

**MIDDLE FORK CROW RIVER WATERSHED DISTRICT
BOARD OF MANAGERS MEETING**

September 1st, 2020 6:30 pm

Present: R. Hodapp, K. Olson, S. Braegelman, R. Schaefer, M. Johnson, J. Morales, and J. Kolb. Absent- J. Hedtke.

1. The meeting was called to order by President Hodapp at 6:30 pm.
2. District Mission Statement-
 "We exist for the protection and preservation of water quality in the Middle Fork Crow River Watershed"-was recited by President Hodapp.
3. Motion to approve the agenda was made by S. Braegelman, seconded by R. Schaefer. Motion passed 4-0.
4. Consent Agenda-
 - a. 2020-08-04 MFCRWD Minutes
 - b. 2020-09-01 Income & Expense
 - c. 2020-09-01 Treasurer's Report

Motion to approve the Consent Agenda was made by K. Olson, seconded by S. Braegelman. Motion passed-4-0.

5. Board Manager Matters
 - a. MAWD Annual Meeting -M. Johnson reported Dec 1-4 online conference. See MAWD website under Events for registration and further information.
6. District Matters – none.
7. Project(s) / Permit(s):
 - a. MNDOT Stormwater Permit Variance – Belgrade HWY 55 Memorandum – M. Johnson reported on the formal request from the DOT for the Belgrade project. Due to the pending District Rule change, this project will just need a National Pollutant Discharge Elimination System (NPDES) permit application. NPDES permit #230481 has already been obtained. Board discussed the variance issues. Project location is on highway 55 through the City of Belgrade. S. Braegelman, asked if they know where they are going to put the storm sewers, M. Johnson stated the final decision has not yet be determined. The WD has not yet had a public hearing to share these changes with the public, nor the follow up meeting to address any concerns. J. Kolb stated that the Board could have a virtual meeting with certain guidelines. Advantages of holding this virtual meeting were discussed. Motion to approve MN DOT Stormwater Permit Variance was made by K. Olson, seconded by R. Schaefer. Motion approved 4-0. The Board recommended that the M. Johnson proceed with setting up the virtual public hearing.
 - b. Mahn Shoreline project Memorandum -M. Johnson reported that the shoreline 2011 project on Diamond Lake included a cost share \$4,250, which the District paid to the property owner. The terms of the agreement included a 10-year commitment. Inspections were completed by WD staff J. Morales, who noticed a breach in the commitment to the project. J. Morales reported that the project was removed, and riprap and turf grass has been installed. The Board discussed cost share of the District and the State Auditor reviews of WD projects. State Auditors can ask for the funds to be returned to the State if projects are not in contract compliance. J. Morales reported that the landowner stated that he forgot the dates of the contract, the landowner was forthcoming with the details. S. Braegelman asked if there would be any depreciation of the project cost share, as the landowner was in year 9 of a 10-year contract. Liability does not state a depreciation on projects. Board considered

the staff time directed towards projects. J. Kolb reported that the Board can determine each project individually, based on the circumstances. Riprap is not a BMP practice, thus leading to erosion. A motion was made by K. Olson to request the Administrator to recover the cost share assistance from the property owner. Motion was seconded by S. Braegelman and the motion passed 4-0. Contact with the property owner will be a letter to the landowner, informing him of the Board decision. The property owner has the right to address the Board at a future meeting.

8. Legal Counsel Report-J. Kolb reported on a current state budget deficit and the implications to the WD.
9. Public Access Forum – No public comments were received.
10. Adjourn-Motion to adjourn was made by S. Braegelman, seconded by K. Olson. The motion passed 4-0 and the meeting ended at 7:26 pm.

Submitted by

Ruth Schaefer Secretary