

**OFFICIAL MINUTES**  
**Clearwater River Watershed District**  
**Board of Managers Meeting**  
**November 15, 2017 - 6:00PM**  
**City Hall, Annandale, MN**

Chair Schiefelbein called the meeting to order at 6:04pm. Managers Paul DeGree, Robert Schiefelbein and Chris Uecker were present. Manager Kathy Jonsrud was excused absent. In attendance were Engineer Rebecca Carlson Advisor Merle Anderson, Assistant Administrator Dennis Loewen and Administrator Cole Loewen. Also in attendance were: ^Jim Kutzner, ^Mark Wilkins (^left at 6:17pm) and Nathan Miller (left at 6:51pm).

Motion #17-11-1: Uecker/DeGree moved to adopt the agenda. **All Managers voted aye.**

**PRESENTATIONS**

**Proposed resolution to amend CRWD's Watershed Management Plan to incorporate "Other Watercourses" per MN Statute 103F.48, Subds. 4 & 8**

Motion #17-11-2: DeGree/Uecker moved the following resolution:

**RESOLUTION TO INCORPORATE VIA ADDENDUM INTO THE CLEARWATER RIVER WATERSHED DISTRICT'S WATERSHED MANAGEMENT PLAN THE SUMMARY OF WATERCOURSES SUBMITTED BY THE MEEKER, STEARNS AND WRIGHT COUNTY SOIL AND WATER CONSERVATION DISTRICTS**

**WHEREAS** Minnesota Statutes §103F.48 Subd. 4 requires Soil and Water Conservation Districts (SWCDs) in consultation with local water management authorities, to develop, adopt and submit to each local water management authority within its boundary a summary of watercourses for inclusion in its local water management plan;

**WHEREAS** the Meeker, Stearns and Wright County SWCDs have coordinated with the Clearwater River Watershed District (CRWD) in developing said summaries and have submitted said summaries to the CRWD;

**WHEREAS** Minnesota Statutes §103F.48 Subd. 4 requires a local water management authority that receives a summary of watercourses as identified under said statute to incorporate an addendum to its comprehensive local water management plan or comprehensive watershed management plan to include the recommendations from the SWCDs by July 1, 2018

**THEREFORE BE IT RESOLVED** that the CRWD's Watershed Management Plan incorporates by addendum the portions applicable to the CRWD from the following documentation:

- a. Meeker County SWCD's "Resolution to Adopt Summary of Watercourses for inclusion in Local Water Management Plan," as resolved by the Meeker County SWCD Board on July 5, 2017.
- b. Stearns County SWCD's "Resolution 2017-1 for Summary of Water Courses to be Included in the Local Water Management Authority's Plan" and corresponding "Stearns County SWCD Other Waters Map," as resolved by the Stearns County SWCD Board on June 13, 2017.
- c. Wright County SWCD's "Resolution 2017-1 for Summary of Other Watercourses to be Included in the Local Water Management Authority's Plan" and corresponding "Wright County Other Watercourses Map," as resolved by the Wright County SWCD Board on June 27, 2017.

**BE IT FURTHER RESOLVED** that the CRWD Administrator is hereby directed to provide a copy of the included information to all agencies, organizations and individuals required to receive a copy of plan changes per MN Statute §103D.405 subds. 3 & 6.

**All Managers voted aye.**

**Jim Kutzner – Clearwater Lake Property Owners Association (CLPOA) – Petition from CLPOA to establish an Aquatic Invasive Species (AIS) project for Clearwater Lake**

Mr. Kutzner reviewed the status of the petition. Administrator Loewen noted the petition has been reviewed by staff and has been found to comply with the requirements of MN Statutes §103D.705

Motion #17-11-3: DeGree/Uecker moved the following resolution:

**RESOLUTION INITIATING THE CLEARWATER LAKE AQUATIC INVASIVE SPECIES PROJECT #17-2**

**WHEREAS** the Clearwater River Watershed District (CRWD) has been presented with a petition from property owners on Clearwater Lake (“Petitioners”) to initiate a project to: prevent the introduction of new aquatic invasive species (AIS) to Clearwater Lake and manage and/or control existing AIS in Clearwater Lake.

**WHEREAS** said petition further describes the proposed project and its purposes as follows:

- The proposed project falls within the CRWD’s mission to promote, preserve and protect the water resources within the boundaries of the CRWD.
- The proposed project generally conforms to the CRWD’s watershed management plan, which has as a goal the maintenance of biological integrity in all waters within the CRWD.

**WHEREAS** said petition, in addition to the purposes stated above, states the following:

- The property affected by the proposed project is all parcels riparian to Clearwater Lake, defined as parcels physically adjacent and those parcels that allow deeded access to Clearwater Lake.
- The general description of the part of the CRWD to be affected by the proposed project is Clearwater Lake (3,158 acres) and its riparian parcels.
- The project is necessary in order to protect the lake’s ecological integrity and health, as well as preserve the local economy and other waterbodies within the CRWD.
- The proposed project will be conducive to public health, convenience and welfare.
- The Petitioners agree to pay all costs and expenses that may be incurred if this proposed project’s proceedings are dismissed or a construction or implementation contract is not awarded for the proposed project.

**WHEREAS** the Clearwater River Watershed District (CRWD) has reviewed the submitted petition and has verified that at least 25 percent of the property owners or the owners of more than 25 percent of the property within the limits of the area proposed to be improved have signed the submitted petition for the proposed project;

**WHEREAS** the Clearwater River Watershed District (CRWD) has received a deposit of \$2,000 from the petitioners, conditioned to pay all costs and expenses incurred if the project petitioned for is not implemented.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Managers for the Clearwater River Watershed District as follows:

1. A proper petition has been filed with the CRWD Board of Managers, and the proposed project promotes the public interest and welfare, is practicable and conforms with the CRWD's watershed management plan.
2. Pursuant to Minnesota Statutes §103D.701, the Clearwater Lake Aquatic Invasive Species (AIS) Project hereby is initiated as CRWD Project #17-2.
3. The CRWD engineer, under supervision of the CRWD administrator, is to prepare an engineer's report on Project #17-2, with said report requested to be delivered to the CRWD Board of Managers by its January 2017 regular meeting.

**All Managers voted aye.**

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

#### **CONSENT AGENDA**

Action items in the consent agenda were as follows: 1) Approve October 18, 2017 CRWD Board of Managers' regular meeting minutes and 2) Authorize Board and staff attendance at upcoming events.

Motion #17-11-4: Uecker/DeGree, moved to adopt the consent agenda. **All Managers voted aye.**

#### **NOVEMBER 15, 2017 FINANCIAL REPORT**

Administrator Loewen reviewed the financial report, including discussion on current CRWD investments and status of current task orders between the CRWD and Wenck Associates, Inc.

Motion #17-11-5: DeGree/Uecker, moved to authorize payment of bills, subject to audit. **All Managers voted aye.**

#### **OLD BUSINESS**

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

Administrator Loewen and Engineer Carlson provided an update on this matter. The Board indicated its goal is to hold the public hearing on this matter in February 2018.

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

Administrator Loewen reviewed the status of the re-plat, along with comments received from Corinna Township and Wright County on the filing of administrative orders.

Motion #17-11-6: DeGree/Uecker, moved to discontinue the re-plat of Cedar Creek, contingent upon the receipt of releases from previous re-platting agreements from each of the six property owners in Cedar Creek and upon the successful execution of deed restrictions and/or administrative orders with Corinna Township and Wright County, with the understanding that said orders are to clarify the following:

- Lot 1, Block 2 of the Cedar Creek Plat is considered part of Outlot A of said plat, and all restrictions and fractional ownership designations of Outlot A are applied to Lot 1, Block 2.
- Outlot A of the Cedar Creek plat is owned in common fractional ownership by the owners of the remaining residential lots in the plat, and said fractional ownership cannot be sold apart from a sale of a corresponding residential lot.

And the costs to execute said restrictions and/or orders are not to exceed \$2,000 without additional Board approval.

**All Managers voted aye.**

Nathan Miller left at the end of this item.

### **East Swartout repairs update: quotes, task order, other**

Engineer Carlson reviewed the quote received for this repair. Administrator Loewen reviewed the draft task order between the CRWD and Wenck Associates, Inc. for construction support for this repair.

Motion #17-11-7: Uecker/DeGree, moved to accept the quote from Blackstone Contractors, LLC at \$16,590, with an additional contingency of \$7,500 under the discretion and approval of the CRWD's administrator and engineer, and to authorize task order #17-007 between the CRWD and Wenck Associates, Inc. in the amount of \$9,500.00. **All Managers voted aye.**

### **School Section Lake Project #17-1 update: quotes, task order, other**

Engineer Carlson gave the Board an update on permit acquisition work, which resulted in moving the review of submitted quotes to the Board's December meeting. Administrator Loewen reviewed the draft task order between the CRWD and Wenck Associates, Inc. for project construction support, and requested the Board establish fund #407 as the School Section Lake P#17-1 Construction Fund.

Motion #17-11-8: DeGree/Uecker, moved to authorize task order #17-006 between the CRWD and Wenck Associates, Inc. in the amount of \$17,000.00, and to establish fund #407 as the School Section Lake P#17-1 Construction Fund in the CRWD's chart of accounts. **All Managers voted aye.**

### **Lake Augusta Erosion Control repairs update**

Engineer Carlson provided an update on the repair work to the Board.

### **Lake Louisa Hills 2<sup>nd</sup> Addition development agreement**

Administrator Loewen informed the Board of the response received from Stearns County on the potential to rescind the noted development agreement as requested by a potential new owner of the properties subjected to said agreement. The Board directed staff to confirm the noted potential property owner is now the owner of record for the properties subjected to the noted development agreement, and if confirmed, to indicate to the owner the Board is interested in pursuing a rescinding of this development agreement. Staff is authorized to work out an agreement with said potential property owner regarding the costs associated with drafting and executing said rescinding, with this agreement to be brought before the Board for review and approval prior to execution.

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

Administrator Loewen presented to the Board the letter received from Meyer Contracting, Inc. formally retracting their change request #01 dated 8/10/2017.

Motion #17-11-9: Uecker/ DeGree, moved to accept the letter dated 11/8/2017 from Meyer Contracting retracting its Change request #01 and direct the CRWD Administrator to advise Meyer Contracting the CRWD withdraws its preservation of reimbursement related to this matter as communicated in the District letter dated 9/26/2017. **All managers voted aye.**

Administrator Loewen and Engineer Carlson provided an update on other project matters.

### **NEW BUSINESS**

#### **MAWD Annual Meeting: review proposed resolutions, general discussion**

The Board discussed the proposed resolutions and by-law revisions to be heard at the MN Assoc. of Watershed District's annual meeting. Additional discussion was held on the state's One Watershed, One Plan effort, as well as the overall function of MAWD.

**2018 AIS Forum: charter, budget**

Motion #17-11-10: Uecker/DeGree, moved to authorize the expenditure of up to \$1,000 from the general fund to cover costs associated with the 2018 AIS Forum. **All Managers voted aye.**

**2017 Annual Report: task order**

Motion #17-11-11: Uecker/DeGree, moved to authorize task order #17-008 between the CRWD and Wenck Associates, Inc. in the amount of \$25,000.00. **All Managers voted aye.**

**Administrator Loewen- Other Business**

Clean Water Partnership Loans/ Conservation Corps Grant | 2017 continuing education plan

Administrator Loewen noted the availability of these grant funds and loans, and reminded the Board their 2017 continuing education plans are due in December.

Engineering services- solicitation of quotes

Administrator Loewen reminded the Board the last time qualifications were solicited for general engineering services was in 2012. The Board directed a request for qualifications be created and sent to interested engineering firms.

**Advisor Anderson- Other Business**

Advisor Anderson reviewed efforts on upstream agricultural best management practices adoption, including the noted erosion issue at the junction of Meeker County Road 17 and Kingston St.

**Advisory Committee assignments are:**

1. No-wake “flag” notices
2. Aquatic Invasive Species

**Items noted for the December 20, 2017 regular meeting are:**

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| • Cedar Creek re-platting update                                 | • MAWD Annual Meeting report                  |
| • CH/ HR NMAP Implementation update                              | • Lk Augusta Erosion Control repairs update   |
| • East Swartout repairs update                                   | • School Section Lake Project #17-1 update    |
| • Lk Louisa Hills 2 <sup>nd</sup> Addition Development Agreement | • Watkins Stormwater Treatment Project update |

**MANAGERS’ REPORTS**

None.

Motion #17-11-12: DeGree/Uecker, moved to adjourn at 9:05pm. **All Managers voted aye.**

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