



THE PELICAN RIVER WATERSHED  
DISTRICT OF  
BECKER AND OTTERTAIL  
COUNTIES  
MINUTES OF REGULAR MEETING  
October 15, 2015

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

**Managers Absent:** Haggart, Michaelson

**Staff:** Administrator Guetter, Brenda Moses, Brent Alcott

**Consultants:** Karen Skoyles, Attorney

**Advisory Committee:** None

**Others:** NONE

The Regular Managers' meeting was called to order by President Kral at 6:15 PM

**CONSENT AGENDA.** The consent agenda (*add 2015 Minnesota Association of Watershed District's Certificate of Membership and Selection of Delegates for annual meeting*), including the October 2015 Administrator Report; Secretary's Report –September 8, 2015 Public Hearing & Regular Managers' Meeting Minutes; October 2015 Rules/Permitting Report; and October 2015 Ditch Inspector's Report (Brainard, Noyes), carried unanimously.

#### PROGRESS REPORTS

- a. **Personnel Committee** – The committee did not meet. The committee may meet in late November/early December to review 2016 employee supplemental benefit and Administrator annual review.
- b. **Aquatic Plant Committee** – The committee did not meet.
- c. **Citizen Advisory** – The committee did not meet.

#### OLD BUSINESS

- A. **Rice Lake Wetland Project Update.** As noted in the Administrator Report, the federal RCCP grant application was not awarded, but Guetter stated the district will be applying for BWSR targeted watershed funding in 2016.

#### TREASURER'S REPORT

- a. **October Claims. Approval of October 2015 Claims #14106- 14115, EFT 534-540 and EFT 549-563 (\$53,226.64).** The Managers reviewed the bills and transfers. **Motion to pay the October 2015 bills (Imholte, Brainard), carried unanimously.**
- b. **Bank Fund Transfers. Motion to transfer \$32,000 from Wells Fargo Savings to Checking account (Imholte, Okeson) carried unanimously.** It was later noted the savings to checking transfer amount should be \$44,000. **Motion to amend the bank fund transfer motion previously adopted to now read, " Motion to transfer \$44,000 from Wells Fargo Savings to Checking account" (Imholte, Okeson) carried unanimously.**
- c. **Financial Report.** The January – September 2015 Revenues and Expenses Report was reviewed by Treasurer Imholte. **Motion to approve the draft January-September 2015 R & E Report (Imholte, Noyes), carried unanimously.** The report will be filed for audit.
- d. **Treasurer Duties.** Imholte notified managers she will be resigning as treasurer in early November before her term is up due to family reasons. The Managers thanked Imholte for her years of service as the District's treasurer. Attorney Skoyles reviewed the District's Bylaws and advised that when an officer resigns, the President may appoint an interim officer to fill out the remaining term until officer elections are held in January. **Motion to authorize President Kral to appoint interim officers as needed to fill a vacancy until the next meeting of the Board of Managers is held (Okeson, Noyes), carried unanimously.**

#### NEW BUSINESS

- a. **Revised Management Plan Update.** Guetter reviewed the proposed work plan (plan framework, land and water resources inventory, Rules update, meetings, and final plan preparation) and estimated costs. Administrator Guetter stated she will be involved with the plan writing. The plan will follow the Board of Soil and Water Resources, "1 Watershed 1 Plan" template. **Motion to accept the Wenck proposal for the estimated amount of \$44,398 and other associated costs, not to exceed \$50,000 for the development and final plan preparation of the District's Revised Management Plan (Noyes, Kral), carried unanimously.**

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MINUTES OF REGULAR MEETING

**MAWD Delegate Selection.** The MAWD 2015 Certificate of Membership and Delegate appointment form, attached hereto, certified the District is in good standing with MN Statutes 103D, is a member of the Minnesota Association of Watershed Districts (MAWD), and designates managers Brainard and Noyes as delegates with Okeson as the alternate. **Motion to approve the Minnesota Association of Watershed Districts' 2015 Certificate of Membership & Delegate Appointment Form for the Pelican River Watershed District (Brainard, Imholte), carried unanimously.**

**PUBLIC FORUM – NONE.**

**ATTORNEY REPORT**– Nothing to report.

**ENGINEER REPORT** –Nothing to report.

**PULLED CONSENT AGENDA ITEMS – NONE**

**ANNOUNCEMENTS** – The 2015 Minnesota Association of Watershed District's Annual Meeting & Trade Show will be held December 3-5, 2015, in Alexandria, MN. The Association of District Administrators meeting and technical seminars will be held on December 2, 2015.

**ADJOURNMENT.** Motion to adjourn the meeting at 7:28 PM (Brainard, Okeson), carried unanimously.

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

Respectfully Submitted,  
David Brainard, Secretary  
*No tape was made of this meeting.*

\_\_\_\_\_  
Tera Guetter, Administrator

Minnesota Association of Watershed Districts  
2015 Certificate of Membership & Delegate Appointment Form

**The Pelican River Watershed District** hereby certifies that it is a watershed district duly established and in good standing pursuant to Minnesota Statutes 103D, and that it is a regular member of the Minnesota Association of Watershed Districts, Inc. for the year 2015.

**The Pelican River Watershed District** hereby further certifies that the names of its **two official delegates** to the Association are **David Brainard** and **Curtis Noyes** and the name of the **alternate delegate** is **Orrin Okeson** all of whom are managers in good standing of the Watershed District.

Date: October 15, 2015  
Pelican River Watershed District

\_\_\_\_\_  
David Brainard, Secretary, PRWD Board of Managers

**Pelican River Watershed District**  
**Claims Paid**  
**October 2015**

<u>Date</u>	<u>Num</u>		<u>Amount</u>
<b><u>Expenses Paid by Check - WF Acct.</u></b>			
10/16/2015	14106	Ailie Tree Service, Inc.	962.50
10/16/2015	14107	Arvig	52.88
10/16/2015	14108	Bank of America	818.37
10/16/2015	14109	Becker County	10,543.00
10/16/2015	14110	Bell State Bank & Trust	32,000.00
10/16/2015	14111	County 6 Amoco & Bait	313.09
10/16/2015	14112	L & M Supply	15.56
10/16/2015	14115	Office of Enterprise Technology	88.61
10/16/2015	14113	Swanson's Repair	58.62
10/16/2015	14114	Verizon	60.45
			<u>\$ 44,913.08</u>
<b><u>Expenses Paid Electronically - Bell Acct.</u></b>			
10/19/2015	EFT-549	*Alcott, Brent	91.53
10/19/2015	EFT-550	*Anderson, Terry	40.75
10/19/2015	EFT-551	*Guetter, Tera	465.50
10/19/2015	EFT-552	*Moses, Brenda	25.30
			<u>\$ 623.08</u>
10/19/2015	EFT-553	RMB Environmental Laboratories, Inc.	1,512.50
10/19/2015	EFT-554	Wells Fargo-Office Lease	1,299.58
10/19/2015	EFT-555	Wenck Associates, Inc	2,681.70
10/19/2015	EFT-556	Xerox Corporation	203.72
			<u>\$ 5,697.50</u>
<b><u>3rd Qtr Manager Expenses</u></b>			
10/19/2015	EFT-557	.Brainard, D.	18.98
10/19/2015	EFT-558	.Haggart, J.	17.25
10/19/2015	EFT-559	.Imholte, G.	27.03
10/19/2015	EFT-560	.Kral, D.	23.00
10/19/2015	EFT-561	.Michaelson, Rick	32.20
10/19/2015	EFT-562	.Noyes, Curtis	16.10
10/19/2015	EFT-563	.Okeson, O.	34.50
			<u>\$ 169.06</u>
<b><u>3rd Qtr Manager Per Diems</u></b>			
10/19/2015	EFT-534	.Brainard, D.	277.05
10/19/2015	EFT-535	.Haggart, J.	207.79
10/19/2015	EFT-536	.Imholte, G.	300.14
10/19/2015	EFT-537	.Kral, D.	277.05
10/19/2015	EFT-538	.Michaelson, Rick	277.05
10/19/2015	EFT-539	.Noyes, Curtis	277.05
10/19/2015	EFT-540	.Okeson, O.	207.79
			<u>\$ 1,823.92</u>
Total October Expenses			\$53,226.64
Less Bell State Bank Transfer			<u>\$ (32,000.00)</u>
			<u>\$ 21,226.64</u>

Pelican River Watershed District

Claims Paid

October 2015

<u>Date</u>	<u>Num</u>		<u>Amount</u>
<b>October Payroll - Direct Deposit</b>			
10/8/2015	541-545	Employee Payroll	5,069.96
10/16/2015	546-548	Supplemental Benefit	1,207.70
10/22/2015	564-567	Employee Payroll	4,211.08
10/31/2015		Federal Withholding Tax	4,266.00
10/31/2015		Minnesota Withholdint Tax	664.00
10/31/2015		PERA	1,843.08
10/31/2015		NACO-457 Employee Deduction	1,773.63
10/31/2015		MN HCSP	300.00
			<b>\$ 19,335.45</b>

Secretary Approval: \_\_\_\_\_

Administrator Approval: \_\_\_\_\_

**Pelican River Watershed District  
Administrator Monthly Report  
November 13, 2015  
[www.prwd.org](http://www.prwd.org)**

**MAIN DISTRICT WATER QUALITY INITIATIVES**

**Buffer Law Implementation :** Failure to Implement Policy. Please find enclosed the draft BWSR policy for MN Statutes 103F.48. Please review the document and responsibilities for watershed districts. Ray Bohn has asked to have our comments submitted to him by November 20<sup>th</sup>.

**DL Overlook Restore the Shore Improvements** –Alcott, Gulon, & Steigel, (City of DL) marked areas for shoreline toe protection repair and work was completed in early November.

**Drainage Inventory (BWSR GRANT)** – Alcott completed Ditch 12 inventory and parts of Ditch 11. Two beaver dams were noted on Ditch 11 north of Whiskey Creek Road. Data collected includes elevations, stream bank condition, vegetation, erosion areas, and best management practice locations and conditions.

**Rice Lake Wetland Restoration** – A clean water grant proposal will be worked on in December.

**WATER MANAGEMENT RULES**

**Permits - see Rules Report.** Alcott continues to work on site violations.

**2016 Permit Fees.** There have been no changes to permit review fees since 2003. Moses has reviewed fees collected and paid out for site reviews over the last two years and findings are attached. She has also been researching online what other Districts are charging. A new permit fee schedule proposal will be made at the November board meeting for 2016.

**Becker County Ordinance Review Committee** – the committee met on October 15 and reviewed proposed amendments to the ordinance – natural environment lake lot sizes and the definition of “building expansion”. The committee (Harry Johnston, Dave Knoff, Ray Vlasak, Scott Walz, Jerome Flottemeisch and Commissioners Knudsen and Nelson) is proposing to lessen the current lot size standards on Natural Environment Lakes. The current standard is more stringent than the state standard and was changed a decade ago to encourage cluster/open space development and discourage traditional “lot & block” development. In an advisory capacity, a letter was sent to the committee requesting they reconsider their current recommendation with a suggested compromise alternative (see attached letter). In addition, the committee will also be considering eliminating the non-conforming “string line setback plus 20Ft” even though many new construction homes have been built using this “plus 20ft.” standard. If there is a true hardship, a landowner can apply for a variance. It is perplexing with millions of dollars collected and spent from the “clean water fund” each year, these standards are being relaxed with no documented basis presented. The Districts mission is to protect and enhance the waters within its jurisdiction and make wise decisions concerning their use. Land use directly impacts water quality and these contemplated ordinance changes are steps which are not in environmental harmony with the District’s mission and the public will continue to pay for the actions of the “benefiting” few. The next meeting is on November 19<sup>th</sup>.

**City of Detroit Lakes.** Community Development Committee Alcott attended the November 5<sup>th</sup> meeting. He noted the overuse of pervious pavers on recent redeveloped properties (3,000 – 4,000 SF of pavers used) He will be working with the City to develop a more comprehensive pervious paver plan and limit the usage per site.

**Airport Meeting** – Guetter attended an airport expansion meeting on October 29, 2015 to discuss the objectives, benefits, ground rules, and proposed timeline for the NEPA/404 merger (environmental review) and present, discuss, and seek concurrence on the project purpose and need documentation. Comments were given relating to the St. Clair Lake TMDL (clarified even though airport and DL waste water treatment facility operate independently, they are physically connected and physical changes affect the operations of both entities and there must be sequencing; the wastewater treatment ponds are located within the original St. Clair lakebed – establish/clarify any jurisdictional issues; address water quality impacts from filling 25-30 acres of wetland). Copies of the Hydraulic study Ditch 14 and the St. Clair Lake TMDL were sent to the consultant to assist with this effort. Other points that came out were in 2013 the airport was reclassified as an intermediate airport to a “key” airport; 5,200 ft of runway is the determined “sweet spot” (current runway is 4,800 ft); an ordinance will need to be established limiting development in areas north and south of runway, wetland mitigation options need to be reviewed sooner rather than later and gave them contacts for Becker SWCD.

## MONITORING

**Lake and Stream Monitoring** Data is being compiled and will be submitted to MPCA EQUIS. Alcott will be writing up a water quality report.

## EDUCATION/OUTREACH

**Outreach Materials** – Moses has ordered backpacks with the new catch phrase “Clean water starts with me” to be distributed to students during educational sessions. We are trying to promote personal responsibility and every action counts. Also we are gearing up to create a new booklet for lakeshore owners. We will work with Becker COLA and key lake groups to help us with content. COLA has pledged to help with printing costs and we will solicit funds from other watersheds and LGU’s as well.

**KDLM Radio** – Alcott was the October guest and spoke about weather, water levels, and 2015 water quality data.

**Holy Rosary** – Moses spoke to middle school age students regarding AIS in the region and what is needed to stop the spread. The students were very engaged and asked many questions.

**MN Water Resources Conference** – Guetter attended October 13 & 14 at the St. Paul River Center. Stormwater management research and techniques were presented. Tom Schueller (the Godfather of Stormwater Management”) presented for ½ day session. Many ideas and information from the conference will be incorporated into the District’s RMP and Rules. An excellent conference.

**BWSR Academy** – Alcott attended the BWSR Academy on October 27-29 in Brainerd. He attended sessions regarding “Prioritizing, Targeting and Measuring”, “Buffer information and implementation” and Technology to Reduce Phosphorous Impacts”.

**Land Use Planning** – Alcott and Eric Evenson-Marden with Becker County attended a workshop in St. Cloud on October 22 which covered variance laws and rules in shoreland districts. It was another excellent workshop.

## AQUATIC PLANT MANAGEMENT

**U of MN AIS Research Center Advisory Committee.** A draft strategic plan is under review. The committee met on November 4 to finalize the strategic plan.

**MN DNR AIS Advisory Committee** – The committee will be meeting in January 2016 with MN DNR Commissioner Tom Landwehr to discuss the agencies direction with regards to aquatic invasive species. The next committee meeting is December 2<sup>nd</sup> in St. Cloud.

## GENERAL ADMINISTRATION

**Revised Water Management Plan** – the consultant agreement is in the review process (legal) and is expected to be finalized in the near term. Guetter is meeting with BWSR personnel on November 23<sup>rd</sup> to review our timeline and process.

**Governance Manual** – Over the years, the Board of Managers have adopted a number of policies and procedures for District operations. Guetter is in the process of compiling the documents for a PRWD “Governance Manual”. Each policy is being reviewed using the Minnesota Association of Watershed District’s Handbook and the League of MN Cities (LCMIT) model policies. After reviewing, Guetter will make update recommendations to the Board for review and approvals. The manual will include items such as the Bylaws, Conflict of Interest Policy, Public Purposes Expenditures and Financial Controls, Data Practices Act Policies, Records Management and Retention (electronic and hard copy form), Mobile Media Policy, Personnel Manual, etc.

**Mobile Media Policy** – The LMCIT recommends having a policy for personal mobile media. Enclosed is a draft policy for review at the November Board meeting.

**Office Furniture** – Mark Nelson delivered the office furniture (desks, bookcases, and tables).

### Ditch Inspector’s Report November 2015

**Ditch 11/12** – 2 dams in Ditch 11- reported to Roger Lundberg.

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

**Ditch 14** – Nothing to report.

Roger Lundberg recently notified us he is having health issues and we will need to find another person to assist with our current beaver and blockage issues. Guetter has been putting out the word we are looking for assistance and if anyone has some names, please contact the office.

# RULES OF ENFORCEMENT



## November 2015

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

15-96	Troy & Julie Moore	1189 West Lake Dr.	Impervious Surface/Rip Rap
15-97	JJW Properties	24901 County Hwy 6	Impervious Surface Coverage

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

Dave Snyder—1478 West Lake Dr.—have not received site plan

Jeff Roberts—26587 Paradise Point Rd.—Retaining wall repair— submitted to district engineer

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

Sandra & Randy Gram—13381 West Lake Sallie Dr.—Unpermitted tree removal, applied for permit, site plan needed.

Joseph Dahlen—13369 West Lake Sallie Dr.—Unpermitted tree removal, applied for permit., site plan needed.

Mike & Jenny Gunderson—1300 East Shore Dr.—Stop work order issued—Unpermitted shoreland work. Over 25% impervious surface coverage. Waiting for required survey.

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

***None***



PELICAN RIVER WATERSHED DISTRICT  
RESOLUTION FOR LMCIT LIABILITY COVERAGE LIMITS  
PERSUANT TO MN STATUE 466.04

On November 19, 2015 Dennis Kral, President of the Board of Managers, offered the following resolution and moved its adoption.

WHEREAS the District obtains liability coverage from the League of Minnesota Cities Insurance Trust and must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased;

WHEREAS if the District does not waive the statutory tort limits, an individual claimant would be able to recover no more \$500,000.00 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to the statutory tort limits apply is limited to \$1,500,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT the Pelican River Watershed District Board of Managers have agreed to accept liability coverage limits of \$1,500,000.00 from the League of Minnesota Cities Insurance Trust and that the District does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Manager \_\_\_\_\_ seconded the adoption of the resolution, and it was adopted on the following vote:

Ayes\_\_\_\_ Nays\_\_\_\_

DATE: November 19, 2015

Signed \_\_\_\_\_  
David Brainard  
Pelican River Watershed District Secretary

Motion \_\_\_\_\_

2<sup>nd</sup> \_\_\_\_\_

Approved\_\_\_\_\_