



Mission: To protect and enhance the quality of water in the lakes within its jurisdiction....ensure wise decisions are made concerning the management and related land resources which impact these lakes.

PELICAN RIVER WATERSHED DISTRICT  
**MEETING ANNOUNCEMENT**  
Regular **MONTHLY MANAGERS' MEETING**  
**Thursday, April 16, 2015**

**6:15 PM**

**WATERSHED DISTRICT OFFICE**  
Wells Fargo Bank, 2<sup>nd</sup> Floor Conference Room  
211 Holmes Street West, Detroit Lakes, MN  
(218) 846-0436 www.prwd.org

## AGENDA

- 6:15 PM**
1. **Call To Order**
  2. *Oath of Office – Curtis Noyes*
  3. **Approval of Agenda and Consent Agenda (Administrator's Report; Secretary's Report –March 19, 2015 Regular Meeting Minutes; Rules/Permitting Report; Ditch Inspector's Report)**
- 6:25 PM**
4. Progress Reports - Committee Chairs ( 5 minute reports)
    - a. Personnel
    - b. Aquatic Plant (Projects 1B & 1C)
    - c. Advisory Committee
- 6:35 PM**
5. Old Business
    - a. **Rules of Enforcement**
    - b. **Consultants**
- 7:00 PM**
6. New Business
    - a. **Joe Courneya, Red River Basin Commission, Regional AIS Plan Update**
    - b. **2014 Financial Audit**
- 8:00 PM**
7. Public Forum (5 minutes)
- 8:05 PM**
8. **Treasurer's Report**
    - a. **Approve April Bills**
    - b. Review January - March 2015 Revenue and Expenses – to be filed and subject to audit.
  9. Attorney's Report
  10. Engineer's Report
  11. Pulled Consent Agenda Items
- 8:25 PM**
12. Announcements – MAWD Summer Tour – June 24<sup>th</sup>-26<sup>th</sup>, Duluth, MN
- 8:30 PM**
13. **Meeting Adjournment**

(action items in bold face)



THE PELICAN RIVER WATERSHED  
DISTRICT OF  
BECKER AND OTTERTAIL  
COUNTIES  
MINUTES OF REGULAR MEETING

March 19, 2015

**Managers Present:** Kral, Brainard, Imholte, Okeson, Michaelson

**Managers Absent:** Haggart

**Staff:** Asst. Administrator Alcott, Office Assistant Moses; Absent – Administrator Guetter

**Consultants:** None

**Advisory Committee:** John Okeson, Becker County Commissioner

**Others:** None

The Regular Managers' meeting was called to order by President Kral at 6:15 PM. Kral announced Administrator Guetter was absent due to illness.

**CONSENT AGENDA.** The consent agenda, including the March 2015 Administrator Report; Secretary's Report – February 19, 2015 (corrected copy) Regular Managers' Meeting Minutes; March Rules/Permitting Report; and March Ditch Inspector's Report (Brainard, Okeson), carried unanimously.

**PROGRESS REPORTS**

- a. **Personnel Committee** – The committee did not meet.
- b. **Aquatic Plant Committee** – The committee did not meet.
- c. **Citizen Advisory** – Manager Kral attended MAWD Legislative days in St. Paul. Manager Imholte attended a meeting with U.S. Senator Amy Klobuchar's staff.

**OLD BUSINESS**

- a. **Rules of Enforcement** – Discussion was held regarding the status of the proposed Fairfield Inn project which is currently under review by the City of Detroit Lakes Planning Commission. No action taken.

**NEW BUSINESS**

- a. **2015 Monitoring Plan** – Alcott presented the 2015 Monitoring Plan. He reviewed lake and stream locations, sampling parameters, equipment requirements, and associated costs.
- b. **Consultants** – Managers discussed concerns with potential conflict of interest with legal consultants. Tami Norgard, Vogel Law Firm, has been retained to assist with questions regarding the Fairfield Inn to avoid any potential conflict of interest with the District's consulting attorney firm. No further action taken.

**PUBLIC FORUM – NONE**

**TREASURER'S REPORT.**

- a. **Approval of March 2015 Claims. #14022-14028 and EFT 358-363 (\$26,684.20).** Managers reviewed monthly bills. **Motion to pay March 2015 bills (Imholte, Brainard) carried unanimously.**
- a. **Financial Report.** The January - February 2015 Revenues and Expenses Report was reviewed. **Motion to approve the draft January-February 2015 Revenue and Expenses (Imholte, Brainard), carried unanimously.** The report will be filed for audit.

**ATTORNEY REPORT**– Nothing further to report.

**ENGINEER REPORT** – Nothing further to report.

**PULLED CONSENT AGENDA ITEMS** –None.

**ANNOUNCEMENTS** - Manager Appointments- Becker County Commissioner John Okeson stated the County is currently advertising for two manager positions Dave Brainard and Orrin Okeson which will expire May 22, 2015, as well as the remainder of Gary Nansen's term which expires May 2017. The appointments will be made at the April 7, 2015 Commissioner meeting.

**ADJOURNMENT.** Motion to adjourn the meeting at 7:59 PM (Brainard, Michaelson), carried unanimously.

Meeting Approved : \_\_\_\_\_

Respectfully Submitted,  
David Brainard, Secretary

*No tape was made of this meeting.*



THE PELICAN RIVER WATERSHED  
DISTRICT OF  
BECKER AND OTTERTAIL  
COUNTIES  
MINUTES OF REGULAR MEETING

2:02 PM  
04/01/15

Pelican River Watershed District

Claims Paid

March 2015

<u>Date</u>	<u>Num</u>		<u>Amount</u>
<b>Printed checks - WF Checking</b>			
03/20/2015	14022	Arvig	50.88
03/20/2015	14023	Bank of America	952.83
03/20/2015	14024	Bell State Bank & Trust	20,000.00
03/20/2015	14025	Hannaher's	250.24
03/20/2015	14026	League of MN Cities	2,292.00
03/20/2015	14027	Office of Enterprise Technology	85.44
03/20/2015	14028	Verizon	46.62
		<b>Total - WF Checking</b>	<b>\$ 23,678.01</b>
<b>Electronic Payments -Bell Checking</b>			
03/20/2015	EFT-358	*Alcott, Brent	39.20
03/20/2015	EFT-359	*Guetter, Tera	1,014.13
03/20/2015	EFT-360	*Moses, Brenda	61.75
03/20/2015	EFT-361	Wells Fargo-Office Lease	1,299.58
03/20/2015	EFT-362	Wenck Associates, Inc	361.00
03/20/2015	EFT-363	Xerox Corporation	230.53
		<b>Total - Bell Checking</b>	<b>\$ 3,006.19</b>
		<b>Total March Expenses</b>	<b>\$ 26,684.20</b>
<b>March Payroll - Direct Deposit</b>			
3/12/2015	355-357	Employee Payroll	\$3,718.41
3/26/2015	364-366	Employee Payroll	\$3,743.42
3/31/2015	367	Employee/Supp. Benefit	\$638.62
3/31/2015		Federal Withholding	\$3,381.66
3/31/2015		MN HCRS	\$300.00
3/31/2015		MN State Tax	\$621.00
3/31/2015		NACO	\$2,327.73
3/31/2015		PERA	\$1,734.51
			<b>\$16,465.35</b>
		<b>Total March Expense + Payroll</b>	<b>\$43,149.55</b>

**Pelican River Watershed District  
Administrator Monthly Report  
April 10, 2015  
[www.prwd.org](http://www.prwd.org)**

## **MAIN DISTRICT WATER QUALITY INITIATIVES**

**Rice Lake Project-** A project meeting will be held mid-May to review status and funding options. Rob Baden, MN DNR Wildlife manager, reported the DNR seeded 4.7 acres of District property (formally Heitmann) on March 13 & 17.

**University of MN Extension/MN Pollution Control Agency Civic Engagement Training for the Ottertail Watershed Project** – On March 6<sup>th</sup>, staff from Minnesota Pollution Control Agency (MPCA), Board of Soil and Water Resources (BWSR), MN Department of Natural Resources (MN DNR), West Ottertail Soil and Water Conservation Service (SWCD), East Ottertail SWCD; Becker SWCD, Wilken SWCD, Ottertail Coalition of Lake Associations (COLA), and Pelican River Watershed District held a “kick off” meeting to review the training process, timeline, and expectations. This initiative will provide an increased capacity/skills for “doing” civic engagement, enhance the network for those working on clean water, and an understanding the role of collaborative/shared leadership for working on clean water. The next meeting is will be held in late April.

**DL Overlook Restore the Shore Improvements** – The District was notified by the Lake Detroiters they will contribute up to \$3,500 for the Overlook project with the following conditions: a project representative from the LDA will be involved with planning and review of the project maintenance plan.

## **WATER MANAGEMENT RULES**

**Permits** - see enclosed report. Permit traffic has picked up at the office due to increased shoreline ice heave/damage on area lakes. Staff from Becker County SWCD, Becker Zoning, MN DNR, Cormorant Watershed District and Pelican River Watershed District met at an ice heave site to review permit procedures/policies to ensure consistency across agencies.

## **MONITORING**

**Summer Interns** – Alcott will be setting up interviews the week of April 13<sup>th</sup>. We are pleased with the applicant pool.

**Stream Monitoring** – Water level loggers have been installed and the first samples of the year have been taken from Campbell Creek and Rice Lake.

**Lake Monitoring** – Equipment preparations are being made for samples to be taken following ice-out.

## **MN GreenCorps Member**

**Permit Database** – Walechka continues to scan previous year permits which will be uploaded into the District's website. She is also working with Moses on a stormwater education presentation for the upcoming water festival and a 4<sup>th</sup> grade classroom at Rossman.

## **EDUCATION**

**KDLM Radio** – Alcott was a guest on Hodge Podge, Friday, March 20th and reviewed the District's permit requirements, with emphasis on ice heave/damage procedures and review of historic ice out dates (including staff predictions!).

**5<sup>th</sup> Grade Ike Fischer Farm Tour** – staff will assist with presentations and tour guiding on May 13 and 14<sup>th</sup>.

## **AQUATIC PLANT MANAGEMENT**

**MN DNR AIS Treatment Grant** –The grant agreement is fully executed.

**Flowering Rush Research 2014 Report** –The District received the final report and it is posted on the District's website under Invasive Species/Flowering rush headings.

**U of MN AIS Research Center Advisory Committee**–The group met on February 26, 2015 at the St. Paul Campus to continue developing the center's mission and priorities for the next few years.

**MN DNR AIS Advisory Committee** – The Committee met on March 26, St. Cloud, MN. See MN DNR website for detailed meeting notes at: [www.dnr.state.mn.us/aisadvisory/](http://www.dnr.state.mn.us/aisadvisory/)

## **GENERAL ADMINISTRATION**

**Pay Equity Report** – The State requested additional information on the Assistant Administrator position (we didn't have position three years ago). Sara Noah assisted with the State's additional information request and the District received approval of the pay equity compliance report.

**Workers' Compensation Audit** – The audit was conducted on March 16<sup>th</sup>. A report has not been received to date.

**2014 Financial Audit** – A draft copy of the 2014 Financials has been prepared and is under review by staff and the Treasurer. Staff requested the auditor to review the District's payroll and supplemental benefits deductions software setup and supplemental benefit enrollment/payment procedures.

**Manager Appointments** – At the April 7, Becker County Commissioners meeting Orrin Okeson and Dave Brainard were reappointed to the Board for a three year term (May 2018) and Curtis Noyes of Long Lake was appointed to fill out a vacant term (May 2017). Curt has been a resident on Long lake since June 2006. He is an active lake association member and has served as President of Long Lake Association, as well as the Becker County Coalition of Lake Associations representative for both Toad and Long lakes. Prior to his retirement, Curt was the COO of Dakota Clinic, Ltd.

**Minnesota Association of Watershed Districts Summer Tour** - The summer tour will be held in Duluth on June 24-25. The Association of Watershed District Administrator's meeting will be held on June 23 in Duluth.

### **Ditch Inspector's Report**

April 2015

**Ditch 11/12** - Nothing further to report.

**Ditch 13** - Nothing further to report.

**Ditch 14** – Nothing further to report.

# RULES OF ENFORCEMENT

## April 2015



### ***PERMITS ISSUED:***

<b>15-03</b>	City of Detroit Lakes	Washington Ave.	Road reconstruction
<b>15-04</b>	Dennis Kral	26463 Paradise Point	Ice damage repair/steps
<b>15-05</b>	Becker County Hwy Dept	Bike path/Ditch 14	Culvert replacement
<b>15-06</b>	Rick Michaelson	13125 West Lake Sallie Dr.	Rip rap repair and addition
<b>15-07</b>	Robert Heller	14476 Ravenswood Beach	Ice damage repair/rip rap
<b>15-08</b>	Bradley Ulland	524 Shorewood Dr.	Rip rap repair
<b>15-09</b>	Ed Morrow	11294 County Hwy 17	Ice damage repair
<b>15-10</b>	Jim Ingstad	24253 N. Melissa Dr.	Pull back sand push
<b>15-11</b>	Susan Dodd	23863 County Hwy 22	Ice damage repair/rip rap
<b>15-12</b>	John Okeson	13167 West Lake Sallie Dr.	Ice damage repair/yard and beach

### ***Permit Applications submitted:***

- Ray Munson—Clark Gable Cluster Addition— incomplete submittal documentation with application. Additional PRWD permit application information requested from applicant including Association letter of approval for project, and stormwater and erosion control plans. The District received the requested information on March 6, 2015.
- Dennis Hopman—512 Shorewood Dr.—Ice damage
- Knute Thorsgard—14416 E. Fox Lake Rd.—Lake access/boat ramp
- Greater Minnesota Gas—Lake Melissa & Sallie—Install gas main

### ***VIOLATIONS UNDER REMEDIATION:***

14-35 Paul & Dan Friesen—Permit revoked 12/10/14 due to violation within the SIZ

### ***OTHER PROJECTS UNDER REVIEW:***

- \* BTD—Addition
- \* Action Fab—Parking Addition
- \* Team—Addition

# MAWD Legislative Update

April 6, 2015

Policy Committee deadlines have passed and all bills must have been heard and passed out of all policy committees in both bodies. Legislators are coming back tomorrow, April 7<sup>th</sup> from Easter Break and will begin finalizing finance omnibus bills to meet finance deadline on April 24<sup>th</sup>.

The Clean Water Council Recommendations bill (HF 1781, Torkelson/SF1754 Scalze) will be heard this week in the House and wrapped into the larger Environment Finance Omnibus bill in the House. Expect the same in the Senate version.

There are a number of bills that we are working on or watching. There is an unusual amount of emphasis on water issues this session. There are six major water related issue areas at this point. They include:

1. Bonding Legislation: Flood Hazard Mitigation legislation.
2. Budget /Clean Water Fund appropriations.
3. WCA Amendments.
4. 1 Watershed/1Plan: Comp Watershed Planning
5. Governor's Buffer Initiative
6. AIS Policy & Funding Issues

Specific legislation dealing with these issues are outlined below.

**Environment & Natural Resources Budget:** HF1781, Torkelson, SF 1754 Scalze , We are supporting the Clean Water Council Recommendations for the budget bill. The governor's recommendation was very similar, with the main difference being more money for local implementation funding with the CWC recs.

**Flood Hazard Mitigation Funding:** SF1133 (Stumpf, Eken & others) & HF1240 (Fabian, Kiel, Marquart, Lien, Backer & others): \$17,000,000 for various statewide projects. This is a one year appropriation consistent with the needs of projects in the RRV and elsewhere in the the state.

**BWSR/Lac qui Parle Yellow Bank WD funding provided:** HF58 Swdzinski, SF34 Provides \$500,000 in bond proceeds to BWSR for the WD for engineering analysis of two floodwater retention projects. Referred to Capital Investments in Hs, referred to Senate ENR Fin & Policy committee. No action.

**River Watch:** SF752 (Stumpf, Eken, Westrom, Skoe)/HF618 (Kiel, Backer, Fabian, Marquart, Lien): \$150K each year from the Clean Water Fund for River Watch. This was not recommended by the Clean Water Council as it was not a statewide program.

**Grey Cloud Slough; Wash County, HF84 Schoen, SF83 Sieben, \$520,000, Grey Cloud Slough habitat improvement funding provided from the Outdoor Heritage Fund for a habitat restoration project that will improve water quality and restore essential backwater aquatic habitat. Referred to Hs Legacy Committee and Senate Finance.**

**Rural & Farmstead Ring Dike Funding:** HF1452 (Marquart, Kiel, Backer, Fabian)/SF???? (Eken, Stumpf, Westrom, Skoe): \$650,000/year general fund for cost-share on rural and farmstead ring dikes. Based on WD numbers there are somewhere in the range of 12 - 15 projects of interest. Cost is estimated at ~ \$75,000/project with 50% coming from the state grant. The appropriation request is for one-time general fund. Primary areas are WRWD; MSTRWD; BRWD.

**Proposed levy certification dates for special taxing districts changed; HF457** Applebaum, SF 555 Bonoff, Changes the levy certification date from Sept 15 to Sept 30<sup>th</sup>. Sent to taxes committees.

**Mediation Work Group Funding:** \$264,000/year is in the DNR's base biennial budget. So far no questions or issues raised during the DNR budget hearings.

**Red River Basin Commission Funding:** \$100,000/year is in the BWSR base biennial budget. The appropriation is matched by ND, Manitoba, SD, RRWMB, NDJWRB, and the NDWC. The RRBC Comprehensive flood strategy for the basin was completed in last couple years and have provided a framework for uniformity and consistency in water retention for both sides of the river.

**LSOHC:** HF0181(McNamara ; Hansen) SF0242 (Saxhaug ; Ingebrigtsen ; Tomassoni ; Stumpf): WRWD for Wild Rice River Corridor Habitat Restoration \$2,270,000 and SHWD \$990K for fish passage.

**WCA Amendments:** HF1489 (Hancock, Torkelson, Dill, McNamara, others)/SF1515 (Marty, Skoe, others): Provides for ILF mitigation option and establishment of HPA, high priority area designation for location of mitigation when on-site mitigation is not reasonable or practical. Could benefit water retention projects and stream restoration projects where wetlands are created, restored, protected. MAWD supports this legislation.

**Governor's Buffers Initiative:** SF1537 (Marty)/HF1534 (Torkelson): This is the Governor's buffer initiative for requiring a 50 foot buffer on all perennial waters in the state, including public and private ditches that have perennial flow. The effort would focus implementation through the SWCDs with CCRP buffer funding from USDA, FSA. Some exceptions to the 50 feet may be allowed under certain situations. The bill was heard in the HS Env Fin Committee and laid over. Expect some significant discussion and modifications if the bill proceeds. Passed the Senate Environment Policy Committee,



referred to the Jobs, Ag, and Rural Development Committee but not heard. Technically, by not being heard before policy committee deadline the bill is dead. But no one around the capitol believes the bill is really dead at this point. If the Governor wants to expend the political capital he will end up with something on buffers, but what that will be is the big question at this point. While MAWD generally supports the idea of increased buffers, we are arguing for increased flexibility from the governor's 50 ft. mandate in his legislation, and also believe landowners will need to get some funding for their property taken by the buffers.

Systems are already in place to deal with drainage system buffers and if those are mandated it should be up to the drainage authorities to determine the best way to proceed on buffering all ditches.

**404 Assumption Study:** HF690 (Fabian)/SF1225 (Stumpf): Directs BWSR to conduct a study on the assumption of 404 and report back to the legislature next year. This topic is worthy of a study .... 404 assumption by the state could significantly reduce the time to process wetland permits for our retention projects and eliminate some regulatory duplication. Heard in both the House and Senate committees and laid over for possible inclusion in omnibus bill.

**1 Watershed/Plan, Comprehensive Watershed Management:** HF (Rarick)/SF1433 (Scalze) : This bill is an outgrowth of the Local Government Roundtable involving MAWD, MASWCD, and AMC. This is meant to begin the process for those who want to move to a 1WD/1Plan approach in their watershed. This program is voluntary, and present plans can remain in place until the orgs within a watershed decide to move to one plan for the watershed. Heard on Tuesday in the Hs ENR Fin Committee and held over for possible inclusion in their finance or policy omnibus bill. No objections were raised on the bill. Passed into both finance committees.

**Legislative approval of water quality standards and rules required, water quality standards cost-benefit analysis required, and money appropriated.** HF616 Fabian, SF689 Eken. Referred to Hs ENR Finance, and Senate Enviro-Energy policy committee. Heard in the House committee, no action taken. While technically dead in the senate, watch for something to come out of the House ENR Finance committee's bill putting this type of language into play in the Environment & Natural Resources omnibus bill conference committee.

**Water quality work independent peer review required;** HF 617 Fabian, SF 690 Eken, referred to Hs ENR Finance Committee, referred to Senate Enviro-Energy policy committee. No hearing in either body, but also could be in play in the ENR Omnibus Finance bill.

**Public Drainage System Redetermination of Benefits:** HF1349 (Hansen) SF NA : Establishes a timeframe, July 1, 2020 for redetermination on systems that have not had a redetermination since May 20, 1977. The date is related to the legislation that required a buffer on all systems going through a redetermination after that date. Also required use of state of the art technology to make the redetermination more efficient and cost effective. Heard in the House environment finance committee. AMC, MAWD and the RRWMB all testified that we could live with this legislation if the timing were change and technologies could be perfected to accomplish this goal.

**AIS Trailer decal requirements & fees modified:** SF 669 Saxhaug, HF 1065 Uglem, Heard in the Senate ENR Policy Committee in mid-February. Amended to provide for a \$25 penalty for violating the AIS trailer decal requirement beginning Jan 1, 2017. Delays the requirement for violators to take AIS training after Jan 1, 2017, and delays the implementation of AIS training at no charge until Jan 1, 2016. Delays the AIS trailer decal requirement to Jan 1, 2016 and applies the requirement only to watercraft that is launched into waters of the state. Watch for more changes on this legislation before the end of session.

**AIS Funding:** HF 50 Drazkowski, SF 1369 Thompson, AIS prevention program requirements repealed. This legislation would repeal the additional funding added in the tax bill last years through the LGA to help local governments with the AIS challenge locally. There was an informational hearing in the Hs ENR Finance Committee with many favorable comments on the additional \$10 million in funding for AIS. It will be acted on in the House Taxes committee later on this session. Will be heard in the Senate on Thursday, April 9. Doubtful the elimination of this funding will have much traction in the Senate taxes committee considering Sen. Skoe, taxes committee chair was the original author of this funding legislation last session. Sen Skoe spoke very forcefully for continuing this funding at the AIS Summit in St. Cloud and at our MAWD Legislative Day at the Capitol.

**Disaster Assistance Deficiency Funding:** SF 1 Jensen, HF 164 Knoblach, Section 4 appropriates \$2.47 million to BWSR projects in 2014 disaster area. Passed and signed into law. Chapter 2.

**Disaster relief bond issue and appropriations:** SF699 Pratt HF748 Albright, Public Land and building betterment and acquisition and capital improvements spending authorized, bonds issued . Will be heard in the Senate on Friday.

Please share this MAWD Legislative Update with your managers, staff and key partners.

We are also attaching a copy of our talking point for our legislative positions on key issues at the capitol. Thanks.

## **MAWD Legislative Positions**

### **Bonding Legislation**

MAWD supports \$17 million in Flood Hazard Mitigation funding this session for the various projects proposed by the RRWMB and others across the state. This amount is needed to adequately fund the projects that are ready to begin or in some cases finish construction.

MAWD also supports the emergency funding request to complete rebuilding the damage from last year's floods.

### **Budget**

MAWD supports the funding recommendation of the Clean Water Council. This amount is needed to more adequately fund the water quality implementation projects that local units have ready to go on the ground.

### **1 Watershed/1Plan Legislation**

MAWD supports HF1490/SF1433 to begin the process for those who want to move to the watershed plan approach in their watershed.

### **Governor's Buffer Initiative**

MAWD supports increased buffering of our streams and drainage ditches, but realizes that one size (50 ft.) does not fit all. Increased flexibility in determining what is appropriate and where needs to be given to local governments charged with implementing any such buffer plan. Alternatives to buffering when appropriate need to be considered. In addition, funds must be provided to pay landowners for taking their land for this purpose. Funding must also be provided to the SWCD's if they are to ensure that appropriate landowner contact is made for buffers to be put into place to accomplish any goals of a buffering program. MAWD is committed to working with the Governor and Legislature to establish a fair and equitable program.

### **AIS Policy and Funding**

MAWD strongly supports the continuation of the local government aids funding to counties for AIS programs. These funds have allowed local units of government additional resources to better coordinate and lead the fight against AIS in Minnesota. We continue to support regulatory measures needed to protect our waters from AIS.

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