

MIDDLE FORK CROW RIVER WATERSHED DISTRICT

August 11, 2005 7:00p.m.
Bell Tower Plaza, Spicer MN

PRESENT: Gordy Behm, Joseph Flanders, Robert Hodapp, Robert Zenner, Ruth Schaefer (Managers); Tom Fischer-BWSR, Kurt Deter-Rinke-Noonan Law Firm, Rick Moore-MMDC, Ann Latham-Adm. Asst. General public present: Bill Latham and Tom Bonde.

OLD BUSINESS:

1. The regular board meeting was called to order at 7:00 pm by R. Hodapp.
2. **A motion** was made R. Zenner and seconded by J. Flanders to approve the agenda as written. The motion passed.
3. **A motion** was made by J. Flanders and seconded by R. Zenner to approve the minutes of the 7-14-05 meeting. The motion passed.

NEW BUSINESS:

1. **Kurt Deter of the Rinke-Noonan Law Firm** presented the following information:
 - a.) He asked the Board of Managers (BOM), if it was their intent to hire the administrative assistant as an employee, or as an independent contractor. The BOM replied as "an independent contractor"; K. Deter then stated he would prefer to revise the contract. See attached memo from the Rinke-Noonan office.
 - b.) The law firms' retainer fees are \$500.00 per month includes: attendance at all regular board meeting, unlimited phone calls and short opinion letters. The fee of \$200.00 per month includes: unlimited phone calls, short opinion letters; however, no regular attendance at the meetings would occur.
 - c.) The second Thursday of the month would not work for K. Deter to attend on a regular basis. The board discussed the need for the attorney to be present at some of the meetings, perhaps not all of them. It was the general consensus, that the attorney is needed at the initial regular meetings, in order to assist with the set-up of the organization. Therefore, the meeting date would need to change. The board discussed changing the date for an October 20, 2005 meeting. The September 8th meeting will need to stay as scheduled for the public hearing on the budget.
 - d.) The Rinke-Noonan Law Firm will be hosting a state wide conference on October 20th, information will be sent to the Watershed District (WD) at a later date.

A motion was made by R. Hodapp and seconded by G. Behm to change the regular meeting date of the MFCRWD board of managers meeting from the 2nd Thursday of every month to the 3rd Thursday of the month. The motion passed. The public and interested agencies will need to be informed of this change. The change will occur on October 20th, 2005.

A **motion** was made by R. Zenner and seconded by J. Flanders to approve the retainer fee schedule of \$500.00 and or \$200.00 per month as needed from the Rinke-Noonan Law Firm. The motion passed.

2. BUDGET: Discussion then focused on the budget process. K. Deter stated that, the board could levy for the full \$250,000 allowed by law. The cost of the insurance could be separate from the general fund. He advised that the BOM create line item needs for the general fund (ex. office expenses, insurance cost, and water monitoring and data collection).

The budget will need to be approved at the September 8th meeting. Publication of the proposed budget will need to be publicized in the official papers of the 4 involved counties. Therefore, a subcommittee will need to meet prior to the meeting, to determine the budget. G. Behm, R. Schaefer and A. Latham volunteered; they will meet August 15th at 7:00 pm. T. Fischer offered to assist with the August 15th meeting, as he will not be able to attend the September 8th meeting. The first notice has to be published in the Independent Review newspaper (Meeker County) by August 19th. A. Latham will coordinate the public notice requirements of the budget.

7:50 pm the regular board meeting was closed.

The Public Hearing for the legal change of business address was officially opened by Chairman R. Hodapp at 7:51pm. The MFCRWD requested at the July meeting that the official place of business address be changed. Public notice announcements were placed in each of the 4 county papers. The Watershed District is asking that the official address be known as:

Middle Fork Crow River Watershed District
Bell Tower Plaza
118 Lake Avenue North
Spicer, MN 56288
320-796-0888

The floor was opened for discussion. No verbal or written comments were made by the public. **A motion to approve the change of business address and to approve the authorization of the necessary signatures to complete the change was made by R. Zenner and seconded by G. Behm.** The motion passed.

A motion was made by J. Flanders and seconded by G. Behm to close the Public Hearing at 7:57 pm. The motion passed and the public hearing was closed. The change of address is effective when a certified copy of the managers' order is filed with the secretary of state and the board.

The Chairman reopened the meeting at 8:00 pm.

NEW BUSINESS:

3. T. Bonde, a resident of Green Lake, expressed his concern, to the board about the water monitoring gauge station at CR # 2. T. Bonde has been involved with water quality monitoring since 1970. Water quality data has been available for 38 years for our area. T. Bonde had been working with the DNR to revitalize the data collection process. Funds were provided by the state and the county (\$3,000.00), for a Sutron recorder. Data was then collected and used for the Phase I and Phase II studies. T. Bonde's main concern is that the monitoring at CR # 2 is not being managed on a regular basis. There is insufficient data in 2002, 2003, 20004 (ex. monthly readings not done or results not available). It was T. Blonde's understanding, that the DNR would set up and maintain this gauge. T. Bonde has written a letter to the Watershed District, Green Lake Property Owners Association and the DNR, expressing these concerns. The United States Geological Services could provide monitoring information at a cost of \$6,800. The cost would include installation of a telemetry device which would transmit the data automatically. He presents this information today, requesting support to obtain more data from the DNR.

R. Zenner stated that NFCRWD may have a technician available to assist in data collection, if this Watershed District requested technical services. The Board discussed the need for consistent and accurate data for watershed projects and water monitoring. It was decided that a meeting would be setup with the DNR and other interested parties to discuss the matter further.

T. Bonde is requesting that a letter from the Watershed District be sent to the DNR asking that the data gauge be maintained on a regular basis. This request was discussed by all present. It was decided that a letter will be sent by the Watershed District to the DNR. The letter will request that the DNR state their intentions/plan for maintaining the data flow gauge at CR #2.

4. R. Moore-MMDC- The legal description of the Watershed District has been completed. The format is the same as the NFCRWD. R. Moore will send out the completed boundary file (on a PDF file). Property parcels as of July1, 2005 were used to create the document. See attachments. Auditors need the document to determine tax roll information for the levy.

A motion was made by J. Flanders and seconded by R. Zenner to approve the "Document of Establishment of the Watershed District Legal Boundary" (15 page document, 20 page appendix). The motion passed. A. Latham will mail out the document by certified mail to each of the 4 county auditors.

5. Office Update- A. Latham provided the following information:
-Charter Business internet service, see 3 year contract.

-Our telephone number is 320-796-0888, messages can be left on the voice mail, messages can be picked up by accessing *1828;

-New London Township's donation has been received and will be used to purchase office equipment (printer/fax) and \$982.00 (Office Max) was expensed from the total amount of \$1025.00.

A. Latham asked T. Fischer and K. Deter, what the Watershed District can do prior to the actual establishment of the Watershed District Plan. K. Deter stated that the WD could do data collection and public education. R. Hodapp asked about the status of the Partnership book; status was unknown by the individuals present.

6. R. Zenner offered to contact Allan Kuseske of NFCRWD to determine boundary changes and set up any necessary meetings.

7. G. Behm stated that the Diamond Lake Association will be voting on a new septic system. G. Behm thought the overall membership was in favor of a new septic system. Harland Meintz, a Board member has volunteered to be on the Citizens Advisory Committee.

8. Official newspapers were discussed. Legally, the Watershed District needs to publish information in one paper of each of the 4 counties. Discussion focused on: Independent Review for Meeker County, West Central Tribune for Kandiyohi County, Belgrade Observer for Stearns County and the Bonanza Valley Voice for Pope County. Publicizing in the Kandi Times (New London-Spicer, Atwater, and Grove City) and the Paynesville Press could be discontinued, which would save the district money.

A motion to redefine our 4 legal publications as the: Independent Review, West Central Tribune, Bonanza Valley Voice and the Belgrade Observer with general notices being placed in the West Central Tribune, was made by R. Schaefer and seconded by J. Flanders. The motion passed.

9. A motion was made by R. Zenner and seconded by G. Behm to pay the Board of Managers at the new rate of \$75.00, on a quarterly basis. The motion passed.

10. A motion was made by R. Hodapp and seconded by J. Flanders to pay the July rent and August rent. The motion passed.

A motion was made to adjourn the meeting by J. Flanders and seconded by R. Zenner. The motion passed. The meeting was closed at 9:10 p.m.

Submitted by,

Ruth Schaefer
Secretary

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