

MIDDLE FORK CROW RIVER WATERSHED DISTRICT

189 County Road 8 NE

Spicer, MN 56288

November 5th, 2013

Present: R. Hodapp, B. Wing, G. Behm, J. Flanders and R. Schaefer of the Board; M. –Johnson-Administrator, V. Glieden Henjum, M. Behan-Technicians; J. Kolb-Legal; R. Imdieke-County Commissioner.

6:30 Closed meeting for the purpose of a performance evaluation of M. Behan.

1. The meeting was called to order by Chairman Hodapp at 7:05 pm.

2. The District Mission statement “We exist for the protection and preservation of water quality in the Middle Fork Crow River Watershed” was read by Chairman Hodapp.

3. A motion was made by J. Flanders and seconded by G. Behm to approve the agenda. The motion passed 5-0.

CONSENT AGENDA

4. Approve the minutes of the October 1<sup>st</sup> meeting.

5. Treasurer’s Report

6. Permit #13-24 Sandmann

7. Permit #13-25 City of New London

8. Permit #13-26 Barness

9. Permit #13-27 Wallentine

10. Permit #13-28 Irving Township

11. Permit #13-29 Hartog

12. Permit #-13-30 Lee

A motion was made by J. Flanders and seconded by G. Behm to approve the Consent Agenda. The motion passed 5-0.

REGULAR AGENDA

13. A motion was made by B. Wing and seconded by R. Schaefer to approve the minutes of the October 10<sup>th</sup> Nest Lake budget meeting attended by G. Behm, B. Wing, R. Hodapp. The motion passed 5-0.

14. Review of staff activities-V. Glieden Henjum and M. Behan reported on the STREAM events held at NL-Spicer, BBE and ACGC schools. The Irving Township and Lilleberg project should be installed this week weather permitting. Loon Creek project is progressing. Both technicians attended the three day BSWR Academy. M. Behan reported on: checking projects for compliance; removal of equipment prior to winter; down loading data and assisted with the Park Lane repair.

15. Administrator’s Report

15.a. Review of Calendar-see calendar with addition of the office closed on November 11 & 27 and December 24 & 25.

15.b. Review of Project Status

15.b.1. BWSR Green Lake Stormwater Project-The project is proceeding (dirt was moved, plumbing installed). The revised plant list has less dogwoods, more grasses (40%) and more flowers (60% 6 types of flowers).

15.b.2. BWSR Drainage Water Quality-Weather pending Swenson Construction may be working on the project this Thursday. Houston Engineering will be supervising the project.

15.c. Administrative Matters

15.c.1. Irving Township-Discussion over a possible amendment to the contract focused on the issue of “prevailing wages”. The revisions to the original contract requires an amendment to the contract. The amendment will address the “prevailing wage” issue noted by Emmons & Olivier Resources (J. Micheal’s), plant changes and the addition of mulch. J. Kolb stated that “if the WD received money from the State then recipients need to pay prevailing wages. This requirement should be written in contracts the WD creates. It was suggested that the WD wait for evidence to present itself, as to what was bid out and what was paid. This contract is between Irving Township and the WD; Irving Township may have subcontracted out some of the work (Monson Construction). J. Kolb recommended “not amending the contract at this time”...”Engineers wrote the contract and Monson Construction will send a bill to Irving Township for payment. Monson will be expecting payment and if there is a discrepancy it can and will be dealt with at that time. No changes were made to the contract as this time.

15.c.2. Loon Creek project-J. Duinick stabilization project on Green Lake initially received higher than expected bids. DNR Grant Funds will be used on this project. A second estimate of \$80,000 was lower than the first estimate. C. Meehan of Wenck Engineering will be the lead this project.

15.c.3. Dougherty project-K-08-13 Signature on voucher form was all that was needed.

15.c.4. Gossman project-K-2-13 Signature on voucher form was all that was needed.

15.c.5. Gossman project amendment- The contract was revised by adding the maintenance of 3 years. This cost share of 75% of \$1800.00 was included in the budget. A motion was made by J. Flanders and seconded by R. Schaefer to approve the K.-08-13 contract amendment to include the 3 year maintenance cost. The motion passed 5-0

15.c.6. 2014 Willmar Ag Show-Board approved the March event. The estimated cost is around \$275.

15.c.7. MAWD conference will need two delegates and an alternate. J. Flanders and G. Behm will not be attending. R. Hodapp appointed R. Schaefer and himself as delegates and B. Wing as an alternate. B. Wing pointed out that the current travel policy does not allow for him to be reimbursed for lodging because he is less than 100 miles. R. Hodapp approved the lodging for the MAWD conference as the WD's reservation can accommodate all attending.

15.c.8. Hubbard, Schultz & Wheeler Project landowner consent-The consent form was prepared by legal counsel which can be used when needed for the 12 land owners. G. Behm offered to meet with the land owners in the spring; the Board agreed. See Consent form. Ducks Unlimited (DU) will learn about their funding request by January 2014. A DNR permit for Lake Level Management Permit (103G) still needs to be obtained. Houston Engineering is working with DU and has already been approved by the WD.

15.C.9. Employee Review-M. Behan employee review was completed prior to the meeting. The Board approved continuing his interim status till 2-25-14.

15.c.10. 2014 Benefits-Affordable Care Act changes require that the WD change to a Health Savings Account (HSA) or a Flexible Spending Account (FSA). Advantages and limitations were reviewed by the Board. As the HSA has more flexibility than the FSA, the Board approved the HSA contribution. A motion was made by J. Flanders and seconded by G. Behm to approve funds for each employee is contributed to a HSA account. The motion passed 5-0.

15.c.11. M. Johnson leave extension-T. Lopez of Rinke Noonan created a Memorandum of Understanding (MOU) for the Boards' review. This MOU was discussed by the Board and a motion was made by G. Behm and seconded by J. Flanders to approve the MOU allowing M. Johnson a leave until January 2, 2014. The motion passed 5-0.

15.c.12. Workers Compensation Premium Audit- Berkley Risk Insurance has scheduled a Premium Audit to be conducted with the WD.

15.d. Follow-up on October administrative matters-

15.d.1. K-2-09 Park Lane Project-The Spicer City Council discussed the funding of the repairs needed for this project. The City Council requested funding assistance and a 50-50 type agreement was discussed. A motion was made by G. Behm and seconded by J. Flanders to approve a shared cost agreement of up to \$4000 (50-50) based on the Van Ort services to be supervised by EOR. The motion passed 5-0.

15.d. 2. Variance for WD lawn-A conditional use permit (CUP) would be required for a native lawn. Planning and Zoning would review the request first and if approved pass the request onto the City Council. Planning and Zoning may approve a CUP which would limit the permit to the current property owner (WD) whereas a variance would transfer to future property owner's A Public Hearing is scheduled November 20<sup>th</sup> at 5:30 pm at City Hall. Bids received thus far for a native landscape were \$10,439 and \$9,235. A permit of construction for sod/seed could be done within 14 days if approved and weather permitting.

16. Legal-MAWD Resolutions discussed.

17. Public-G. Behm stated that the silt fencing from the fish barrier project at Diamond Lake is still in place. The property owner should contact the DNR to discuss the matter. G. Behm also stated that he will be gone till April. V. Glieden Henjum stated her review was due in December; the Board requested a 6:30 start for the December meeting.

18. A motion was made by J. Flanders and seconded by B. Wing to adjourn the meeting. The motion passed and the meeting adjourned at 8:32.

Ruth Schaefer  
Secretary