Managers Absent:  
Staff Present:  Tara Ostendorf, Christine Knutson, Chris Lundeen  
Others Present:  Kurt Deter (Rinke-Noonan), Kenneth and Bonita Radermacher (CD 37), Chris Meehan (Wenck Associates), Ralph Klassen (KLA), Larry Ladwig (JD1), Steve Notch (Stearns Co. Commissioner), Todd Heieie (CD 32), John Mueller (JD2), Scott Glup (USFWS), Roger Lyon (JD1), Harold Marthaler, Eran Sandquist (Pheasants Forever), Mark Hoeper (JD1), Others

Call to Order:  
Chairperson Wuertz called the meeting to order at 7:00 pm.

Review and Approve Agenda  
Chairperson Wuertz asked for additions or correction to the agenda. Motion to approve the agenda made by Manager Brauchler, seconded by Manager Barchenger. Motion carried with all in favor.

Consent Agenda Items  
Chairperson Wuertz called for a motion to approve consent agenda. Motion to approve consent made by Manager Brauchler, seconded by Manager Hanson. Motion carried with all in favor.
1. Treasurer’s Report and Bills to April 11th, 2016  
   a. Check Register - 106 Bonanza Checking Acct  
   b. P & L Detail – All Accounts  
   c. Balance Sheet – All Accounts  
2. Minutes  
   a. March 14, 2016 Regular Meeting Minutes  
   b. March 22, 2016 Special Meeting Minutes  
3. Additional Items  
   a. Approve Payment of Stearns County Special Assessment for Storm, Sewer, C&G & STR in the amount of $588.70  
   b. Approve Payment of Stearns COLA in the amount of $60.00

Open Discussion from the Public  
Ralph Klassen, vice-president of the Rice Lake Association offered an invitation to an informational meeting to be hosted by Koronis Lake Association concerning Starry Stonewort. Klassen added commentary on the amount of money spent to prevent AIS through inspections versus other ways to address the AIS problem, especially as it relates to preventing degraded conditions of water bodies through nutrient contributions.

Regular Agenda  

Public Hearings  
JD1 BR12 FK6 SP2 Impoundment: USFWS Prairie Storm Wetland

Opening of Public Hearing:  
Chairperson Wuertz recessed the regular meeting and opened the public hearing.

Purpose of Hearing:  
Deter stated purpose of public hearing was to receive public comment regarding the petitioned impoundment proceeding under M.S. 103E.227. Deter stated that the Board shall take action to approve the impoundment if it appears from the Engineer’s report and other evidence presented that the installation will be of public or private
benefit and it will not impair the utility of the ditch or deprive affected landowners of drainage benefit. If approved, the Board would also discuss construction and method of payment.

**Notice Requirements:**
Ostendorf stated that affected landowners had been individually noticed by mail, the hearing was posted on the District website and door for four consecutive weeks, and the hearing was posted in the local newspapers for two consecutive weeks.

**Presentation of the Project:**
Christopher Lundeen, NFCRWD District Technician, presented the project’s purpose to meet goals identified in the District’s comprehensive management plan for water quality and water storage projects as well as the Rice Lake TMDL Implementation Plan. Lundeen stated that current collected monitoring data identifies JD 1 Branch 12 as high loading contributor to the river for excessive nutrients and bacteria. Lundeen also presented project design expenses to date using grant funding as well as funding mechanisms from project partners.

Chris Meehan, project engineer from Wenck Associates, presented the project objectives, design considerations and schedule of implementation. The purpose of the project is to provide additional water retention on the US Fish and Wildlife property directly upstream of the public drainage system to provide multiple benefits such as peak flow reduction, additional storage capacity, vegetation and habitat enhancement, ground water recharge and additional water quality benefits. Meehan stated that the project was deemed feasible and beneficial to the property, as well as providing a public benefit to the downstream landowners on the system by way of additional upstream storage.

**Public Comment:**
Affected upstream landowners were allowed comment, as well as a representative from USFWS, acting as project petitioner. Public stated concerns with future maintenance of the project site due to current issues with drainage through USFWS property. Landowners voiced their concern that the site will not be maintained in the future in such a way that will allow adequate drainage of upland property. USFWS representative, Scott Glup, responded that USFWS had responded to these concerns in the past by performing maintenance on the drainage system that they felt would alleviate the concern.

The Board allowed discussion amongst the public and representatives. The project engineer responded to additional design concerns regarding placement, weir function and design, and outlet controls. Board, legal counsel and public discussed the possibility of drafting a maintenance agreement for the project. Upstream landowners discussed the potential need to construct a ditch around the USFWS to divert high flows.

**Board Decision:**
As consensus could not be reached, Deter recommended that the Board continue the hearing to allow time for a site visit and additional discussion regarding potential maintenance agreements and clarification on design. Manager Berndt discussed additional options for drainage with the public.

Motion to continue the public hearing to May 9th at 8:00 pm made by Manager Brauchler, seconded by Manager Hanson. Motion carried with all in favor.

Ostendorf directed to coordinate site meeting for further discussion.

Chairperson Wuertz resumed the regular meeting.

**Staff Reports**
**Administrator’s Report:**
**Legislative Update: Discussion of BWSR Buffer Implementation Plan**
Ostendorf updated the Board with activities during the MAWD Legislative Days and proposed revisions to the buffer bill passed in committee.
**2015 Audit: Schedule Chairperson Mtg**
Wuertz will be tentatively scheduled to meet with the auditor’s for routine interview on the morning of Tuesday, April 26th in concurrence with audit field work.

**Update on purchase of field equipment and approve additional expense.**
Ostendorf requested that the Board amend the previous motion to authorize Manager Brauchler to acquire Polaris Range with accessories for $11,000 to an increased amount of $12,000. Motion to amend previous motion to increase the purchase price to $12,000 made by Manager Barchenger, seconded by Manager Hanson. Motion carried with all in favor.

**Discussion of additional field equipment to increase staff efficiency.**
Ostendorf stated that Manager Hanson had requested the item to be discussed. Manager Hanson stated that he felt it necessary to find out what other drainage authorities are doing to update their drainage systems in terms of inspection methods, equipment used, etc. Ostendorf summarized some of the drone technologies that are being discussed at the drainage inspectors meetings and asked for clarification on additional information that the Board is seeking. Manager Hanson stated that he would like to hear how other watersheds [drainage authorities] are inspecting their systems in a proactive fashion. Direction from the Board for the Administrator to bring additional information to the Board.

**Discussion of MAWD succession planning and surveys**
Ostendorf reminded the Managers to complete MAWD surveys sent out earlier in the month.

**Update on viewer’s report and records modernization project.**
Ostendorf informed the Board that RESPEC has completed updating and mapping the viewers report for nearly all of the Stearns and Pope ditches. Additional information is needed from the District on Stearns CD 29, CD 37 and CD 36. The District is waiting for Kandiyohi County to provide requested parcel data to complete mapping of JD 2 benefits. Currently Meeker County does not have parcel mapping and viewer’s reports are maintained by the County Auditor. Meeker CD 4, CD 40 and CD 43 will not be completed until parcel data is available.

**Program Reports**

**Permit Report:**

**2016-03: Heiêie Tile Application – CD 32:**
Ostendorf summarized the proposed activities in the permit application. The project proposes tile installation and open channel closure in conjunction with the CD 32 repair. Ostendorf recommended approving the permit with the
condition that the landowner is responsible for the additional costs associated with the activity and that the project would be reviewed by the engineer. Manager Berndt stated he would prefer that the landowner be able to choose the contractor to do the work. Board discussed additional consideration for approval. Deter advised the Board on motion language. Motion to authorize permit 2016-03 with the permittee to coordinate the installation with the engineer and work performed consistent with the repair plan elevations made by Manager Brauchler, seconded by Manager Hanson. Motion carried with all in favor. Manager Berndt abstained due to a conflict of interest as a benefitted landowners on the system.

Board allowed public commentary. David Johnson, JD 1 landowner, questioned who maintains the tile after the installation. Deter stated that it will be installed and maintained with the ditch and the drainage authority will maintain the tile. Board and public had additional discussion relating to state statute mandates for timeframes for tile inspection.

Drainage Report:

**CD 37: Request for Redetermination of Benefits: Review request for redetermination.**

Ostendorf entered into record a petition letter submitted by benefitted landowners of Stearns CD 37. Ostendorf summarized the letter requesting redetermination of benefits for CD 37 and presented various mapped benefitted layers for CD 29, CD 37 and CD 36 found throughout the drainage record. Deter stated that the Board could order the redetermination of benefits with a motion that stated a need for the proceedings based on a valuation change to benefitted property and or a change to the benefitted area and that it should be stated in the motion.

Board carried additional discussion on the ditch with the public. Motion to order the redetermination of benefits for CD 37 based on probable change of value to property and changes to the benefitting area of the ditch made by Manager Berndt, seconded by Manager Barchenger. Motion carried with all in favor.

**CD 32 Repair: Status Update: Update on claim on bid-bond and contracting status. Update on Heieie issues.**

Ostendorf updated the Board and public that Deter has drafted a letter requesting claim on the bid bond of New Look Contracting. Board directed Deter to submit the letter in the current form.

Ostendorf updated the Board that she had participated in a conference call with Todd Heieie and Greg Bechtold, Stearns Environmental Services. In that discussion, Mr. Bechtold stated wetland conservation act rules regarding impacts to Type 3, 4 or 5 wetlands. If the Board feels that there are not going to be impacts, they are allowed to maintain the system.

**CD 32 Bonding & Assessment: Update on prepayments.**

Ostendorf stated that prepayments for CD 32 have started to come in to the District.

**JD 1 BR 12 Repair: Status Update: Review final revisions to plans and specs. Update on bid status and schedule.**

Ostendorf summarized changes made to the plan as requested by the ACOE. The project is currently being advertised for bid with bid opening scheduled for April 29th [at 12:00 pm].

**JD 1 Main and Branches: Repair Recommendations - Review Administrator recommendations for repair planning.**

Ostendorf proposed that the Board consider ordering the repair process for JD 1 to begin with the maintenance of the main stem of the ditch from the outlet of Grove Lake [section 26, Grove Lake TWP] to the river [section 9, North Fork TWP] in order to provide an adequate outlet for the numerous branches along that reach. She suggested that the Board could then prioritize the branches to be repaired. For the reaches above Grove Lake, Ostendorf stated that the survey revealed a number of control structures that are not well documented in the drainage record. More time will be needed to determine ownership, purpose and find design plans to concur with the installed elevations. Board allowed comment from David Johnson, landowner on JD 1, regarding history of some of the structures.

Meeting recessed during discussion to conduct public hearing. Meeting resumed discussion after closing public hearing.
Ostendorf encouraged the Board to give direction on proposed plan for maintenance. Board held additional discussion with the public. By consensus, the Board will hold an informational meeting on the proposed repairs to the main stem of JD 1 downstream of Grove Lake on May 4th at 7:00 pm at the District Office. Landowners to be noticed accordingly.

Board allowed additional discussion and questions from the public regarding buffer maintenance, District policy on buffer and ditch inspections, and additional policy questions.

**CD7 Repair: Status Update:**
Ostendorf informed the Board that survey work on CD 7 is scheduled to be completed within the week, pending any delays.

**CD 43 Repair: Status Update:**
Ostendorf informed the Board that the final contract documents have been submitted and the preconstruction meeting is tentatively scheduled for Monday April 18th at 2:00 pm to be conducted on site. Ostendorf stated that Mr. Bruntlett will be invited to the meeting to discuss additional concerns. Chairperson Wuertz stated that he would like to attend the meeting as well.

**Other Ditch Business:**
John Mueller requested a status update from the Board in regards to his culvert replacement on JD 2. Ostendorf stated that she was not aware of any Board direction made. After discussion, Board directed Ostendorf to prepare a status report of the request for review at the next Board meeting.

**Board Member Meeting Reports:**

- **Review Resolution 2016-01 as it relates to legal services for the District.**
  Ostendorf stated that Manager Berndt had requested the item for discussion at a previous meeting. Manager Berndt requested the discussion be tabled indefinitely.

**Items for Next Meeting Agenda:**
Continuation of public hearing for Prairie Storm Wetland Impoundment project on JD1 BR12 FK6 SP2.

**Calendar Review:**

- **FYI Items**
  None

**Adjournment:**
Motion to adjourn made by Manager Berndt, seconded by Manager Barchenger. Meeting Adjourned.

Motion to recess scheduled drainage policy workshop until April 20th at 7:00 pm [at the District Office] made by Manager Hanson, seconded by Manager Berndt. Motion carried with all in favor.

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John Hanson –Secretary