

**PINE COUNTY SOIL AND WATER CONSERVATION DISTRICT
MINUTES
November 24, 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, JJ Waldhalm and Doug Odegard. Office staff present were: Jill Carlier, District Manager; Tim Olson, Office Assistant; Robin Poppe, Resource Conservationist/Wetland Specialist; Sam Martin, Water Management/GIS Specialist; and Bob Korth, NRCS District Conservationist. Also present: Commissioner Curt Rossow, and Commissioner Doug Carlson

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

PUBLIC COMMENT PERIOD:

Don Slama stated he would like the October board minutes to reflect his comments on the information he gave Martin of the third water quality test for Ditch 1 for the past two years.

APPROVAL OF AGENDA:

Motion by Olesen, seconded by Osterdyk to approve the November agenda with changes.
Motion carried

SEPTEMBER MINUTES:

Motion by Olesen, seconded by Thomson to approve the September minutes.
Motion carried

OCTOBER MINUTES:

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

NOVEMBER FINANCIAL STATEMENTS AND PAYMENT OF BILLS:

Motion by Olesen, seconded by Osterdyk to approve the November payments of bills, including a \$12,000 funds transfer.
Motion carried

Waldhalm entered

PERSONNEL HANDBOOK:

Carlier stated last month the board reviewed and approved the employee handbook. However, there was one item that still needs to be addressed; overtime. Carlier has researched this issue. According to Minnesota law, any non-exempt employee working over 40 hours in a 7 day week must be paid overtime compensation at a rate of time and a half, either in pay or comp time. There are exempt and non-exempt categories that employees fall into. Carlier stated she is exempt and not able to receive comp time of any form. All other staff is non-exempt, and are entitled to overtime compensation, whether they are salary or hourly. A board decision is needed to decide whether to pay employees in comp time, or pay.

Motion by Olesen, seconded by Osterdyk to approve compensating non-exempt employees with comp time, at time and a half, for hours worked over 40 in a 7 day week.

Motion carried

Carlier stated that Martin's "compressed" schedule creates a problem with this overtime law. Osterdyk stated he would like Martin to compromise his work schedule and work a four day week at ten hours a day to alleviate any overtime. Thomson stated he would like to see Poppe and Martin in the office on Monday's and Friday's and whether the board should decide what day Poppe and Martin would be out of the office. Olesen stated this is up to the discretion of the district manager. The board doesn't need to start micromanaging the manager and office staff. Osterdyk questioned Martin on his thoughts about the four day work week schedule change. Martin stated he would try the new work schedule. Motion by Osterdyk, seconded by Olesen to change Martin's schedule to four 10-hour days/week, not exceeding forty hours.

Motion carried

PUBLIC ROAD INFORMATION:

Carlier stated she contacted BWSR to discuss training for the townships on road projects dealing with WCA and road regulations. BWSR would like input and specific topics of what is to be discussed at the training. BWSR will hold the training on either Saturday January 23rd, or Saturday January 30th. Notices need to be sent out to the townships. A location is yet to be determined.

STATE COST-SHARE CONTRACTS:

City of Finlayson: Abandoned Well Sealing # FY09-4.

Carlier stated last month an application was submitted by the City of Finlayson for an abandoned well sealing. The city was informed by the Department of Health that they were required to have an additional permit because the well that is being sealed is within certain proximity to the well that is being used. The cost of the additional permit is \$215.00

It is a 75 ft deep 4" wide 50% cost share of the lowest bid. The original project was \$550.00 with 50% cost share totaling \$225.00 The amended project total will be \$ 765.00 with 50% cost share totaling \$382.50

Motion by Thomson, seconded by Olesen to approve amending the City of Finlayson's Abandoned Well Sealing project in the amount of \$382.50

Motion carried

SUPERVISOR PER DIEMS:

Olesen stated it has been 5 years since the board discussed supervisor per diems. At the present time, the supervisor's per diem is \$65.00 per meeting. Olesen stated when he was elected to the board, he wasn't aware that the board members were paid per diems, and thought \$50.00 was a sufficient amount. The money saved would show the citizens of the county that the district is concerned about saving money. Olesen stated he was not making a motion, but would like discussion on this issue.

Thomson stated he wasn't in favor of lowering the per diems because \$65.00 doesn't begin to cover the cost of hiring someone to do his job while he is away. Thomson stated if it was just for a board meeting, when we are in and out of here for 2 hours, he could care less about being paid, but when he is attending more than one meeting in a single day, it wrecks a half a day for him. Thomson also stated he agreed with Olesen \$50.00 doesn't make a difference to him, but when pay raises are handed out to employees, as a supervisor he is not willing to take a pay cut to fund pay raises. Waldhalm stated Olesen could give his per diems back. Odegard stated there are times when he has attended certain meetings and doesn't change for them. Olesen stated that per diems would not be paid for supervisors to come to the office to review files.

Thomson stated he spent a good chunk of money on his campaign to get in here, and he still hasn't recovered that money to get elected yet, not that the money is the issue.

Osterdyk stated that he could see both sides of the issue. But would support the idea of the district saving money and lowering the per diems to \$50.00

Thomson questioned how much money Waldhalm loses when he attends the meetings. Odegard stated that decision is made when running for election to be on a board.

Motion by Olesen, seconded by Osterdyk to approve lowering the supervisor's per diems to \$50.00 effective January 1st 2010.

Motion carried

DRAFT AUDIT:

Carlier stated James Maiser sent the 2008 draft audit to the district. The chair needs to sign a letter approving the draft. Once the State approves the draft budget, a formal letter will be sent back to the district with copies of the approved audit for distribution.

Motion by Olesen, seconded by Osterdyk to approve the 2008 draft audit.

Motion carried

DISTRICT CONSERVATIONIST REPORT:

Korth reviewed the attached report.

STAFF/SUPERVISOR REPORTS:

Wetlands:

Poppe stated she provided the TEP report and agenda to the board members.

Poppe stated she received a request from Waldhalm to send all material on the Sturgeon Lake sewer project. Poppe would like board approval for this request.

Osterdyk questioned why Waldhalm wanted the information and to explain why he is asking for the file to be sent to him. Waldhalm was questioning the impact and the buying of bank credits for the Sturgeon Lake sewer pond.

Poppe stated she emailed Waldhalm twice regarding this issue. Odegard questioned where the project was at. Poppe stated there was a replacement plan submitted in 2004/2005 which was approved by the Pine SWCD board as well as the Army Corps of Engineers. After the replacement plan was approved, the PCA reconfigured the design and added an infiltration basin. The district was not notified of the change. The consultant working for the city was also working with the environmental branch of the Army Corps of Engineers. The environmental branch didn't relay the changes to the regulatory branch. When the Corps went to inspect the BMP's this year they noticed there was additional impact in certain areas. Since the design changed there was less impact, and the Corps is still assessing the site. There hasn't been a determination yet as to what the actual impacts are. The Corps will send the district a letter once their assessment is finished, then the district can proceed to act on this issue.

Carlier questioned if the city was aware of these changes, and if the city was responsible if there was more impact than originally thought. Poppe stated to her understanding, and talking with Jill Clancy, Army Corps of Engineers, the city was not aware of these changes, and that there was probably less impact, but the assessment hasn't been completed.

Olesen stated the district has been trying to set a policy about reviewing and coping files, and that was going to be referred to the policy committee. Unfortunately the policy committee has not been able to meet this year, so there is no policy in place.

Water Management:

Martin stated Woischke's Resort on Pokegama Lake hired Lake Restorations, from Litchfield MN to pump the muck from the lake bed using an Aqua Vac. The muck is then distributed into nearby fields. Martin stated he is applying for Clean Water Legacy Grant, for the City of Pine City. The grant will be for rain gardens and pervious piping for street reconstruction projects.

Forestry:

Waldhalm stated he didn't attend the meeting.

TSA III:

Thomson stated a meeting will be held on November 25th.

RC&D Onanaegozie:

Olesen stated a meeting will be held on December 1st.

Snake River Citizen Advisory Committee:

Odegard stated a meeting was held on November 23rd. The committee is working on a grant for ten projects in the Snake River Watershed.

Legislative:

Nothing at this time.

Personnel:

Nothing at this time.

Policy:

Carlier stated the policy committee didn't meet last month, and asked if any dates in December would work to have a meeting. Osterdyk stated he could meet on December 16th or 17th. Waldhalm wasn't sure about these dates. No meeting was scheduled. Waldhalm stated he could meet after the board meeting on December 17th.

Trees:

Carlier stated the 2010 tree forms are at the printers. They will be sent out the first week of December as well as posted on our website.

Envirothon:

Carlier stated the Envirothon committee is sending out letters to all the districts, as they do every year, asking for a district donation of \$200.00 to continue sponsoring the event.

Motion by Olesen, seconded by Osterdyk to approve donating \$200.00 to the Envirothon.

Motion carried

MISC ITEMS:

Martin is requesting to use six days of vacation sometime in December.

Motion by Olesen, seconded by Waldhalm to approve Martin taking six days vacation in December, provided the schedule works out with the district manager and staff.

Motion carried

NEXT MEETING DATE & TIME:

Motion by Olesen, seconded by Thomson to hold the next meeting on Thursday December 17th, 2009 at 4:30p.m.

Motion carried

ADJOURNMENT:

Motion to adjourn the meeting at 5:45 p.m. by Thomson, seconded by Osterdyk.

Motion carried

Respectfully submitted,
Paul Olesen, Secretary