

**OFFICIAL MINUTES**  
**Clearwater River Watershed District**  
**Board of Managers Meeting**  
**May 11, 2016 - 6:30PM**  
**City Hall, Annandale, MN**

Chair Schiefelbein called the regular meeting to order at 6:30pm. Managers Paul DeGree, Kathy Jonsrud, Robert Rocheleau, Robert Schiefelbein, and Chris Uecker were present. Also in attendance were: Commissioner Chris Husom (left at 10:15pm), Jack Gleason (left at 10:08pm), Attorney Chuck Holtman (left at 8:40pm), Professional Soil Scientist Peter Miller, Engineer Rebecca Kluckhohn, Advisor Merle Anderson, Assistant Administrator Dennis Loewen and Administrator Cole Loewen.

The following were in attendance for the Clearwater Harbor/ Hidden River presentation item: Russ Pearson, Jeremy Rosnow, Bill Esko, Jena Theis, Judy Batzel-Hass, Travis & Mary Jenniges, Jerry Finch, Jeff & Lori Westrum, Jeff & Theresa Hagg, Pam & Jerry Risberg, Barb & Tom Hilson, Bill Donovan, Adam Anderson, Joe Ekert, Brandon Larkin, Bob & Jean Broich, John Truenow, Keith Beckman, Sheryl Martino, Barry Seguin, Jason Buboltz, Nicholle Corey, Michelle Murray, Michael Murray and Jesse Provo. All left after the completion of this item around 8:40pm.

The following were in attendance for the presentation on the proposed feedlot north of School Section Lake: Joel Hasslen, Mark Jansky, Bob Stein, Tim Zipoy and Troy Hilsen. All left after the completion of this item around 9:10pm.

Motion #16-5-1: Jonsrud/DeGree, moved to adopt the agenda with the following changes: moved items 4.7.3VIII from the consent agenda to the beginning of old business. **All Managers voted aye.**

**Presentations**

*Clearwater Harbor/ Hidden River Nitrogen Mitigation & Analysis Plan (NMAP) Implementation*

Administrator Loewen welcomed everyone and went over procedural items to ensure an orderly discussion and invited those in attendance to offer comments and ask questions when the Board chair opens the floor to public comment.

Peter Miller of Wenck Associates Inc. gave a presentation overviewing the background and current implementation status of the Minnesota Pollution Control Agency (MPCA)-mandated Nitrogen Mitigation and Analysis Plan for the Clearwater Harbor and Hidden River Sanitary Sewer System.

Administrator Loewen gave a presentation on the potential timeline and procedures for the Board to continue to implement the NMAP under MN Statutes 103D.635 and asked the Board to consider holding a special meeting on financing and cost allocation matters pertaining to this item.

The Board chair opened the floor for public comment. The following members of the audience offered comments and/or asked questions of the Board: Jeff Hagg, Jeff Westrum, Brandon Larkin, Wayne Murphy, Jenna Theis, Adam Anderson, Nicholle Corey, Tom Hilson, Bob Broich, Bill Donovan, Travis Jenniges, Bill Esko and Joe Ekert. Hearing no further public comment, the Board chair closed the floor to public comment. A sampling of the questions asked and comments received are listed below:

- Questions on the bidding process for designing and building the proposed improvement
- Desire for and methods to provide guarantees of design, construction and performance of proposed improvement (bonds, warranties, insurance)
- Seeking assurances and guarantees and clarification on what can reasonably be guaranteed
- Seeking additional funding from other sources, especially Stearns County
- Consider bidding the design portion of the proposed improvement
- Clarifying questions on how the nitrogen situation evolved

- Questions on whether regionalization provides greater assurance of system longevity compared to other alternatives; recouping regionalizing costs from others that could connect to this system
- Gather additional data from community systems that are currently using the proposed improvement elements
- Have someone oversee the licensed septic tank pumper when pumping Hidden River individual septic tanks
- Investigate methods to decouple Hidden River Sewer System into smaller systems owned by an entity other than the CRWD in an effort to remove Hidden River from the MPCA's permitting authority
- Questions on the history of the sewer systems
- Questions on systems' operation and maintenance
- Questions on groundwater monitoring wells and nitrogen levels in said wells
- Some newer residents expressing concern that they had not been aware of the situation and urging quick resolution

The Board chair closed the floor for public comment.

Engineer Kluckhohn certified to the Board of Managers that as the Clearwater Harbor and Hidden River Sanitary Sewer Projects were originally constructed to meet MPCA permit requirements, and those permit requirements changed with the re-issuance of the 2014 permit to include a nitrogen limit, the said projects must be altered or improved to attain the level of operating efficiency contemplated at the time of original construction or implementation per MN State 103D.635.

Motion #16-5-2: Jonsrud/Rocheleau, moved to order the engineer to prepare and submit to the Board technical and cost specifications on the work necessary to restore or improve the Clearwater Harbor and Hidden River Sanitary Sewer Projects to the desired level of operating efficiency contemplated at the time of the original construction or implementation of said projects due to the MPCA-permitted nitrogen level for said systems, and for the engineers to take into account the good suggestions made during the public comment period. **All Managers voted aye.**

Motion #16-5-3: DeGree/Rocheleau, moved to 1) hold a special meeting on June 1<sup>st</sup>, 2016 at 6:00pm at Annandale City Hall, 2) for the Administrator to develop an agenda for said meeting and 3) for the Administrator to properly notice said meeting. **All Managers voted aye.**

The Board directed its attorney and engineer to conduct a feasibility review of the Hidden River development to investigate further the suggestion to reconfigure the Hidden River Sewer System in such a manner as to be precluded from MPCA-permitting.

*Proposed feedlot north of School Section Lake*

Mr. Hilsgen and other members of the audience presented concerns with a proposed feedlot north of School Section Lake in section 25 of Maine Prairie Township, and asked the Board to send a letter to Stearns County requesting the preparation of an environmental assessment worksheet for said feedlot.

Motion #16-5-4: Rocheleau/Jonsrud, moved to have the Administrator assist Managers DeGree and Rocheleau in development and submission of a letter to Stearns County's Board of Commissioners, Feedlot Review Committee and Planning Commission requesting the preparation of an environmental assessment worksheet for the proposed feedlot in section 25 of Maine Prairie Township. **All Managers voted aye.**

**Consent Agenda**

Motion #16-5-5: Jonsrud/Uecker, moved to adopt the consent agenda. **All Managers voted aye.**

## **May 11, 2016 Financial Report**

Motion #16-5-6: Uecker/Jonsrud, moved to authorize 1) a transfer of \$75,000 from the CRWD savings account to its checking account, and 2) payment of bills, subject to audit. **All Managers voted aye.**

### **OLD BUSINESS**

#### **Cedar Lake Watershed Protection & Improvement Project Update**

Administrator Loewen reviewed the re-platting situation in light of Corinna Township's requirement that the existing spoils pile from the Old Highway 55 construction be either removed from or spread over the parcel where they are currently located by mid-September 2016. The Board instructed staff to continue to monitor the situation, with the understanding the common interest holders who own said pile may come before the Board for assistance at a future date.

Administrator Loewen and Engineer Kluckhohn reviewed the results of a field survey conducted with two property owners upstream of the Old Highway 55 component of the project. The Board directed the Administrator and Engineer to send a letter to said property owners: 1) informing them of the results of the survey, 2) indicating the Board does not feel the component is the source of their flooding concerns and 3) inviting them to a Board meeting to discuss this matter further.

Administrator Loewen asked Commissioner Husom to check with Wright County Highway department to see if they had any concerns with the damage to CO RD 6 from the contractor entering/ exiting at the East Swartout component.

#### **School Section Lake Outlet: sand issue**

Engineer Kluckhohn reviewed potential work items to remove sand and what seems to be debris from muskrat activity from the inlet pipe, as well as ideas to keep muskrats and sand from entering the pipe in the future. The Board instructed the engineer to have cost estimates for two known options to clear the pipe: hydro dredging and pipe replacement, as well as rough costs to install a muskrat guard on the pipe inlet, for the Board's special meeting in June.

#### **Approve amendment to Targeted Fertilizer Project' grant agreement**

Administrator Loewen reviewed correspondence with the MPCA on the Targeted Fertilizer's work plan and grant agreement. The MPCA has indicated the work plan grant-to-local match percent spread can be revised down from 35-65% to 55-45% (respectively), and to allow previous expenditures to be adjusted to account for this revised spread. This results in CRWD's match for this project to decrease, freeing CRWD funds for other activities. The MPCA did request the CRWD to release an additional \$20,000 of encumbered state funds to the MPCA. Taking this into account, the CRWD still saves a significant amount of local match.

Motion #16-5-7: Rocheleau/Uecker, moved to 1) rescind its previous April meeting motion #16-4-6 which initially amended this grant agreement and 2) authorize amending the Targeted Fertilizer grant agreement and work plan with the MN Pollution Control Agency, including a one-month extension, the unencumbering of \$50,000 back to the state, the moving of \$105,000 from objective 2 to other project objectives in the work plan and the lowering of local match contributions from \$570,959.80 to \$366,914.35, contingent on written verification from the MPCA and the MN Department of Administration that this change is agreeable. **All Managers voted aye.**

#### **Lake Augusta Erosion Control: additional work**

Administrator Loewen review additional work at the Lake Augusta Erosion Control Project. This additional work was discovered by staff after the repair ordered by the Board a few months ago was completed. The Board directed staff to accept the \$4,592.70 quote from Michael Watercott to correct

an erosion problem on the southern slope of the basin, and to add additional riprap around the recently installed boards of the southern inlet. The Board also directed staff to look into having hand work done to remove accumulated sediment from the northern inlet, perhaps using Sentence to Service.

#### **Potential Survey Work for Existing Projects**

Administrator Loewen presented draft Task Order #16-001 with Wenck Associates, Inc. to complete surveying work at several locations in the CRWD.

Motion #16-5-8: Jonsrud/Rocheleau, moved to authorize task order #16-001 with Wenck Associates, Inc. **All Managers voted aye.**

Jack Gleason left the meeting at 10:08pm.

#### **NEW BUSINESS**

##### **Tom Neu request to MN BWSR to remove property from the CRWD**

Administrator Loewen reviewed a request by Mr. Neu, a resident of the CRWD, to the MN Board of Water and Soil Resources (BWSR) regarding removal of his property from the CRWD's legal boundary. MN BWSR has asked for the CRWD's comment on the request. The Board directed staff to inform the MN BWSR that if the parcel is outside of the hydrologic boundary of the CRWD, then they support Mr. Neu's request.

##### **Dead trees at Rest-A-While Sewer System**

The Board directed the Administrator to have a professional firm fall a dead tree on the eastern edge of the eastern sedimentation basin, and to use his discretion on removing the tree from the site.

##### **Review of MN DNR's proposed buffer law implementation maps**

Administrator Loewen reviewed a memo summarizing his review of the MN DNR's proposed buffer law implementation maps. The Board directed the Administrator to submit the memo to the MN DNR and the local Soil and Water Conservation Districts for their use in the implementation of the buffer law.

##### **CRWD Summer Tour**

The Board instructed staff to place this item on the June regular meeting agenda.

Commissioner Husom left the meeting at 10:15pm

##### **Administrator Loewen – Other Business**

Administrator Loewen briefly reviewed aerial photos taking of the CRWD in April.

##### **Advisor Anderson – Other Business**

None

##### **Advisory Committee assignments are:**

1. No-wake "flag" notices
2. Aquatic Invasive Species

##### **Items noted for the June 15, 2016 regular meeting are:**

- (Potential) Clearwater Harbor/ Hidden River NAMP Implementation
- Presentation of 2015 CRWD Annual Audit
- Project Updates
- (Potential) CLWP&I – Old Highway 55 Spoil Pile
- CRWD's 2015 Annual Report and Project Inspection Report
- Watershed Tour

- Lower Warner Creek- potential project

### **Managers' Reports**

None.

Motion #16-5-9: Rocheleau/Jonsrud, moved to adjourn at 10:26pm. **All Managers voted aye.**

THESE MINUTES ARE AVAILABLE AT: [www.crw.org](http://www.crw.org).

CRWD AUDIT REPORTS ARE AVAILABLE AT THE ANNANDALE PUBLIC LIBRARY

---

Chair, Bob Schiefelbein

---

Secretary, Paul DeGree