

Mississippi Headwaters Board (MHB)

January 18th, 2013

Cass County Courthouse, Walker, MN

Meeting Minutes

Members Present: Paul M. Thiede (Crow Wing County - CWC), Davin Tinquist (Itasca County), Dean Newland (Clearwater County), Neal Gaalswyk (Cass County), Cal Johannsen (Hubbard County), Kevin Maurer (Morrison County), Brian Napstad (Aitkin County) and Pam Kichler (Admin. Asst. - Staff)

Members Excused: Jack Frost (Beltrami County)

Others Present: Paul Fairbanks (Cass County ESD), Todd Holman (The Nature Conservancy - TNC), Bill Brown (Cass County MHB Advisory Committee Appointee), Eugene and Jane Christianson (zoning applicant), Christine Brown (USFS - Chippewa NF), Ken Berge, Julie Blackburn (RESPEC), Randy Thoreson (NPS - River/Trails), Bob Lessard (DNR/MHB Liaison)

9:02 am - Chairman Tinquist called to order the monthly meeting of the Mississippi Headwaters Board at 9:02 am on Jan. 18th, 2013 in Walker, MN. The meeting began with the pledge of allegiance.

WELCOME: Chairman Tinquist welcomed the new board members (Cal Johannsen - Hubbard / Kevin Maurer - Morrison) to the organization. Introductions commenced amongst the existing board members and the new members were each given the floor to provide a little detail about themselves.

9:03 am - Agenda (January 18th '13). Chair Tinquist asked for amendments and/or approval of the Agenda. No amendments were noted. **Motion** was made and seconded by Commissioners Napstad / Newland to approve the Agenda - 7 ayes, 0 nays. Motion carried.

9:04 am - Consent Agenda (Nov. '12 Minutes and Nov. & Dec. '12 Expenses). Commissioner Thiede asked Staff to clarify the meaning of the notation made on each of the Account Activity Reports provided. Specifically on the Nov. report, under: Cash & Pooled Investments - PAYROLL, what does 'PD' stand for? Staff explained that the Commissioners Per Diem ('PD') and Staff wages for that period fall under the 'PAYROLL' heading.

Commissioner Thiede went on to highlight the significance of the "AIS" topic that was discussed & appears on the Nov. meeting minutes. Staff also added that there was notice of an upcoming meeting from Molly MacGregor (DNR) on AIS strategies at the Chase Hotel in Walker, Jan. 31st & Feb. 1st. **Motion** was made and seconded by Commissioners Thiede / Gaalswyk to approve the Consent Agenda and expenses for Nov. '12 - \$5,181.90 and Dec. '12 - \$7,288.24 - 7 ayes, 0 nays. Motion carried.

9:05 am - Staff Report (Dec. - Jan.) - Pam Kichler (Admin. Asst. Staff) highlighted several items:

- **#2 (P/B)** - Staff advised that Morrison County has asked that future MHB Per Diem payments to the Morrison County Com. be sent to Morrison County as the 'payee'.
- **#4 (P/B)** - Staff has prepared/mailed the annual State Pay Equity Report.
- **#2 (P/C)** - Staff advised that Cass County has notified MHB regarding proposed ordinance changes. Commissioner Gaalswyk also provided further details on the changes and suggested that they are minimal in nature and in harmony with MEB standards.
- Staff asked the board whether they are interested in supporting the '13 Northern MN Regional Science Fair (Bemidji). The office has yet to receive a request for support/awards. Staff also reminded the board members what was awarded in the past: 1st place - \$250, 2nd place - \$150, 3rd - \$100. Through discussion, it was clarified that the board can not take action until a request has been received and may not get approved in time due to such short notice.
- Lastly, Staff asked the board members to check their calendars for conflicts with the next MHB meeting currently scheduled for 2/15/13. The ones that were noted were few and would not pose a quorum issue.

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9:17 am – Zoning Actions –

A. Cass County –

1. Ca-1a-13 RE: Review/certify a variance application to expand a non-conforming residence w/a 8' x 24' addition, a 6' x 12' porch and a 10' x 12' deck. Structure sits at 85' from the shore of the river (Wild Section) – Mississippi River – applicant – Eugene / Jane Christianson

► Discussion: Paul Fairbanks (Cass County ESD) and the applicant were in attendance to offer details and answer any additional questions about the variance request. Additional documentation was also provided for board review. Some other specifics noted in discussion were:

- a) The 1951 half acre parcel is a lot of record which precedes MHB & County ordinance and is similar in nature to others in the area.
- b) The Cass County Planning Commission (BOA) conducted a site visit on 1/7/13.
- c) The Cass County PC determined that construction of the river side deck would not need a variance per County & MHB ordinance. It is allowable through the 'permit' process based on its location and size as referenced under #3 of the Cass County 'Findings'.

After review/discussion, a **motion** was made and seconded by Commissioners Gaalswyk / Napstad to certify the variance with conditions and the Findings of Fact noted by the Cass County Board of Adjustment at their 1/14/13 hearing - 7 ayes, 0 nays. Motion carried.

9:35 am – Actions / Discussion Items –

► **RESPEC (Julie Blackburn)** – Chairman Tinquist opened the floor to Julie Blackburn (RESPEC). Julie began by offering some personal history leading up to and including her affiliation with RESPEC. The following highlights a few of the specifics noted in the discussion:

- 1) Julie grew up in Pequot Lakes, MN and has worked for BWSR up until 6 months ago when she started w/RESPEC (a private consulting firm in Roseville, MN).
- 2) RESPEC has a master contract w/MPCA to develop watershed based hydrologic simulation (HSPF) models for the Upper Miss. HW/Pine River & Leech Lake watersheds dating from '96 to present through the support of Clean Waters Funds.
- 3) RESPEC is currently working on 27 of the 81 watersheds in the state and may expand it further.
- 4) The Models being developed are based on existing data only & will be updated every 2 yrs. from data received from LGU's, PCA and DNR etc. The system can replicate/simulate hourly cause & effect scenarios and help to predict environ. affects due to land use practices & weather events.
- 5) Initially, data is entered into the model and a data-set is created on the hydrology of the desired period for the study based on geological characteristics/conditions and land usage. Water Quality modeling is also done along with the hydrology to establish a 'base-line'.
- 6) The modeling will assist with the future lake/river land-use permit process and help develop the management strategies by allowing user to enter unique perimeter criteria.
- 7) A stakeholder work-group met Oct 18th to identifying areas of concerns; discuss current available data and future WQ (water quality) goals/study scenarios. Another meeting to present preliminary results on 3 models is being planned for the end of March.
- 8) Other upcoming meetings will be w/the local 8 county SWCD/Planning & Zoning people to determine how this modeling can be delivered to LGU's, made 'usable' and how the data can be worked into local water plans. RESPEC also agreed to met w/each county board.

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- 9) Q - Hasn't the PCA already established watershed boundaries and wouldn't RESPEC be 're-defining' them as a result of this project? A - No, the boundaries are set. RESPEC is coming in with LiDAR to develop a defined look & make any nec. corrections to the existing data.
- 10) RESPEC could also work w/ the MHB on the BWSR AI Grant project by helping integrate and validate data. The modeling may also play into future Upper Miss. Flood Mitigation plans/projects and could drive policy going forward in many areas.
- 11) The Time-line: Upper Miss. watershed hydrology calibration will finish up in Feb.; a stakeholder meeting is slotted for March/April; the River modeling areas of Grand Rapids/Brainerd/Sartell will start after the budget session (July 1st), followed by the WQ phase.

Conversation continued on another topic concerning the 70/80 rules for county-wide septic systems. There are counties that have implemented 70/80 already (Benton/Sterns/Wadena), the ones that are now being encouraged to adopt the same rules are concerned about the cost as well as any water quality issues involved.

► **UMFM / ACOE meeting (recap)** – Chairman Tinquist and Commissioner Napstad opened w/brief discussion on the Nov. UMFM meeting and the progress of the Mitigation Task Force. Below are a few of the details covered today on the topic:

- 1) Chairman Tinquist and Com. Napstad have yet to pull a meeting together. The first challenge is to determine how big the Task Force should be & how many from each stakeholder group be included.
- 2) The group lists & contacts from the Nov. 30th meeting have been compiled. Once it is determined who will be the Task Force, the next step is to work on a ACOE petition requesting a 205 Study.
- 3) Com. Napstad's preference is to hold a smaller meeting first to scope out potential 205 study areas. As noted at the Nov. 30th meeting, the Study cost must be kept under \$100k however and that may limit the Study area. It was suggested that the Task Force could use the river segments as referenced in the Guide Book to establish start/end points.
- 4) Another concern from the Nov. 30th meeting was the ability to achieve the nec. score to be considered a congressionally mandated project. Although slim odds, the process must be started to get into queue.
- 5) Chairman Tinquist and Com. Napstad will keep the board updated going forward.

► **BWSR CWL Grant update** – Both Mitch Brinks (CWC Water Specialist) and Chris Pence (CWC Land Services Supervisor) were not in attendance. A Grant progress memo was provided for review prior to today's meeting. During discussion it was asked by Commissioner Thiede whether the other counties were in steps w/CWC on the date at which their Water Plans must be resubmitted. CWC has until 2014 but he was mentioning it today as a reminder to the rest of the board members that another element associated with the BWSR Grant was to ensure Water Plan's contain Mississippi River language.

► **National Water Trail Designation Program (Randy Thoreson – NPS)** – Chairman Tinquist introduced Randy Thoreson and gave him the floor to cover details on National Water Trail Designation. Randy started with a recap of the topic decision from the Oct. 19th MHB meeting and two other meetings (Dec 7th. and Jan. 17th). Today he is asking that the MHB become 'part of the team', a supporter via a Resolution or Letter of Support (LOS) to help further the drive to promote the designation. Randy offered several examples of how this designation is beneficial: 1) Improve access to the river; 2) Supports eco-tourism/events; 3) Helps bring \$ to the table on other projects; and 4) Promotes partnerships.

Chairman Tinquist commented on the Dec. 7th meeting that he and Com. Frost attended. He noted the tremendous amount of buy-in/enthusiasm from other area stakeholders and recommends MHB support Upper Miss. River designation (to Little Falls) as well as support Randy in the process of gaining designation.

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A 72 mile stretch of the Mississippi River has already gotten this designation (Elk River to Hastings). **Q** - Where is the level of supporters for this program to-date? **A** - Since this new programs inception last February, there's been continual development of a large network already and a meeting of those partners may be pulled together soon to work on the next phase. Com. Thiede suggested it may be advantageous to gain the support of each of the individual counties as well. Randy agreed to do that.

Com. Napstad expressed concerns about this board retaining local control over the Upper Headwaters. **Q** - What if the MHB ends up supporting this designation and some time down the road the Federal Gov. comes in stating that this 'water trail' is now under Federal jurisdiction? **A** - It's a valid concern but this board should feel confident that it has the leverage (as a JPB) to bring objections to the forefront when and if there were any indication of a 'take-over'.

Com. Thiede (CWC) offered a DRAFT Letter of Support and after some word-smithing, agreed to re-write and forward a copy to Chairman Tinquist (Cc: Randy Thoreson) for 2/15/13 meeting passage.

11:10 pm – Motion was made and seconded by Commissioners Napstad / Maurer to close the meeting to conduct the '12 Employee Performance Review - 6 ayes, 0 nays. Motion carried.

11:35 pm – Motion was made and seconded by Commissioner Napstad / Gaalswyk to re-open the meeting - 6 ayes, 0 nays. Motion carried.

Com. Napstad (Aitkin) went on to note that the '12 Employee Performance Review was 3.25 (out of 4) on the point scale and that Staff was rated at a 'greater than solid proficiency'. A salary increase was not discussed today but the board asked that Com. Thiede contact the CWC Human Resource Dept. for a recommendation to be further discussed at the Feb. 15th MHB meeting. **Motion** was made and seconded by Commissioners Napstad / Thiede in support of the Staff performance rating of 3.25 for 2012 – 6-ayes, 0 nays. Motion carried.

There was no further business; **motion** was made and seconded by Commissioners Thiede / Napstad (Aitkin) to adjourn the meeting at 11:47 am.

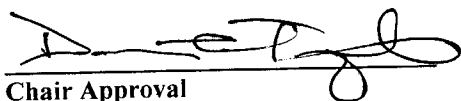
Meeting Adjourned

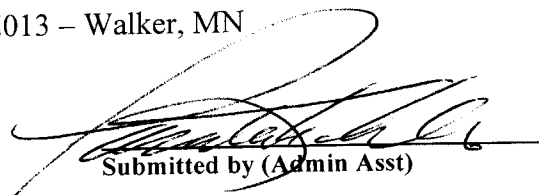
11:47 am – Misc –

☀ **Legislature Update** – Conversation ensued on the boards desire to get a message to their area delegates (specifically Senator Saxhaug) that they would like a meeting to further discuss the boards future, funding and on-going support. Chairman Tinquist offered to contact Senator Saxhaug. The board members also agreed to go back to their respective counties and ask that a Resolution of Support (ROS) for the MHB (as drafted by Com. Thiede) be signed by all 5 County Com. Once the ROS's returned to the office, a letter/invitation will accompany the ROS's and sent to the 8 County District Representative & Senators. Staff will work with the Chairman on the cover letter and assemble the appropriate names/addresses for immediate mailing of the Letter/Resolution. Several Commissioners also noted that they could clear their schedules if nec. to make a last minute meeting at the Capital for this.

☀ **County Updates** – None

Next MHB meeting: Friday, February 15th, 2013 – Walker, MN


Chair Approval


Submitted by (Admin Asst)