

**OFFICIAL MINUTES**  
**Clearwater River Watershed District**  
**Board of Managers Meeting**  
**October 18, 2017 - 6:00PM**  
**City Hall, Annandale, MN**

Chair Schiefelbein called the meeting to order at 6:01pm. Managers Paul DeGree, Kathy Jonsrud, Robert Schiefelbein and Chris Uecker were present. In attendance were Engineer Rebecca Carlson Advisor Merle Anderson, Assistant Administrator Dennis Loewen and Administrator Cole Loewen. Also in attendance were: #Jim Hay, #Jeff Coffman (#left at 6:30pm), ^Jim Kutzner, ^Mark Wilkins (^left at 6:46pm), Nathan Miller (left at 7:06pm), Mark Conte (Meyer Contracting, left at 8:05pm), \*Al Sullivan, \*Jeff & Lori Westrum and \*Chuck Decker (\*left at 8:20pm).

Motion #17-10-1: DeGree/Uecker moved to adopt the agenda, with the change of moving item #7.3 "Update on re-platting of Cedar Creek (Old Highway 55)" to the end of presentations. **All Managers voted aye.**

**PRESENTATIONS**

**Public Hearing: Delinquent Sewer Utility Accounts**

The chair opened the hearing. Administrator Loewen reviewed the list of delinquent sewer utility accounts. The chair opened the floor to public comment. No comment received.

Motion #17-10-2: Jonsrud/Uecker moved to close the public hearing. **All Managers voted aye.**

Motion #17-10-3: Jonsrud/Uecker moved certify all delinquent utility accounts to Stearns County for collection as part of 2018 property taxes by November 30, 2017, and for all applicable fees and charges, including interest and county fees, to be included in said certification, with the understanding that any delinquent account that is paid in full by November 30<sup>th</sup> will not be certified for collection. **All Managers voted aye.**

**Jim Hay – Potential new owner of Lake Louisa Hills properties | different properties' use**

Mr. Hay presented to the Board his intention to purchase said properties' for the creation of a RV Park. Mr. Hay asked the Board to consider an agreement with him to terminate the existing development agreement between the CRWD and the property owner should he purchase the property.

The Board directed its staff to contact Stearns County to determine if the county is okay with the CRWD and Mr. Hay agreeing to terminate the development agreement should Mr. Hay purchase the property. The Board also directed staff to contact the CRWD's attorney to get initial comments on preparing documentation necessary to terminate the development agreement. The Board indicated to Mr. Hay it would like to discuss further the covering of the CRWD's costs to terminate said agreement.

Jim Hay and Jeff Coffman left at the end of this item.

**Jim Kutzner – Clearwater Lake Property Owners Association (CLPOA) – Proposed petition from CLPOA re: establishing an Aquatic Invasive Species (AIS) project for Clearwater Lake**

Mr. Kutzner reviewed the status of the petition. The Board clarified that all owners of a property should sign the petition in order to be counted as in support of the petition. The Board instructed its staff to continue to assist the CLPOA with its petition drive, and to begin review work to determine whether the petition meets the requirements of MN Statute 103D.705.

Jim Kutzner and Mark Wilkins left at the end of this item.

### **Update on re-platting of Cedar Creek (Old Highway 55)**

Administrator Loewen reviewed the status of the re-plat, along with concerns recently raised by the property owners on same. Nathan Miller spoke to the Board on said concerns.

The Board directed its staff to contact Corinna Township and Wright County to determine whether administrative orders could be implemented to make clear Outlot A of the Cedar Creek development is owned by the six remaining residential lots in common fractional ownership, and said fractional ownership cannot be sold apart from sale of a corresponding residential lot. The Board also directed staff to determine whether the township and county would be okay with the current re-plat not being finalized should said orders be made. Finally, the Board noted the CRWD will require a release from each of the six owners of property in the Cedar Creek development before it will discontinue the re-platting process. Mr. Miller indicated he will reach out to the county attorney's office to assist in determining its position regarding the administrative orders question.

Nathan Miller left at the end of this item.

### **CONSENT AGENDA**

Action items included in the consent agenda were as follows: 1) Approve September 20, 2017 CRWD Board of Managers' regular meeting minutes and 2) Authorize Board and staff attendance at upcoming events.

Motion #17-10-4: Jonsrud/Uecker, moved to adopt the consent agenda. **All Managers voted aye.**

### **OCTOBER 18, 2017 FINANCIAL REPORT**

Administrator Loewen reviewed the financial report.

Motion #17-10-5: Jonsrud/Uecker, moved to authorize payment of bills, subject to audit. **All Managers voted aye).**

### **OLD BUSINESS**

#### **Watkins Area Stormwater Treatment Project update**

##### *Change Order #01 request from Meyer Contracting*

Administrator Loewen noted the documentation provided to the Board on this matter. Mark Conte of Meyer Contracting, Inc. presented the Board a copy of the Notice of Defective Work Meyer Contracting, Inc. received from Wenck Associates, Inc. and "Section 02511- Limestone" from the project manual. Lengthy discussion was held.

At the end of discussion, the following was agreed to by the CRWD and Mr. Conte of Meyer Contracting, Inc.

- Meyer Contracting, Inc. agreed to terminate Change Order #01 request
- CRWD agreed to terminate its seeking of reimbursement of its costs in relation to the notice of defective work

The Board thanked Mr. Conte for his willingness to come to an agreement with the CRWD on this issue, and agreed the project looks good. Mr. Conte left at this point of the meeting.

Additional discussion was held on project construction support provided by Wenck Associates, Inc.

##### *Non-construction costs associated with limestone filter gradation issue*

This matter was covered in the above item.

*Other project-related items*

Administrator Loewen & Engineer Carlson reviewed punch list items, status of as-built documents and O&M plan creation, ongoing vegetation management and upcoming installation of project signage.

**Quotes to review and modify control panel logic to address alarm issues for Clearwater Harbor/ Hidden River Sanitary Sewer System**

The Board took no action on the quotes.

**Clearwater Harbor/ Hidden River NMAP Implementation Update**

Administrator Loewen and Engineer Carlson provided an update on this matter, including a request to the MPCA for a permit extension.

Al Sullivan, Jeff & Lori Westrum and Chuck Decker left at the end of this item.

**Initial cost estimates: Rest-A-While Shores control panel replacement**

Motion #17-10-6: Jonsrud/Uecker, moved to grant the CRWD Administrator authority to replace either or all of the control panels at Rest-A-While Shores should they fail. **All Managers voted aye.**

**School Section Lake Project #17-1 update**

Engineer Carlson informed the Board that quotes for project construction are planned for presentation to the Board at its November regular meeting.

**Update on petition from School Section Lake residents re: lake level**

Administrator Loewen informed the Board that of the 26 signers of the petition, 4 responded to the CRWD's letter seeking further comment. Two indicated they still support the petition; two indicated they no longer support the petition. The Board took no further action on the petition.

**NEW BUSINESS**

**Approve cost-share contract for agricultural BMP installation**

Motion #17-10-7: Uecker/Jonsrud, moved to approve a cost-share contract with Dennis Dalieden to construct a Water and Sediment Control Basin and Grassed Waterways on property located in S31-T122N-R28W, the amount not to exceed \$9,737.38 from the CRWD's Agricultural Incentive Program account, subject to submission of both invoices from the construction contractor and final certification from an approved technical representative, once available. **All Managers voted aye.**

**Appoint new member(s) to Advisory Committee**

Motion #17-10-8: DeGree/Uecker, moved to authorize Manager Jonsrud to conduct phone interviews with Advisory Committee applicants, and to offer the open seat on the committee to one of said applicants. **All Managers voted aye.**

**Request from Clear Lake Property Owners Association re: alum feasibility study**

Discussion was held on said request. The Board directed staff to send a response letter to the association thanking them for the stewardship of Clear Lake, but declining undertaking an alum feasibility study in favor focusing on other water quality improvement efforts for Clear Lake.

**MN Association of Watershed District's (MAWD) Annual Meeting: delegates, attendance, managers' training plans**

Motion #17-10-9: Jonsrud/Uecker, moved to appoint Managers DeGree and Uecker as delegates for MAWD's 2017 Annual Meeting, with Manager Schiefelbein as the alternate. **All Managers voted aye.**

Discussions on the manager's continuing education plans occurred.

**Authorize reimbursement for Manager Jonsrud’s assistance to MAWD Board of Directors in hiring new Executive Director**

Discussion was held on reimbursable expenses for managers.

**Administrator Loewen- Other Business**

Request from Storm Water Solutions magazine | Policy creation request

The Board indicated use of CRWD data/ or work product was allowed for submission of an article by Wenck Associates, Inc. to Storm Water Solutions magazine. The Board also indicated such requests should continue to be evaluated on a case-by-case basis.

Lake Augusta Erosion Control Project- 2017 repairs update

Engineer Carlson reviewed the current status of the repair.

Motion #17-10-10: Uecker/DeGree, moved to 1) authorize pay application #3 from Michael Watercott in the amount of \$11,620.00 for repair work at Lake Augusta Erosion Control Project, 2) authorize changes in scope under the quoted work with Michael Watercott in order to complete said work and grant authority to the Board President to authorize additional expenditures beyond current scope in order to finish said work. **All Managers voted aye.**

**Advisor Anderson- Other Business**

Advisor Anderson reviewed efforts on upstream agricultural best management practices adoption. The Board directed staff to reach out to the property owner NE of the junction of Meeker County Road 17 and Kingston St, as well as the applicable township, to see if there is willingness to address the erosion issue in that location.

**Advisory Committee assignments are:**

1. No-wake “flag” notices
2. Aquatic Invasive Species
3. Assist with planning January 2018 AIS event

**Items noted for the November 15, 2017 regular meeting are:**

- CLPOA AIS Project Petition
- Cedar Creek re-platting
- Project/ program updates
- Lk Louisa Hills 2<sup>nd</sup> Addition development agreement
- Watkins Area Stormwater Treatment Project
- Lk Augusta Erosion Control repairs update
- East Swartout repairs update
- School Section Lake Project #17-1 update
- Clearwater Harbor/ Hidden River NMAP implementation update
- Amending CRWD’s plan to incorporate “Other Watercourses”

**MANAGERS’ REPORTS**

Manager Schiefelbein gave an update on discussions between the CRWD, MN Department of Natural Resources and Pheasants’ Forever re: the CRWD’s easements at Kingston Wetland.

Manager Jonsrud gave an update on the Wright Regional Inspection Program, the planned 2018 AIS Forum, noted the CRWD was listed as a selling point on a recent informational sheet on a recent home for sale and noted her absence from the Board’s November 15<sup>th</sup> regular meeting.

Manager DeGree noted that Lakes Louisa and Marie had very good water quality/ clarity this year compared to previous years.

Motion #17-10-11: Jonsrud/Uecker, moved to adjourn at 9:39pm. **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

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Chair, Robert Schiefelbein

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Secretary, Paul DeGree