

MINNESOTA RIVER WATERSHED DISTRICT MINUTES

Wednesday, October 16, 2013

Approved December 18, 2013

1. CALL TO ORDER

President Francis called the regular meeting of the Board of Managers of the Lower Minnesota River Watershed District to order at 7:00 p.m. on Wednesday October 16, 2013 in the Council Chambers at Chaska City Hall, Chaska, Minnesota.

2. ROLL CALL

Managers present: Kent Francis, Yvonne Shirk, Carla Shutrop, Len Kremer

Managers Absent: none

Also present: Terry Schwalbe, Administrator, Clint Gergen, CHS, Lance Hoff, and Dan Murphy

3. APPROVAL OF MEETING AGENDA

Manager Kremer requested to add the following items to the agenda:

- New Business: 9 a. State Statute 103 D, Metro MAWD Proposed Changes
- Old Business: 10 f. CHS Funding

President Francis asked that the September 11, 2013 minutes be pulled from the consent agenda. After discussion it was moved and seconded to approve the Meeting Agenda with the above changes. VOTE: Ayes 4; Nays 0 Motion carried.

4. CONSENT AGENDA

After discussion it was moved and seconded to approve the Consent Agenda including the June 19, July 24, and August 24, 2013 minutes along with the October 16, 2013 Treasurer's Report and Payment of Bills. VOTE: Ayes 4; Nays 0 Motion carried

5. OPEN FORUM

None.

6. SEPTEMBER 11, 2013 REGULAR MEETING MINUTES

Managers Francis and Shutrop questioned the quality of the minutes and Manager Francis stated he would edit the minutes and bring them back for approval.

7. PRESENTATIONS

None

8. PRESENTATIONS FOR BOARD ACTION

None

9. NEW BUSINESS

103 D, Metro MAWD Proposed Changes

Manager Kremer stated that MAWD has appointed a committee to review Minnesota Statute 103 D and recommend any needed changes to the Statute. Manager Kremer stated

that the board should recommend a change whereby Watershed Districts would have the ability to assess benefitted properties of projects, on a sub watershed basis annually. He also suggested having the District come up with the modification with assistance from Attorney Malkerson. Manager Shutrop thought having the attorney look at the Statute would be expensive. Manager Kremer felt the expense would be minimal. Manager Kremer also stated that some modifications to the statute need to be made by the Legislature and others aren't.

After further discussion it was moved and seconded to have Manager Kremer and Attorney Malkerson meet to draft the change. VOTE: Ayes 4; Nays 0 Motion carried.

10. OLD BUSINESS

a. Administrative Services

President Francis distributed to the managers a list of questions he received from Linda Loomis with regards to the Contract she was offered by the District to perform the duties as the Administrative Consultant for the District. The managers then reviewed the questions and gave their opinions to President Francis. He will contact Carver County about bookkeeping and request they become the official depository for the district. Francis will make the appropriate changes and mail Ms. Loomis the revised contract. Administrator Schwalbe asked a question about his severance. President Francis stated it was his understanding that Administrator Schwalbe could leave at any time with 2 weeks' notice. Schwalbe stated he would like to be clear in his understanding of his severance so he could plan for the future. President Francis requested Administrator Schwalbe to provide him with a copy of his employment agreement. Schwalbe said he would email it.

After further discussion it was moved and seconded to have President Francis contact Campbell Knutson and discuss Schwalbe's agreement. VOTE: Ayes 4; Nays 0 Motion carried.

b. River Tour

The managers discussed the success of the River Tour. Manager Shutrop stated that Senator Pratt suggested the district contact the Mdewakanton Tribe to see if they would be interested in the dredge material as part of their composting operation. The managers also stated it is important to get the packet materials which were distributed at the Tour to those who could not attend the event. President Francis said he would take care of this.

c. USACOE Update

Administrator Schwalbe reported that he had not received a report from the USACOE regarding the meeting he and Attorney Malkerson attended. He did state he had spoken with Steve Tapp of the USACOE and that Mr. Tapp was finishing up his comments and would be forwarding those to his legal department shortly. Administrator Schwalbe stated he had his notes. Manager Shirk requested that Administrator Schwalbe provide her with his notes. Administrator Schwalbe stated he would email them to her.

d. USGS Joint Funding Agreement

Administrator Schwalbe stated the agreement was not ready for signatures.

e. 2014 Budget

President Francis stated Administrator Schwalbe should bring the approved Preliminary Budget to the November meeting and recommended the district should approve it as the Final at that time. Administrator Schwalbe was instructed to check with Attorney Malkerson with regards to advertizing and final approval procedures prior to the November meeting.

f. C.H.S. Funding

President Francis asked Administrator Schwalbe how much was budgeted in 2013 for the Cost Share Incentive Program. Administrator Schwalbe stated \$20,000 was budgeted and the district awarded \$3,500 to the Carver Scott Education Coop. for its rainwater garden project. Administrator Schwalbe also felt the C.H.S. Project fit under the program criteria. Manager Kremer stated he did not think it fit the criteria. President Francis asked what the criteria were and the deadline? Administrator Schwalbe stated the deadline was in June and that the request was received prior to the deadline, he also said that part of the criteria was to help fund projects which have a positive effect on enhancement of recreation and navigation. Manager Kremer restated he did not think it fit the criteria. President Francis then stated that with the district struggling with finances the board should table the issue at this time.

11. Administrator Report

Administrator Schwalbe stated he had nothing new to report. Manager Kremer then requested that Administrator Schwalbe have Bill Monk from the City of Chaska attend the November meeting to update the board on the Seminary Fen Ravine Restoration Project. Administrator Schwalbe stated he would contact Mr. Monk.

12. Attorney's Report

None

13. Upcoming Meetings / Tours / Events

Administrator Schwalbe stated the MAWD Annual Meeting & Trade show would be held December 5-7, 2013 at the Arrowwood in Alexandria, MN. Voting delegates and proxies will need to be appointed at the November meeting. Manager Kremer said he would be attending. President Francis said he would look at his schedule and report at the November meeting if he can attend.

LOWER MINNESOTA RIVER WATERSHED DISTRICT
BOARD OF MANAGERS
Wednesday, October 16, 2013
MEETING MINUTES

14. ADJOURNMENT

It was moved and seconded to adjourn at 8:55 p.m. VOTE: Ayes 4; Nays 0.

Kent Francis, President

Attest:

Linda Loomis, Administrator