

**Minutes of the Cedar River Watershed District
Public Hearing on Draft Rules
Ruby Rupner Center – Hormel Nature Center
Wednesday, July 20, 2011**

Managers Present: Steve Kraushaar Al Layman
Mike Jones Jim Gebhardt
Mike Merten Harlen Peck
Kevin Kiser

Managers Not Present: None

Others Present: Bev Nordby, Administrator
Jeanne Crump, Mower SWCD
Justin Hanson, Mower SWCD
Matt Taylor, Mower SWCD
Matt Benda, Peterson, Savelkoul & Benda, LTD
Tim Ruzek, Outreach Coordinator
Dave Livingston, Dodge SWCD
Matt Peterson, Austin Daily Herald

Members of Public Present: Bill Fuller, JoAnne Fuller, Samantha Bathels, Sara Sayles, Judy Enright, Steven Lang, Tom Stiehm, Craig Hoiium, Jim Hurm, Dave Cole, Tim Gabrielson, Ken Penkava, David Hillier, Donald Barnes, DuWayne Skov, Jeff Austin, Mike Ankeny, Tony Bennett, Marian Clennon, Janet Anderson, Charlie Peterson, Dan Regner, Tom Oots, Jim Stiles.

President Mike Jones opened the public hearing.

Jones went through the timeline for the Rules.

Review Agenda & Rules

Purpose of Hearing- to hear and consider the draft rules for the CRWD that have been proposed by the Rules Advisory Committee. Jones and Nordby noted the advertising that was done for the Rules.

Chairman's Presentation

Jones reviewed documents received to be entered into the record
Public notice / Dates of publication, Affidavit of publication, Mailing list and certificate of mailing,
Documents received prior to the hearing

Open hearing for public comment

Jones opened up the hearing for public comment.

Tom Stiehm, Mayor City of Austin- talked about the snow storage portion of the Rules and the costs of moving the snow to another location. He asked the board to please consider this when deciding on the Rules.

Craig Hoiium, City of Austin- was concerned that certain CRWD Rules, being less restrictive than the City of Austin's, would jeopardize the City's rating with their insurance company. Jones explained that the CRWD Rules could not lessen the restrictions of the City of Austin Rules.

Hoiium would also like to know the difference between Flood Plain and Flood Fringe. Definitions were clarified.

Dave Cole, City of Austin- commented on the possible use of the Mower County Fairgrounds for snow storage.

Dave Hillier, Mower County Resident- wanted to know if the CRWD web page had the same copy of the Rules as the one that was handed out tonight. Yes. He would like to see a summary of what was changed in the Rules after the BWSR comments. Benda reviewed all of the changes.

Steve Lang, City of Austin, Engineer Dept.- talked about the Snow Storage portion of the Rules. He stated that the BMP's on the Marcussen storage site are 40' from the river and that 300' would be more than enough. Lang read out loud a memo from Jon Erichson regarding the snow storage rules. Lang also explained that the fairgrounds would not work due to the noise issue. Lang submitted a packet of information from the City of Austin regarding the snow storage.

DuWayne Skov, Dexter Township- was worried as to what the procedure would be in regards to fixing culverts that are blown out during a flood. He was concerned that they would have to wait to fix until they got approval from the CRWD and in an emergency situation, it would not be good to wait. Jones explained that they could be fixed right away during an emergency situation, but the same size of culvert would have to be replaced.

Jones closed the public comment portion of hearing.

Board of Manager's Discussion

Jones talked about the workshop that was held on July 12th to discuss the snow storage portion of the Rules. He talked about the sheet on the "Options for Snow Storage Language". The board asked questions and held discussion. Gebhardt stated that he believes that MPCA will have stricter rules on snow storage in the future. Merten believes that the snow storage will be taken out of the flood plain all together in the future. Benda talked about the definitions that were in question. Hoiium stated that because the Marcussen Park site is so flat, that it wouldn't matter if there was a 40' setback or a 150' setback. The board held further discussion.

Jones thanked the Rules Advisory Committee for all of their time and input.

Kraushaar made a motion to close the public hearing. Layman seconded the motion.

Affirmative: Peck, Layman, Jones, Kraushaar, Gebhardt, Merten, Kiser

Opposed: None

Submitted by,

Jim Gebhardt, Secretary, jkc