

Middle Fork Crow River Watershed District  
Board of Managers Meeting  
October 4<sup>th</sup>, 2016

Present: R. Hodapp, G. Behm, R. Schaefer and J. Flanders (7:17pm) of the Board, absent B. Wing; M. Johnson-Administrator, J. Morales-Technician; J. Kolb-Legal; R. Imdieke-County Commissioner and S.& H. Meints-Diamond Lake.

1. The meeting was called to order at 7:00 pm by Chairman R. Hodapp
2. The District Mission Statement "We exist for the protection and preservation of water of water quality in the Middle Fork Crow River Watershed" was read by R. Hodapp.
3. A motion was made by G. Behm, seconded by R. Schaefer to approve the agenda. The motion passed 3-0.

Consent Agenda

4. Approve the minutes of the September 6<sup>th</sup> meeting
5. Treasurer's Report
6. PRAP Review Letter
7. Permit #16-24 Barnes Driveway

A motion was made by G. Behm, seconded by R. Schaefer to approve the Consent Agenda. The motion passed 3-0.

Regular Agenda

8. Administrator's Report

8.a. Review Calendar/District Activities-The calendar and October activities were reviewed.

8.b. Review of Project Status

8.b.1. Diamond Lake TMDL Implementation, Hubbard, Schultz and Wheeler Implementation reported that the Buer estate is settled. He requested that the Board review the Buer easement. The Board reviewed: recording fee of \$172.00, distribution of funds reported as 75% (\$33,750-Michael Buer); 25% (\$11,250-Mule Farm LLC). A motion was made by G. Behm, seconded by R. Schaefer to approve the President and Secretary to authorize the right of entry for the Buer Properties. The motion passed 3-0. A motion was made by G. Behm, seconded by R. Schaefer to approve "Access Easement and Agreement". The motion passed 3-0.

8.b.2. North Fork One Watershed One Plan-J. Kolb summarized the September 30<sup>th</sup> meeting. The Policy & Planning Committee met in Litchfield. The Association of MN Counties Trust attorney and J. Kolb presented information of the governance of One Watershed One Plan (1W1P). The final structure of this is yet to be determined. Concerns discussed: distribution of the money; keeping local money for local projects and who is the main coordinator. R. Schaefer asked "Who facilitates this transition?" J. Kolb stated "The key to success is in the plan; a good plan will be equitable". R. Imdieke discussed the concept of Joint Powers vs Joint Collaboration.

8.c. Administrative matters

8.c.1. K-07-16 Niedenthal Stream Bank Restoration-M. Johnson reported that Meeker County contacted the office to discuss the stream bank erosion problem. After a site visit, a restoration project was proposed. The Niedenthal property erosion control project was estimated at \$9148. Property owners asked for \$3000 contribution to the project. A motion was made by J. Flanders, seconded by G. Behm to approve up to \$3000. Motion passed 4-0.

8.c.2. Clean Up the Crow Day-J. Morales stated more volunteers were needed.

8.d. Follow up on September administrative matters

8.d.1. City of Spicer-Rules Exemption-J. Morales with work with the City of Spicer to review their Rules Exemptions. Two concerns were raised: the lack of engineer review and limited communication between the WD and the City of Spicer.

8.d.2 M. Johnson underwent her annual review prior to this meeting. The review was favorable. As part of her review she was asked by the Board to set up a series of tutorial meetings with our accounting firm to streamline the grant financial recording process.

8.d.3.MN DOT Nest Lake CIP Abatement-See abatement notice prepared for discussion. A motion was made by R. Schaefer and seconded by G. Behm to abate the benefit assessment to MN

DOT. Voting for abatement (Behm, Flanders, Schaefer), voting nay (Hodapp), absent-Wing; the motion passed 3-1.

8.d.4. MAWD Resolutions-M. Johnson and J. Kolb wrote three resolutions for submission to the Resolutions Committee. Resolution 16-01 would allow for a correction on WD funds. See previous 2013 #5 Resolution which would allow WD to levy funds for specific projects. Clean Water Funds vs Clean Water Partnership: CWF does not allow any increase in levy whereas CWP allows levies. This resolution has been presented to the membership in the past. Resolution 16-02 is the amendment to the Minnesota Open Meeting Law to allow watershed district manager participation in meeting via electronic means outside of the territorial limits of the watershed district or state. Resolution 16-03 Support Legislation to lift Middle Fork Crow River Watershed District's general fund levy cap.

9. Legal-J. Flanders asked J. Kolb about his status as a Meeker County Board representative. J. Kolb reported that he is still researching the ruling. He advised the Board "J. Flanders remain a Board Manager until Meeker County replaces him".

10 Public Access-G. Behm stated he received a telephone call inquiring as the "cost of the Leiter project". J. Morales reported that the 2014 project was estimated at \$48,774. Swenson & Son contract was accepted. Each landowner will pay (25%) \$6096.75. The Middle Fork will pay 75% using the Diamond Lake TMDL grant (Clean Water Fund). The "dewatering" process added \$10,000 to the project because the water containing high levels of phosphorus could not be returned to Diamond Lake, a state impaired lake.

M. Johnson reported that the WD received a call from an Elkhorn Lake resident requesting a septic loan. The Board asked staff to ensure that the septic was installed correctly prior to processing the loan request.

A motion was made by J. Flanders, seconded by G. Behm to adjourn the meeting. The motion passed 4-0 and the meeting ended at 8:22 pm.

Ruth Schaefer  
Secretary