

Benton SWCD
Regular Board Meeting Minutes
USDA Service Center, Foley, MN
June 17th, 2009

Attendance: Supervisors - Joe Jordan, Chuck Rau, Wade Bastian, Bernie Thole and Phil Grosland.
Staff advisor - Gerry Maciej

I. Call meeting to order

The meeting was called to order by Bastian at 8:31 A.M.

II. Pledge of Allegiance - Recited

III. Approve Agenda

Maciej asked to remove the following items. VII Conservation Plans, R. Bob Schyma – CWL-71 New Contract and Request for Payment and VIII Action Items, B. New Business, 4) Clean Water Legacy contracts for manure management costs. Maciej asked for correction to remove “New Contract” under VII Conservation Plans, O. Joe Kuklok, P. Maury Ryberg and Q. Bernie Thole. Motion by Jordan, second by Rau to approve the agenda with the changes. All were in favor. The motion passed.

IV. Revise the April 15, 2009 Meeting Minutes

The minutes from the April 15, 2009 meeting state that the meeting adjourned at 11:17 P.M. when the meeting actually adjourned at 11:17 A. M. Motion by Rau, second by Thole to rescind the motion to approve the April 15, 2009 meeting minutes. All were in favor. The motion passed. Motion by Thole, second by Grosland to approve the revised April 15, 2009 meeting minutes. All were in favor. The motion passed.

V. Minutes of Previous Meeting

Motion by Rau, second by Jordan to table this item until the July board meeting. All were in favor. The motion passed.

VI. Treasurers’ Report

Maciej presented the Money Market Account Report, Account Quick Report and May Program Summary Report. Motion by Grosland, second by Thole to approve the reports. All were in favor. The motion passed. Maciej presented the Accounts Payable report. Motion by Jordan, second by Grosland to approve the accounts payable report and pay bills. All were in favor. The motion passed.

VII. Conservation Plans

- A.** Donna Lea and Robin Foster, NB09-01, New Contract – Maciej indicated that the Little Rock Lake Association will be partnering with the SWCD on this project. They have indicated that they will be contributing up to 50% of the out of pocket expense and in-kind contribution in the form of planting during the installation phase. Motion by Rau, second by Jordan to approve contract NB09-01 in the amount of \$874.00. All were in favor. The motion passed.
- B.** Bob Schyma, CWL-69, Payment request - Motion by Grosland, second by Thole to approve the payment request for contract CWL-69 in the amount of \$300.00. All were in favor. The motion passed.
- C.** Jason Smelter - CWL - 42 New Contract and Request for Payment - Motion by Rau, second by Thole to approve contract CWL-42 in the amount of \$150.00. All were in favor. The motion passed. Motion by Grosland, second by Thole to approve the payment request for contract CWL-42 in the amount of \$150.00. All were in favor. The motion passed.
- D.** Brian Montag - CWL - 55 - Request for Payment - Motion by Rau, second by Thole to approve the payment request for contract CWL-55 in the amount of \$1,145.84. All were in favor. The motion passed.

- E.** Russel Kath - CWL - 58 Request for Payment - Motion by Thole, second by Rau to approve the payment request for contract CWL-58 in the amount of \$1,341.37. All were in favor. The motion passed.
- F.** Kevin Mehrwerth - CWL - 64 Request for Payment - Motion by Grosland, second by Thole to approve the payment request for contract CWL-64 in the amount of \$6,912.36. All were in favor. The motion passed.
- G.** Roy Schneider - CWL - 65 Request for Payment - Motion by Grosland, second by Rau to approve the payment request for contract CWL-65 in the amount of \$3,159.29. All were in favor. The motion passed.
- H.** Richard Winkelman - CWL - 66 Request for Payment - Motion by Thole, second by Grosland to approve the payment request for contract CWL-66 in the amount of \$1,325.83. All were in favor. The motion passed.
- I.** Ed Popp - CWL - 29 New Contract and Request for Payment - Motion by Grosland, second by Thole to approve contract CWL-29 in the amount of \$150.00. All were in favor. The motion passed. Motion by Grosland, second by Thole to approve the payment request for contract CWL-29 in the amount of \$150.00. All were in favor. The motion passed.
- J.** Phil Nelson - CWL - 8 Request for Payment - Motion by Grosland, second by Jordan to approve the payment request for contract CWL-8 in the amount of \$2,555.89. All were in favor. The motion passed.
- K.** Steve Stumvol - CWL - 13 New Contract and Request for Payment - Motion by Rau, second by Grosland to approve contract CWL-13 in the amount of \$150.00. All were in favor. The motion passed. Motion by Rau, second by Thole to approve the payment request for contract CWL-13 in the amount of \$150.00. All were in favor. The motion passed.
- L.** Dave Emslander - CWL - 26 Request for Payment - Motion by Rau, second by Thole to approve the payment request for contract CWL-26 in the amount of \$150.00. All were in favor. The motion passed.
- M.** Denny Popp CWL - 73 New Contract and Request for Payment - Motion by Rau, second by Jordan to approve contract CWL-73 in the amount of \$450.00. All were in favor. The motion passed. Motion by Grosland, second by Jordan to approve the payment request for contract CWL-73 in the amount of \$450.00. All were in favor. The motion passed.
- N.** Phil Nelson - CWL - 72 New Contract and Request for Payment - Motion by Jordan, second by Thole to approve contract CWL-72 in the amount of \$300.00. All were in favor. The motion passed. Motion by Jordan, second by Thole to approve the payment request for contract CWL-72 in the amount of \$300.00. All were in favor. The motion passed.
- O.** Joe Kuklok - CWL - 68 Request for Payment - Motion by Grosland, second by Thole to approve the payment request for contract CWL-68 in the amount of \$150.00. All were in favor. The motion passed.
- P.** Maury Ryberg - CWL - 70 Request for Payment - Motion by Grosland, second by Jordan to approve the payment request for contract CWL-70 in the amount of \$300.00. All were in favor. The motion passed.
- Q.** Bernie Thole - CWL - 71 Request for Payment - Motion by Rau, second by Jordan to approve the payment request for contract CWL-71 in the amount of \$600.00. Rau, Grosland, Jordan and Bastian were in favor of the motion. Nobody was opposed to the motion. Thole abstained. The motion passed.

VIII. Action Items

A. Old Business

- 1) Signage at the Martinson erosion control project – Katie Evans, District Technician, presented information about a potential sign for the Martinson erosion control project. Evans received four price quotes from two companies for signage. A third company did not provide a bid by the meeting. There was board consensus to add the Benton SWCD phone number to the sign and add color to the back of the sign. Motion by Jordan, second by Grosland to move forward with purchasing a sign from M & R Signs with a colored back, and to purchase sign posts and mounting hardware, to be paid for from the education account. All were in favor. The motion passed.

B. New Business

- 1) Finance Committee Recommendations – On behalf of the finance committee Maciej presented recommendations for making changes to the 2009 budget and a draft for the 2010 operating budget. The committee recommended the following changes to the 2009 budget: Reduce Tree Program revenue by \$2,000.00, Increase Elk River Watershed TMDL's by \$1,280.00, Decrease Professional Fees expense by \$5,350.00, Decrease Tree Program expense by \$500.00 and Increase Plat Book expense by \$7,500.00. The full budget deficit will increase from \$16,051.84 to \$18,421.84. Motion by Rau, second by Grosland to approve the changes to the 2009 budget. All were in favor. The motion passed. The 2010 draft operating budget and associated description sheet were presented by Maciej. The 2010 budget has a deficit of \$49,749.00. There was discussion about the need to have unencumbered cash on hand to be able to operate the district. The district cannot use cost share and other deferred revenue already received from the state to pay for operating expenses. A cash flow is necessary to account for the timing of revenues, including paying for some services (i.e. Elk River Watershed Association assistance, Little Rock Lake and Creek TMDL's) that are paid for by the district and reimbursed at a later time. There was consensus that a bare minimum of 10% of the operating budget needs to be available for cash flow purposes (approximately \$36,000). The balance of the available unencumbered cash of the district is not expected to cover the projected deficits for 2009 and 2010. There was discussion about the possible impacts the proposed 2010 budget will have on the districts programs and ability to provide service to its clients. There was discussion about the potential impacts to securing revenue from the new Clean Water Fund (3/8 of 1% new sales tax fund). Maciej presented information about the Clean Water Fund he received from BWSR. It appears that there will be a small percentage of the fund available to pay for technical and administrative assistance. There was discussion about potential options for reducing the projected 2009 and 2010 deficits. Motion by Jordan, second by Thole to approve the draft 2010 operating budget as presented. All were in favor. The motion passed.
- 2) FY07 Clean Water Legacy grant wrap up – Maciej informed the board that all encumbered cost share has been paid. The balance of the FY07 funds will be used to purchase some needed equipment and to pay for manure, soil and plant testing for manure management activities. Using the remaining funds for these items and services was verified with BWSR staff a second time by Maciej. Motion by Rau, second by Grosland to authorize the District Manager to purchase the services and items with FY07 Clean Water Legacy funds. All were in favor. The motion passed.

- 3) West Central Technical Service Area Joint Powers Agreement – Maciej recited Resolution 09-02 to join the West Central Technical Service group. Motion by Grosland, second by Thole to approve the resolution. Bastian called a roll call vote. All were in favor of the motion. The motion passed. By consensus the board reauthorized Bernie Thole and Phil Grosland (ISA committee) to represent the Benton SWCD on the WCTSA board of directors. Motion by Thole, second by Grosland to enter into the West Central Technical Services Area Joint Powers Agreement and authorize the Chair and Secretary to sign. All were in favor. The motion passed.
- 4) DNR Ground Water Monitoring Program agreement – Maciej informed the board that the agreement is for measuring the same observation wells as last year. Motion by Grosland, second by Thole to enter into the agreement with the Minnesota Department of Natural Resources and authorize the chair to sign. All were in favor. The motion passed.

IX. Progress Reports

- A. Staff Accomplishments – The reports were reviewed.
- B. Tiffany Determan – Watershed Coordinator – This was reviewed.
- C. Dan Martens – U of M Extension – Martens provided information about the following items: A biomass feedstock tour, the hay auction sales in Sauk Centre, dairy breakfast on the farm and four farm tours in neighboring counties.

X. Information Items

A. Committee Reports

- 1) Mississippi River Renaissance Project meeting – May 21 (Wade and Gerry) Bastian provided a report.
- 2) WRAC meeting – May 26 (Chuck and Gerry) Rau provided a report.
- 3) MMM RC&D Meeting (Gerry) Maciej provided a report.
- 4) MASWCD Area 2 meeting – June 4 (Bernie and Gerry) Thole and Maciej provided a report.
- 5) Central Minnesota Joint Powers board meeting – June 11 (Bernie and Gerry) Thole provided a report. JPA 5 decided to purchase insurance from MCIT to cover future liability on projects that have been designed by JPA 5 staff. All member districts present signed a resolution to dissolve the Joint Powers Entity effective on June 30th.
- 6) Benton Beach Buffer Workshop – June 13 (Chuck) Rau provided a report.
- 7) ERWA meeting – June 15 (Joe and Gerry) Jordan and Maciej provided a report. The MPCA and other entities that manage water resources were present to discuss the MPCA’s watershed management planning approach. This approach has started in the Upper Mississippi River – Sartell watershed. The MPCA is asking local entities to work together to develop a comprehensive watershed management plan.

B. Old Business

- 1) Benton County plat book update – This item was moved to the end of the agenda.
- 2) Elk River Watershed primer (tabled from May) - This item was moved to the end of the agenda.
- 3) Tree program advertising summary - This item was moved to the end of the agenda.
- 4) Schraut erosion control project update – District Technician Katie Evans provided information about this erosion control project. It is possible that the owners will have

to remove the patio, deck and stairs to become compliant with ordinances. There was discussion about the complexity of the erosion control problem and the timeline in which the majority of the problem was created. It was pointed out that with most cost share programs (for example feedlots), the problem must exist for a specific period of time, or have been created by forces outside the control of the landowner in order to be eligible for assistance. There was discussion about using the TSA 2 engineer for assistance on the project on a fee basis. The board asked Evans to follow up with the TSA 2 engineer to determine if the owners can work directly with the TSA 2 engineer (to eliminate SWCD staff time on the project).

- 5) Supervisor orientation and refresher conference – Rau and Grosland expressed interest in attending the conference but were not able to commit to attending at this time. They indicated that they would make a decision by June 30th. The conference is scheduled for the same time as the July SWCD board meeting. Maciej indicated that the July meeting would likely be a joint meeting with the Water Resources Advisory Committee and that an alternative location may be needed. Motion by Rau, second by Grosland to reschedule the July SWCD board meeting to July 7th, 8:30 A.M., location to be determined by the District Manager. All were in favor of the motion. The motion passed.

C. New Business

- 1) Constitutional amendment brainstorming session (tabled from May) – This item was discussed during the Finance Committee Recommendations and 2009 Tour of Practices item.
- 2) 2009 Tour of Practices – Maciej suggested that a tour of conservation practices be held again this year. Maciej indicated that it may be difficult for staff to commit to both a constitutional amendment community listening session and a tour of practices. Additionally now that details of clean water fund grants are becoming available, the timeline for a SWCD brainstorming session is narrowing. By consensus the board asked Maciej to move forward with plans for a tour of conservation projects and put on hold for now plans for constitutional amendment related sessions. The board asked Maciej to schedule the tour sometime during August.
- 3) SWCD Water Resources Advisory Committee (WRAC) joint meeting – Maciej notified the board that Kimberly Thielen-Cremers, Central Minnesota Mississippi River Renaissance Coordinator, has offered to make a presentation about the Mississippi River Renaissance project to the SWCD board and Water Resources Advisory Committee. This presentation will fit in well with the July board meeting. Maciej provided information about Mississippi River Renaissance events including the July 29th boat tour of the Mississippi river and the August 8th Take a Day Off on the Mississippi River event.
- 4) Consider handbook revisions – Maciej reviewed the sections of the new handbook that are different in content from the current handbook. Under the vacations section there was consensus to change the amount of vacation allowed to be carried over into the next calendar year from 40 hours to 80 hours. There was discussion about item f., page 27 (sick leave). Maciej was asked to research the possibility of merging vacation leave and sick leave into a “paid time off” section, thus eliminating vacation and sick leave. Rau left the meeting at this time. Maciej reviewed the sections of the current handbook that are not included in the revised version. Maciej advised that applicable sections of the current handbook could be used as a guide for policy until

a new guidelines document can be developed. There was board consensus on this matter and Maciej was instructed to use his discretion on determining what sections are applicable. There was consensus to discontinue the procedure in item 11, page 8 (reviews). Motion by Grosland, second by Thole to approve the Personnel Rules and Policy handbook as presented with the exception of changing the amount of annual leave carry over from 40 hours to 80 hours. All were in favor. The motion passed.

Motion by Jordan, second by Thole to table items 1-3 under old business. All were in favor. The motion passed.

XI. **Correspondence**

A. March 24, 2009 WRAC meeting minutes

XII. **Adjourn**

Bastian adjourned the meeting at 1:19 P.M.

Calendar of Future Events:

June 18, MCIT training session

July 7, Benton SWCD board meeting – Location to be determined

July 14-15, MASWCD supervisor orientation and refresher conference

July 16, MMM RC&D meeting

July 20, ERWA board meeting