

**PINE COUNTY SOIL AND WATER CONSERVATION DISTRICT
MINUTES
December 17, 2009**

The Pine County Soil and Water Conservation District Board of Supervisors held their monthly meeting on Tuesday, November 24, 2009. Supervisors present were Paul Olesen, Skip Thomson, Kelly Osterdyk and JJ Waldhalm. Office staff present were: Jill Carlier, District Manager; Tim Olson, Office Assistant; Robin Poppe, Resource Conservationist/Wetland Specialist; and Sam Martin, Water Management/GIS Specialist.

CALL TO ORDER: Osterdyk called the board meeting to order at 4:30 p.m.

PUBLIC COMMENT PERIOD:

Don Slama provided the board with an outline for the water plan. He has already given Martin and Carlier copies.

Brian Weidendorf stated he would like to address the board regarding wetland and zoning laws concerning his land development in northern Pine County. Osterdyk stated this issue would be discussed more in depth during the wetland report.

Randy Rabe stated the wetland regulations are affecting his business as well as other contractors.

Dave Koland stated he is giving the board a rating of "2". He stated the district has a poor reputation for helping the public.

APPROVAL OF AGENDA:

Motion by Olesen, seconded by Thomson to approve the December agenda with revisions.

Motion carried

NOVEMBER MINUTES:

Motion by Olesen, seconded by Thomson to approve the November minutes with changes.

Motion carried

DECEMBER PAYMENT OF BILLS:

Motion by Olesen, seconded by Thomson to approve the December payments of bills, including a \$20,000 funds transfer.

Motion carried

PUBLIC ROAD INFORMATION TRAINING:

Carlier stated that a copy of the memo regarding the townships was in their packet. A training will be held on January 30th from 9:00 a.m. to 12:00 p.m. at the Hinckley Community Room.

2010 BUDGET:

Carlier stated the county approved the district budget "as submitted". A copy of the budget was supplied to the board.

Motion by Olesen, seconded by Osterdyk to approve the 2010 Budget.

Motion carried

STATE COST-SHARE CONTRACTS:

Nothing at this time.

EROSION CONTROL PLAN FEE:

Carlier stated this item is in the 2010 Annual Plan. The board discussed the possibility of raising the fee at the district retreat. Currently the fee is \$25.00.

Motion by Olesen, seconded by Thomson to approve leaving the Erosion Control Plan Fee at \$25.00.

Motion carried

2010 ANNUAL PLAN:

Carlier stated the plan was sent out in the board packs. The plan was reviewed at the District Retreat in November.

Motion by Olesen, seconded by Thomson to approve the 2010 Annual Plan.

Motion carried

SUPERVISOR DISTRICTS:

Carlier stated information on this issue was sent out in the board packs. Olesen stated we should update our district boundaries and follow other districts in the county.

Carlier stated if we match commissioner districts, supervisors are elected by district, not county-wide as it currently is.

Olesen suggested the board table this issue until the January meeting.

TIME TRACKING:

Carlier stated at last month's board meeting Waldhalm requested the staff keep track of phone calls and visitors. Many emails followed for several weeks concerning this issue, including Waldhalm emailing MASWCD staff and board.

LeAnn Buck MASWCD stated that a request like this should have board approval. Carlier stated she would like the board to make a decision. Waldhalm has requested the staff to track calls, names and phone numbers, as well as the time the visitors were in the office. Carlier stated this would be a very time consuming project. Olesen stated this request is not worthwhile.

Thomson stated he would like to see some kind of tracking, but nothing so cumbersome that it would bog down the staff's job.

Osterdyk stated he wasn't sure where any of this is coming from. One issue he is concerned with is the portion of the September board minutes that staff was asked to type verbatim by Waldhalm. This portion involved 3 pages of minutes. Osterdyk stated he did not know about this until he received the minutes in the mail. Staff spent two full days typing that portion. He also stated he is not in favor of the request of time tracking. Osterdyk stated he is very concerned with the district and staff and what direction this is going. These issues are not discussed at the board meetings, and between meetings supervisors are contacting staff asking for specific tasks and requests. Osterdyk stated as a district, we need to focus back on our mission statement. Before the last board meeting the district retreat was held to go through the annual plan of operations. All the programs in the plan were discussed as well as the workload needed to staff the programs. This would have been the time to discuss these requests. Unfortunately not all the board members were present and we couldn't make it the productive meeting it should have been.

Olesen stated the problem with this request was that it has never been discussed at a board meeting. It was emails from Waldhalm to Carlier to request the time tracking. This should be a board decision. One supervisor does not go out and dictate to the district employee's what to do. The board should decide these issues as a group. This issue should have been brought to the board for approval, and not as a bunch of emails to the district manager, and whoever else emails were sent to. Olesen stated he trusts the employee's are doing their jobs, and stated the board should table this issue for further discussion at next months meeting.

Waldhalm stated that the other districts do track their calls and customers. Carlier asked Waldhalm to provide her with names of those districts so she could contact them and discuss it. Waldhalm stated he could not remember exact names, but Steve Sunderland was one of them.

Waldhalm questioned whether Kanabec SWCD kept track of their incoming calls and visitors.

Osterdyk stated the issue of tracking phone calls and visitors is not implemented at Kanabec SWCD.

The board decided to table this issue until further discussion at next months meeting.

GREEN ACRES:

Carlier stated Thomson attended the TSA III meeting and the Rural Preserves Property Tax Program came up. Landowners have until May 1st 2010 to make discussions about the Green Acres participation. Landowners will then have until May 1st, 2013 to complete the transition process of the Rural Preserves Property Tax Program. SWCD's and BWSR were identified in legislation to be involved in the Conservation Management Plan Development and Approval Process. Carlier will ask the county assessor to come to the January board meeting to discuss this issue.

ANNUAL MEETING:

Carlier stated the board discussed the annual meeting at the district retreat. We did not have an annual meeting in 2009. The workshop/meeting is generally held in the spring. Carlier stated Green Acres and the Rural Preserves Property Tax Program would be a very good topic. The board decided to table this issue until further discussion at next months meeting.

USDA FOIA REGULATIONS:

Carlier stated information on this issue was sent out in the board packs. The "Attachment C" form that was discussed earlier in the year was a temporary agreement. USDA has finalized an agreement for districts to sign. Pine SWCD has a partnership with NRCS. Regulations state NRCS cannot give out certain information to the public. Since we work with them on certain projects the district is able to see this information, but is also restricted on giving out this information. Signing this agreement by the board chair states district board and staff will abide by these regulations.

Motion by Olesen, seconded by Thomson to sign the USDA FOIA Regulations form.

Motion carried

KEN MEEKS LETTER:

Carlier stated this letter was handed out at the November board meeting. Waldhalm requested this be added to this month's agenda. Mr. Meeks is asking the board for a letter to the applicant approving the delineation as required in the Minnesota statute 1599. Upon permit to dig a pond in wetlands stipulating 300 ft separation from Partridge Creek, and a refund of \$275.00 to his company. Carlier stated that the district does not refund the money if the application is denied.

Osterdyk stated at the November meeting Poppe provided a report that stated there were some discrepancies with the delineation lines.

Poppe stated the application deadline was extended to October 15, 2009. The application approving the delineation was denied on September 23, 2009, because the TEP could not concur with the lines. The application was denied with the extended deadline. Meeks also submitted an application to excavate a pond. This application was denied September 2, 2009 because it was incomplete. Both applications were denied within the extended time period.

DISTRICT CONSERVATIONIST REPORT:

Korth provided report.

STAFF/SUPERVISOR REPORTS:

Wetlands:

Poppe stated she had two new applications. An exemption could be issued for both applications. Poppe provided information stating the Sturgeon Lake sewer pond project is complete. Brian Weidendorf stated he was issued a permit to build a road through a parcel of land he is developing. Poppe stated she informed Weidendorf that he will need to get a wetland delineation conducted because there are many wetlands on this parcel of land. There were concerns that once driveways were put in, there could be additional impact. Poppe stated we don't know what the impact is because of the time of the year. Poppe stated she spoke with Weidendorf earlier in the day, to explain that this time of the year criteria is missing to distinguish where the lines are. When a delineation report is submitted the TEP goes out and reviews the lines. If the TEP can concur with the lines it will be approved, and is approved for three years. If the TEP can't concur with the lines then the project does not get approved. The problem with this project was the delineation report was received in December. Pine County Zoning needed a delineation of the whole parcel to determine if each lot was 1.5 acres of buildable area. Poppe stated there are four conditions set by the Pine County Zoning department before the final plat is approved. WCA is only one of the four. Poppe has issued an exemption. The TEP received notice of the exemption and did not appeal it. If Weidendorf stays within 10,000 square feet the exemption still applies. Olesen stated if Weidendorf impacted more than 10,000 square feet he would be in violation. If he didn't impact 10,000 square feet he would be fine to go ahead with his project, and next year the TEP will review the lines for approval.

Water Management:

Martin stated he finished a grant for the City of Pine City rain gardens. Work is continuing on the Water Plan update.

Forestry:

No meeting this month.

TSA III:

No meeting this month.

RC&D Onanaegozie:

Olesen stated a meeting was held on December 1st.

Snake River Citizen Advisory Committee:

No meeting this month.

Legislative:

Carlier stated Legislative Days at the capitol is scheduled for February 17th and 18th.

Personnel:

No meeting this month.

Policy:

No meeting this month.

Trees:

Carlier stated tree order forms were mailed out, and the form is posted on our website. Olson stated 14 tree orders have been received as of today.

Envirothon:

Carlier stated the first planning meeting was held.

MISC ITEMS:

Mileage Rate:

Carlier stated beginning January 1st the IRS approved mileage rate will be .50 per mile

Training Request:

Carlier stated she received notice of an upcoming training on the legislative process scheduled in January. Carlier is interested in attending the training. The cost is \$60.00

Motion by Olesen, seconded by Thomson to approve Carlier attending the legislative process training for a fee of \$60.00

Motion carried

Skip Thomson:

Thomson stated he would like to move the staff and supervisor reports up on the agenda, maybe after the approval of the agenda. Staff can then be excused once their report is given. This discussion was tabled until the January meeting.

NEXT MEETING DATE & TIME:

Motion by Olesen, seconded by Thomson to hold the next meeting on Tuesday January 26th

At 4:30 p.m.

Motion carried

ADJOURNMENT:

Motion to adjourn the meeting at 6:45 p.m. by Olesen, seconded by Thomson

Motion carried

Respectfully submitted,

Paul Olesen, Secretary