

OFFICIAL MINUTES
Clearwater River Watershed District
Board of Managers Meeting
July 19, 2017 - 6:00PM
City Hall, Annandale, MN

Chair Schiefelbein called the meeting to order at 6:00pm. Managers Paul DeGree, Kathy Jonsrud, Robert Rocheleau, Robert Schiefelbein and Chris Uecker were present. Also in attendance were Adam Hjelm (left at 6:12pm), Jim Kutzner & Tim Isle (left at 6:22pm), Bob & Lois Rowbottom (left at 6:53pm), Orv Jonsrud (entered 7:02pm, left 8:43pm), Engineer Rebecca Carlson (entered at 6:06pm), Advisor Merle Anderson, Assistant Administrator Dennis Loewen and Administrator Cole Loewen.

Motion #17-07-1: Jonsrud/Uecker moved to adopt the agenda. **All Managers voted aye.**

PRESENTATION

Adam Hjelm, Sauk River WD – Plans for 2017-18 school-age education program

Adam Hjelm from Sauk River WD reviewed plans for 2017-18 education programming for the CRWD.

Motion #17-07-2: Jonsrud/Rocheleau moved to accept 2017-18 school-age education program plan and authorize its administrator to work with Sauk River WD to extend existing contract for plan's time period, and authorize the Board president to execute said extension.. **All Managers voted aye.**

Adam Hjelm left at the end of this item.

Tim Isle, Clearwater Lake Property Owners Association (CLPO) – Request to amend existing Eurasian Watermilfoil Treatment Project to include all AIS

Tim Isle from CLPO association presented a request from the association to amend the Clearwater Lake Eurasian Watermilfoil Project to allow for treatment of all aquatic invasive species (AIS).

Motion #17-07-3: Jonsrud/DeGree moved to solicit an opinion from the Board's attorney on legal and procedural matters relating to the potential to amend the existing Clearwater Lake Eurasian Watermilfoil Project. **All Managers voted aye.**

Tim Isle and Jim Kutzner left at the end of this item.

Lois Rowbottom – Petition from School Section Lake property owners

Lois Rowbottom presented a petition from property owners on School Section Lake to lower the elevation of the weir contained in the existing School Section Lake Outlet Control Project from its present set elevation of 1133.9' to 1132.' The Board noted that since this was a request to modify an existing project, the set provisions in MN Statutes 103D.705 regarding project petitions was not applicable. It was also noted the Board did not have any position on what the elevation of the weir should be. In addition, it was noted the weir elevation was subject to the MN Department of Natural Resources' permit for the outlet project.

As such, the Board directed its staff to send a letter to MNDNR area hydrologist and immediate supervisor to:

- Note the request and concerns of property owners on School Section Lake
 - Note the Board's lack of position as to what the elevation of the noted weir should be
 - Ask MNDNR to state what information is required for its amending of the outlet project's permit to lower the weir elevation, and who in the MNDNR would review such a request
- Bob & Lois Rowbottom left at the end of this item.

School Section Lake Modified Outlet Control Project #17-1: Determination of Benefits and Damages and Ordering of Final Hearing

Motion #17-07-4: Uecker/DeGree moved the following resolution:

ACCEPTING DETERMINATION OF BENEFITS AND DAMAGES AND ORDERING FINAL HEARING
SCHOOL SECTION LAKE MODIFIED OUTLET CONTROL PROJECT #17-1

WHEREAS the Clearwater River Watershed District (CRWD) constructed and maintains the School Section Lake Outlet Control Project (Project #84-1), a structural outlet on School Section Lake, Stearns County, to manage lake level and flood risk for properties riparian to the lake;

WHEREAS in accordance with Minnesota Statutes §103D.401, the CRWD has adopted and implements a watershed management plan (WMP) that provides for the operation and maintenance of an outlet structure on School Section Lake to manage water levels in the lake and for related purposes;

WHEREAS in 2015, the outlet structure intake was significantly damaged by ice so that Project #84-1 became inoperable, requiring that as an element of repairing the intake and restoring operability, the CRWD installed an ice barrier to protect the intake from immediate ice damage, which barrier was functional but not designed as a long-term element of the outlet or to incorporate safety or visual considerations;

WHEREAS by Resolution #17-05-4, adopted on May 17, 2017, the CRWD Board of Managers ("Board"):

- Found that a project to modify the outlet structure to include a durable and well-designed ice barrier would promote the public interest and welfare, is practicable and conforms to the WMP;
- Initiated the project and designated it as the School Section Lake Modified Outlet Control Project, Project #17-1; and
- Directed that the CRWD engineer prepare a report for Project #17-1 in accordance with Minnesota Statutes §103D.711;

WHEREAS on June 27, 2017, the CRWD engineer submitted its report on Project #17-1;

WHEREAS by Resolution 17-06-3, adopted on June 27, 2017, the Board:

- Accepted the report of the CRWD engineer and determined that it conforms to Minnesota Statutes §103D.711;
- Directed that the engineer's report be transmitted to the Director, Minnesota Department of Natural Resources, Division of Ecological and Water Resources, and to the Minnesota Board of Water and Soil Resources, for advisory reports; and
- Resolved that the Board would determine benefits and damages of Project #17-1 in accordance with Minnesota Statutes §103D.721.

WHEREAS the CRWD Administrator transmitted the engineer's report as directed on June 28, 2017, and the CRWD expects to receive advisory reports on or about July 30, 2017;

WHEREAS on July 19, 2017, the Board submitted its benefits and damages determination for Project #17-1 in accordance with Minnesota Statutes §103D.721;

THEREFORE BE IT RESOLVED as follows:

- The benefits and damages determination is in accordance with Minnesota Statutes §103D.721 and is accepted;
- In accordance with Minnesota Statutes §103D.735, a final hearing for the establishment of Project #17-1 is ordered;
- The CRWD Administrator is directed to provide notice of the final hearing in accordance with Minnesota Statutes §103D.741, which hearing will occur on September 6, 2017, at 6:00 p.m., at the Annandale City Hall.

All Managers voted aye.

Draft 2018 CRWD Budget

Administrator Loewen reviewed the draft 2018 CRWD budget. This is an August meeting agenda item.

CONSENT AGENDA

Action items included in the consent agenda were as follows: 1) Approved May 17, 2017 CRWD Board of Managers' regular meeting minutes, 2) Authorized Board and staff attendance at upcoming events.

Motion #17-07-5: Jonsrud/Rocheleau, moved to adopt the consent agenda. **All Managers voted aye.**

JULY 19, 2017 FINANCIAL REPORT

Administrator Loewen reviewed the financial report.

Motion #17-07-6: Jonsrud/DeGree, moved to authorize payment of bills, subject to audit, including the authorization of pay application #1 from Meyer Contracting for the Watkins Area Stormwater Treatment Project (BWSR Grant #C15-1978). **All Managers voted aye.**

OLD BUSINESS

Watkins Area Stormwater Treatment Project update

Engineer Carlson provided an update on the project, including the limestone filter component.

Potential short-term, low cost fixes to the noted alarm issues at Clearwater Harbor/ Hidden River Sanitary Sewer Facility

Engineer Carlson gave an update on this matter. This will be an August meeting agenda item.

Updating lake response models for six CRWD lakes: potential lake alum dosing project and grant application

The Board reviewed the lake response model update and discussed pros/ cons in applying for FY2018 Clean Water Fund (CWF) Competitive Grants via MN Board of Water and Soil Resources (BWSR).

Motion #17-07-7: DeGree/Uecker, moved to direct staff to submit an application to MN BWSR for its FY2018 CWF Competitive Grants program to perform an alum treatment in Lakes Louisa and Marie.

Vote: DeGree, Rocheleau and Uecker aye, Jonsrud nay, Schiefelbein abstained. Motion carried.

Attorney opinion on need to amend Cedar Lake AIS Project per Cedar Lake Conservation Club request

Administrator Loewen reviewed the received memo from Attorney Holtman on this matter.

Motion #17-07-8: Uecker/Rocheleau, moved to add watercraft inspection and decontamination as authorized management activities under the Cedar Lake AIS Project, and directed staff to draft changes to existing CRWD policy on AIS to incorporate this change. **All Managers voted aye.**

Orv Jonsrud left at the end of this item.

CRWD Policy Book

Administrator Loewen reviewed this item. The Board directed this item to be brought back to the Board once additional changes/ comments were incorporated into the draft policy book.

NEW BUSINESS

Loewen Administrative Services, LLC annual contract review; PACMA annual contract review

Administrator Loewen presented proposed revisions to the contract between Loewen Administrative Services, LLC and the CRWD. Advisor Anderson had no changes on PACMA's contract with the CRWD.

Motion #17-07-9: Uecker/Rocheleau, moved to approve revisions to the contract between Loewen Administrative Services, LLC and the CRWD and authorize the Board president to sign and execute the revised contract. **All Managers voted aye.**

Motion #17-07-10: DeGree/Uecker, moved to maintain the contract between PACMA and the CRWD. **Vote: DeGree, Rocheleau, Schiefelbein and Uecker aye, Jonsrud nay. Motion carried.**

Pleasant Lake Outlet Control Project's O&M Assessment Roll

Administrator Loewen reviewed the draft assessment and potential next steps. The Board directed the Pleasant Lake O&M levy be included as part of the budget hearing in September, and to reach out to the Pleasant Lake Improvement Association informing them the assessment is forthcoming.

Administrator Loewen- Other Business

Governor's #25BY25 Initiative

Administrator Loewen reviewed this initiative with the Board.

Draft memo on Curly-Leaf Pondweed (CLP) sampling in Lake Augusta

Administrator Loewen reviewed a draft memo on CLP sampling in Lake Augusta ordered by the Board in March 2017. Staff will incorporate comments and finalize the memo for the Board's August meeting.

Advisor Anderson- Other Business

None.

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 August 16, 2017 special (regular) meeting are:

- Discussion on current & future Watershed Management Plan
- Clearwater Harbor/ Hidden River NMAP Implementation designs to 95%
- Clearwater Harbor/ Hidden River alarm issues
- Proposed CRWD 2018 budget
- Receipt of advisory report for Project #17-1
- Project/ program updates
- Decommission aerator buildings/ equipment
- Watkins Area Stormwater Treatment Project Update
- Draft CRWD policy book
- Lakes Louisa and Marie alum dosing grant application
- Memo on CLP sampling in Lake Augusta

MANAGERS' REPORTS

Manager Jonsrud noted the current status of the Wright County Regional AIS Inspection in Annandale.

Motion #17-07-11: DeGree/Rocheleau, moved to adjourn at 9:36pm. **All Managers voted aye.**

THESE MINUTES ARE AVAILABLE AT: www.crw.org.

CRWD AUDIT REPORTS ARE AVAILABLE AT THE ANNANDALE PUBLIC LIBRARY

Chair, Robert Schiefelbein

Secretary, Paul DeGree