

Lac qui Parle-Yellow Bank Watershed District

Meeting Minutes #629

Call to Order

The meeting was held in the Lac qui Parle County Annex, 422 5th Avenue, Madison, MN, with a virtual ZOOM login option. The meeting was officially called to order by Chairman Darrel Ellefson at 4:30 p.m. **Managers Present:** Chairman Darrel Ellefson, Vice-Chairman John Cornell, Secretary David Craigmile, Publicity Manager Michael Frank, and Treasurer Andrew Weber. **Managers absent:** none. **Staff present:** Administrator Trudy Hastad. **Staff Absent:** Park Manager Ron Fjerkenstad, Ditch Inspector Jared Roiland, Environmental Feedlot Specialist Abby VanKempen, and Coordinator Mitch Enderson. **Others present:** Rinke Noonan Attorney, John Kolb, Attorney Matt Haugen via zoom, LQP County Commissioner Stacey Tufto, Yellow Medicine County Commissioner Glen Kack, & Ben Wollschlager.

Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. Administrator Hastad asked to add Ben Wollschlager to the agenda.

Manager David Craigmile motioned to approve the amended agenda, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 5-0.

Chairman Darrel Ellefson reconvened the County Ditch #54 final hearing from the original June 7, 2022 hearing date. Attorney Kolb reported the meeting was reconvened to research prices of trees for the damage to the Schmidt trees during construction. Based off the tree prices received from the SWCD plus the added factor for installation the price settled on was \$100/tree for total tree damage of \$2,000. Chairman Ellefson asked if there were any comments or responses from the Board with there being none. Attorney Kolb asked the Board to review the findings and order that was in their meeting packet and then Administrator Hastad read the proposed order accepting contract.

After discussion, the Board Chairman called the question on the adoption of the attached Exhibit A findings and order.

Manager Andrew Weber motioned to accept the County Ditch #54 findings and order (attached as Exhibit A), seconded by Manager John Cornell. After discussion, Chairman Ellefson called the question on the adoption of the foregoing findings and order. Upon roll call vote Managers John Cornell, David Craigmile, Darrel Ellefson, Michael Frank, & Andrew Weber voted yea with no nay votes, and the Chairman declared the motion passed.

Attorney Kolb was present at the meeting to report on the County Ditch #42 Improvement landowner meeting held at 3:00 p.m. in the Annex. Attorney Kolb recommends that we authorize him to issue correspondence to the contractor & Surety Company that contractor return to the project no later than August 1, 2022 and a recommendation to the Engineer that the engineer be on site during repair at their expense. Manager Craigmile asked if the site was even fit to work in with Attorney Kolb stating he felt the outlet end was and middle of site not fit and would need dewatering. Discussion followed.

Manager David Craigmile motioned to have attorney Kolb send correspondence that the contractor must return to the site by July 15, 2022 or else we will file a claim against the surety, seconded by Manager John Cornell. Upon roll call vote, the motion passed 5-0.

OTHERS: Ben Wollschlager met with the Board to voice his complaint about his wetland violation in section 4, Yellow Bank Township and felt the Board should pay his attorney fee and demanded the lien against his property be removed. Administrator Hastad responded we would not pay his attorney fee and the lien against his property was issued by the DNR and would have to discuss with them. She thought he just needed to take the paperwork to the Assessor office and pay the \$46 and it would be removed. Mr. Wollschlager said he wasn't going to do that. Mr. Wollschlager also inquired as to how his neighbor DeWayne Strei was allowed to drain the wetland on his property and felt the Watershed Board was picking on him. Hastad reported she would have to research the project he was talking about. Ben also reported that his wetland was 3 acres according to his NRCS determination and not 5 something acres that Mitch reported.

Manager Craigmile responded that the NRCS is the Federal wetland program and the WCA is the State wetland program and WCA was enacted in 1991 and can vary in some instances. No further discussion or action was taken.

Staff Reports:

PARK: Due to the threat of severe weather and multiple families camping at the park, Trudy Hastad gave Ron's monthly report.

- The new playground equipment arrived and they had it stored in the shed until they organized a day for the volunteers to set it up. Someone was going to salvage the old swing set but had not been out to pick it up yet.
- Most of the large tree storm damage was cleaned up. They had VanDeVeire's tree service help and they had around seven loads of trees, branches, etc to burn.
- Park was full for the July 4th holiday with no major issues to report.

Manager Frank inquired about a guided hike at the park to be held on July 16th. Manager Craigmile said it will be a guided hike at the park and he was asked to speak about Del Clark. The event is open to the public. The event will be held around 3:00 p.m. for anyone interested.

Environmental/Feedlot Specialist: Administrator Hastad read Abby VanKempen's monthly report in her absence.

- We had two more CUP hearings last month for gravel pit operations. She reported getting more comfortable with the process and procedure of CUPs.
- Seeing more zoning permits coming in- a lot are to replace storm damaged grain bins and sheds.
- Passed all my septic classes now! Contacted Chippewa County and Big Stone County to mentor under their County septic person and get the required experience and observations.
- Getting ads ready and sent out for the upcoming electronic site collection on Saturday, July 9th, 2022.
- Went to MinnFARM training in Sauk Centre- learned how to run an advanced excel spreadsheet to help assess run-off potential from feedlots.
- Went to the regional meeting in Marshall at the end of June – nice to talk to other County feedlot officers and see how they deal with different feedlot problems.

OTHER: Attorney Matt Haugen called so the Board could discuss the Stoks past due pasture rent. Attorney Haugen said the judgment placed on Mr. Stoks is good for 20 years. He believed we had received payments of \$3,000, \$8,000, & \$8,000. Discussion followed on how to proceed to collect the rest of the payment owed to the Watershed. Attorney Haugen reviewed the process of demand for disclosure as Mr. Stoks still owes upwards of \$30,000.

Manager David Craigmile motioned to have Attorney Haugen move forward with a demand for disclosure from Derek Stoks, seconded by Manager Weber. Upon roll call vote, motion passed 5-0.

The Watershed office was notified that Corey Hoffman had planted beans & corn into the hayland he rents from the Watershed District. Administrator Hastad reviewed the minutes & motion from meeting #619 dated September 7, 2021 where Mr. Hoffman met to discuss the condition of the 54.06 acres of hayland he rents in sections 16 & 17 of Norman Township, Yellow Medicine County. He reported the land was so full of pocket gopher mounds & weeds that he didn't get many bales off the land. He asked if he could spray the area, work it up and reseed it to alfalfa, but would then like to extend his contract for an additional term at the price of \$100/acre. The Watershed Board of managers allowed Mr. Hoffman to do that and extended his contract for one term. Manager Craigmile said the Board did not authorize row crop as that has potential of erosion into Del Clark Lake. Attorney Haugen said it seems we have a breach of contract and we can require Mr. Hoffman to destroy the crop and put it back into perennial grass mix or we can negotiate additional cash rent closer to row crop rates, but knew the biggest concern of row crop was erosion and chemical running into Del Clark Lake, or we could request additional cash rent closer to cropping rates and then reseed. Discussion followed.

Manager Weber motioned to authorize Attorney Haugen to reach out to Corey Hoffman and require him to destroy the crop and reseed into a perennial grass mix/alfalfa, seconded by Manager Craigmile. Upon roll call vote, the motion passed 5-0.

COORDINATOR REPORT: Administrator Hastad read Mitch Enderson's monthly report in his absence.

- The steering team for 1W1P met on June 27th. The comments for the drafts of the final 3 plan sections were reviewed by the team and corrections given to HEI. They gave HEI permission to move forward with combining all sections into a comprehensive draft plan. The Administration section will be added to the final draft and be reviewed as part of the review process as it is a straight forward section.
- Updated PTMapp data which is expected to be complete in the next 2-3 weeks.
- The policy committee met in the afternoon and was give a progress update. The majority of the policy meeting centered around the governance structure of the implementation phase. The Committee motioned and approved to begin preparation of agreement documents to move forward as a Joint Powers Collaboration for 1W1P.
- Reviewed the contract and supporting documents/attachments for signature for an agreement between the Watershed and Groundworks for the Kamrath dam repair. The contract calls for completion of the repair by August 31, 2022.

Manager Michael Frank motioned to sign the contract with Groundworks for the Kamrath Dam repair, seconded by Manager David Craigmile. Upon roll call vote, motion passed 5-0.

- Area II was expecting A&C Excavating to be at Del Clark the weekend of June 25/26th to repair a small washout that developed. Once that work is completed and approve by Area II the final retainage can be paid to A&C Excavating and the Del Clark project will be closed out.
- There has been discussion with YM SWCD and NRCS to apply for a second grant called "Protecting Del Clark Phase 2". YM SWCD and NRCS have identified several projects with interested landowners in the watershed that would provide great support for the project. Discussion followed with the Board in favor of applying for the second grant.
- Billed the cities and contributing County department for the 3rd payment for the 2020 pictometry flyover imagery.
- Assisted the City of Dawson with creating login accounts to use Connect Explorer website.
- A good chunk of time was spent moving upstairs and getting things hooked up while cleaning out offices and the vault.

WCA:

- Planning to do some surveying with Rhyon and Jared in the next couple weeks on Branch 8 CD #5 that will help determine the amount of cleaning needed, and in turn, the lateral effect and mitigation required through type 3 wetlands.
- Had multiple calls from a landowner on a potential violation. The landowner was cleared by NRCS for federal regulations, and although some type 3 wetland exists, now, it has transformed from type 1 / 2 to type 3 during a CRP contract, so I had a video call with Lynda from BWSR and we agreed that it had enough cropping history in the 1980's to meet a WCA exemption. This will be very difficult for the reporting landowner to understand, but the site did follow the proper channels for approval.
- Approved a credit release for HRM bank. They have one more final release remaining.

DRAINAGE REPORT: Hastad read the monthly drainage activities in Jared Roiland's absence.

- Trudy, Darrel and I met with the contractor and engineer on site for the Br 3 CD #4 Improvement pre-construction meeting. We discuss moving the planned alignment slightly to avoid crossing a private driveway and only crossing the township road. We decided to move the alignment to the north and east side of the existing line to avoid that driveway and the corner of a grove.
- I worked on getting the sprayer loaded and calibrated for the year and hopefully can start treating ditches in the next week.
- Checked on the CD #42 improvement project and there is still water going in the intake on the west side of the county road. The issues seem to start about a quarter mile west of the County road. We are starting to notice some pockets where both private and public branches drain are also saturated which tells me they are starting to be affected by the current condition of the pipe.
- We received notice that Rodney Jans had planted his buffer to an annual grass seed mix and oats. I forwarded this on to the SWCD for follow up.
- We have been busy cleaning out the office & vault and moved into the Commissioners' Room until approximately September when the remodel is anticipated to be complete.
- We have been working with a couple landowners over a tile dispute, but seem to have reached an agreement.
- I have been working with the contractor and engineer to gather maps of private tiling into the Br 3 CD #4 system so they are aware of the private tie ins.

TREASURER'S REPORT: The Treasurer's report was read by Manager Andrew Weber.

David Craigmile motioned to approve the Treasurers report, seconded by Michael Frank. Upon roll call vote, the motion passed 5-0.

The following warrants were presented for approval:

	Number	Vendor	Details	6/07/2022 to 07/05/2022
<u>General Klein Account:</u>				
6205		Houston Engineering	1W1P consulting work	\$21,776.50
			TOTAL	\$21,776.50
<u>Park Expense Account:</u>				
1501		LQP County Environmental Office	park cell phone	\$41.21
1502		Rod VanDeVeire Tree Service	tree removal from storm damage	\$2,243.85
1503		NB Golf, LLC	cart rental during cart repair	\$364.00
1504		Ag Plus Cooperative	156 gallons unleaded	\$769.49
1505		Frontier Communications	park phone, fax, internet	\$291.73
1506		Running's Supply Inc.	painter tape, seafoam motor tuneup, litebit	\$135.34
1507		Doug's Service & Marine	oil filter	\$17.62
1508		Canby True Value	drain opener, brushes, paint. Toilet paper	\$443.21
1509		Sturdevant's Auto Parts	June supplies	\$17.76
1510		C.A.S. Plumbing & Heating	quarterly softner rent	\$42.63
1511		Kockelman Construction	class 5 gravel, concrete rock	\$1,926.23
1512		Lincoln Pipestone Rural Water	rural water @ park	\$34.64
1513		Lyon-Lincoln Electric Cooperative	June park electricity	\$3,076.79
1514		Ag Plus Cooperative	fuel & Lawn mower blades	\$239.45
			TOTAL	\$9,643.95
<u>UPB GENERAL ACCT:</u>				
4287		Ag Tech Drainage, LLC	final payment CD #54 improvement project	\$36,490.74
22091-22094		semi-monthly payroll	June 16-30 payroll	\$6,831.43
22095-22099		monthly park payroll	June park payroll	\$6,642.63
4288		LQP County Auditor/Treasurer	3 rd final pictometry payment	\$2,500.00
4289		Valley Office Products	envelopes	\$118.16
4290		Rinke Noonan Attorney @ Law	monthly retainer, CD #42 Imp	\$1,316.00
4291		Fieldcrest Fertilizer	10 gallons grazon P & D	\$389.12
4292		Mitchell Enderson	staples for electric stapler	\$73.74
4293		City of Madison	shop electricity, garbage, sewer	\$102.48
4294		LQP County Auditor/Treasurer	health insurance	\$5,888.46
4295		LQP-YB Liability Acct	Federal withholding	\$3,820.30
4296		LQP-YB Liability Acct	State withholding	\$895.00

4297	Dawson Sentinel	CD #54 final three week hearing notice	\$87.75
4298	CliftonLarsonAllen	1 st billing 2021 audit	\$4,620.00
4299	LQP County Auditor	June postage	\$32.00
4300	VOID	VOID	\$0.00
4301	LQP-YB Liability Acct	PERA monthly & semi-monthly 7-5-22	\$2,035.47
4302	VOID	VOID	\$0.00
4303	LQP Coop Oil Company	gas for pickup	\$83.68
Transfer	LQP Payroll liability acct	June sales & use tax	\$4,059.00
TOTAL			\$75,985.96

DITCH ACCT

1379	Northern Plains Tiling	WS #32 repair; Section 13 Arena	\$3,223.29
TOTAL			\$3,223.29

Andrew Weber motioned to approve the warrants as presented, seconded by John Cornell. Upon roll call vote, motion passed 5-0.

Secretary's Report: Trudy Hastad reviewed Secretary report #628 as mailed.

Manager Andrew Weber motioned to approve meeting minutes #628 as mailed, seconded by Manager David Craigmile. Upon roll call vote, motion passed 5-0.

Administrator Report/Old & New Business: Trudy Hastad gave the Administrator report.

- On June 28, 2022 staff were kept super busy with relocating offices to the 3rd floor Commissioner room. The move went pretty well and thankful for the guys as they did some pretty heavy lifting. We had everything hooked up and running by early afternoon. The Contractor is scheduled to start the demo and remodel on July 5, 2022. We should be back in the office in September.
- June has been a busy month working with CliftonAllenLarson on the audit. This was all done on-line this year so lots of scanning documents and uploading into their portal. We should be on the downside of the audit. The final audit exit meeting is scheduled for August 30, 2022 from 9:00-10:00 a.m.
- We received another check from MCIT insurance for the shop roof. The house roof was for \$6,059.31 and the shop roof was for \$1,352.70.
- Discussed the need for a dehumidifier in the back of the shop. It stays very moist and things will mold if we don't do something. The Board said the purchase would fall under supplies for the budget and could just purchase one.
- The federal mileage rate went to 62.5 cents beginning July 1st, 2022.
- Reported on a landowner concern in section 28, Lake Shore Township. Darrel and Trudy are working with the contractor and landowners on a solution.
- MAWD Summer Tour is scheduled for August 23-25 in the Grand Forks area. Further information will be coming from MAWD.
- MADI meeting is scheduled for August 17-18, 2022 in Alexandria, MN.

PERMITS- The following permit applications were applied for:

13655 Renew #13362	Greg Bothun	Riverside, 29	seepage, main tile, intakes	07/05/22 DE
13656	Joe Abramowski	Arena, 3	seepage, main tile	07/05/22 DE
13657	John Kallhoff	Garfield, 19	seepage, main tile, intakes	07/05/22 DE
13658	Rick Hersom	Riverside, 19	seepage lines	07/05/22 DE
13659 Renew 12972	Rick Hersom	Riverside, 20	seepage lines	07/05/22 DE
13660 Renew #12973	Rick Hersom	Riverside, 19	seepage, main tile	07/05/22 DE
13661 Renew #12976	Hersom Farms Inc.	Riverside, 29	seepage, main tile	07/05/22 DE
13662	John Plathe	Agassiz, 35	intakes	07/05/22 AW
13663	John Plathe	Perry, 2	seepage lines	07/05/22 DE
13664	Ryan Streich	Mehurin, 11	cleaning ditch	07/05/22 DE
13665	Ryan Streich	Mehurin, 11	cleaning ditch	07/05/22 DE
13666	Wayne Dahl	Cerro Gordo, 16	main tile	07/05/22 DE
13667	Donald Blahosky	Perry, 13	seepage lines	07/05/22 DE
13668	Donald Blahosky	Lake Shore, 5	cleaning ditch	07/05/22 DE
13669	Jason Lund	Lake Shore, 1	seepage, main tile	07/05/22 DE
13670	Bryan Clark	Lake Shore, 15	seepage lines	07/05/22 DE
13671	Rick Weber	Hamlin, 6	seepage, main tile	07/05/22 DE

13672	Dewayne Strei	Yellow Bank, 10	seepage, main tile	07/05/22 AW
13673	Steven & Robin Redepenning	Walter, 23	seepage lines	07/05/22 AW
13674	Andy Strei	Agassiz, 7	seepage lines	07/05/22 AW
13675	Stanley Adelman	Yellow Bank, 21	main tile	07/05/22 AW
13676	Toby Reiffenberger	Yellow Bank, 21/28	seepage, main tile & intakes	07/05/22 AW
13677	Lee Johnson	Baxter, 14/15	seepage, main tile, intakes	07/05/22 DC
13678	Keith Erickson	Camp Release, 7	seepage lines, intakes	07/05/22 DC
13679 renew #13406	Paul Hacker	Camp Release, 24	seepage, main tile	07/05/22 DC
13680 renew #13446	Paul Hacker	Camp Release, 35	seepage lines	07/05/22 DC
13681 renew #13510	Paul Hacker	Camp Release, 24	seepage lines	07/05/22 DC
13682	K&R Farms Gen Partnership	Fortier, 28	seepage lines	07/05/22 MF
13683	Devin Devos	Florida, 13	seepage, main tile	07/05/22 MF
13684	K&R Farms Gen Partnership	Fortier, 27	seepage lines	07/05/22 MF
13685	K&R Farms Gen Partnership	Maxwell, 25	seepage lines	07/05/22 DC
13686	K&R Farms Gen Partnership	Maxwell, 17 & 20	seepage, main tile	07/05/22 DC
13687	K&R Farms Gen Partnership	Providence, 31	seepage lines	07/05/22 DC

Permits Denied: Jason Lund to Petition for outlet to the ditch, K & R Farms for manager to gather more information

Manager David Craigmile motioned to approve the permits except Jason Lund & K& R Farms for further information, seconded by Manager John Cornell. Upon roll call vote, motion passed 5-0.

Meeting adjourned at 6:35 p.m.

Darrel Ellefson, Chairman

Attest:

David Craigmile, Secretary

Minutes prepared by Hast

The next regularly scheduled meeting of the Lac qui Parle-Yellow Bank Watershed District is Tuesday, August 2, 2022 at 4:30 p.m. in the LQP County Annex.