

Lac qui Parle-Yellow Bank Watershed District

June 7, 2022

Meeting Minutes #628

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, Secretary David Craigmile, Publicity Manager Michael Frank, and Treasurer Andrew Weber. **Managers absent:** Vice-Chairman John Cornell. **Staff present:** Administrator Trudy Hastad, & Park Manager Ron Fjerkenstad. **Staff Absent:** Ditch Inspector Jared Roiland, Environmental Feedlot Specialist Abby VanKempen, and Coordinator Mitch Enderson. **Others present:** Rinke Noonan Attorney, John Kolb.

Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. Administrator Hastad asked to add Ryan Ludvigson tiling permit to the agenda, and Manager Frank asked to add Michael Prokop tiling permit to the agenda.

Manager David Craigmile motioned to approve the amended agenda, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 4-0.

Attorney Kolb was present at the meeting to discuss the status of the County Ditch #42 improvement project. The project is severely delayed and defective. Dirt Proz was awarded the original contract for approximately \$650,000 and the project consists of only tile. Dirt Proz did the project and the Engineer noted there were multiple joints separated, multiple issues with installation that needed to be corrected. The contractor has not been back to the site to work on this since November 1, 2021. Houston Engineering put together a summary of defective work after the Watershed paid for the televising of a portion of the tile and discovered further details that needed attention. Dirt Proz was sent a letter with the defects that needed to be addressed. In December 2021 a letter was sent to Dirt Proz & the Surety Company.

Attorney Kolb explained that the performance bond is set for the value of the contract and is conditioned to pay completion of construction & contract damages to the landowner, along with liquidated damages of 1,000/day.

If the contract is called in default, it will be a contested process with the Surety Company and no guarantee of getting the money to complete the project. Discussion followed.

Attorney Kolb recommended patience as he felt the contractor was planning on returning after completing the project in Jackson County (sometime in late July). Administrator Hastad discussed the need for a landowner meeting so Attorney Kolb could explain the delay and recommendations for correction. Lengthy discussion followed:

Attorney Kolb recommended the following guidance:

- 1) Press Dirt Proz on a more definitive schedule
- 2) Re-visit at the July 5, 2022 watershed meeting
- 3) Hold landowner meeting

Attorney Frank motioned to have Attorney Kolb press the contractor (Dirt Proz) on a more definitive schedule, hold a landowner meeting, and revisit at the July 5, 2022 watershed board meeting, seconded by Manager Craigmile. Upon vote, motion passed 4-0.

The Board authorized Administrator Hastad to work with Attorney Kolb on a date for a landowner meeting to discuss the project prior to the Board meeting on July 5, 2022.

Staff Reports:

PARK: Ron Fjerkenstad gave his monthly report.

- The storms created a lot of work at the park with downed tree's and branches. There are a couple trees that are too big for the crew to handle so will need to hire to have them taken care of.
- Campers had to use the storm shelter a couple times during the past month with the large storm events.
- The big sign at the front gate went down. Discussed replacement.
- The Stone family requested to have a bonfire by the barn in honor of there mother who recently passed and Ron would like to name the trail by the pay station in her honor. The Board was fine with this.
- Hastad reported receiving a check from MCIT for shingle replacement on the house. Discussion followed.
- Mike reported the new swing set should be arriving in the next couple of weeks.

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

- Held a variance hearing and a conditional use permit hearing in the middle of May.
- We are seeing more building permits and septic permits coming through now that the weather is warmer.
- Finished my septic classes last week, just waiting on results from the soils class and the inspection class.

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

- There was a steering/Advisory meeting May 25th for 1W1P to go over targeting methods, budgets, regulatory, and schedule. I was at WCA training but provided my comments and feedback via email.
- The June 1W1P meeting was moved to June 27th to allow the consultant to be present. It will be an in person meeting at the Dawson library. Steering will meet from 9-12 to review comments received on plan sections; measurable goals, targeted implementation, and plan programs. There will be an update on the data HEI is processing for targeting, a discussion on the implementation administration draft section, and a discussion on the timeline for completing the draft plan. The policy committee will meet from 1-2:00 p.m. Policy agenda includes status updates, timeline updates, and discussion on a governance structure.
- Kamrath dam repair had a low bid from Groundworks (Bill Sterzinger) come in at \$758.66 above the engineer's estimate \$46,076.16 vs \$45,317.50. The engineer had estimated total costs of \$50,149.25 when factoring in a 10% contingency and \$300 DNR dam safety permit.

Manager Michael Frank motioned to accept the low bid from Groundworks for the Kamrath dam repair, seconded by Manager Andrew Weber. Motion passed 4-0.

- Area II performed a final inspection on the Del Clark projects. For the most part, everything looked good. There is one small drainage area west of the pond where erosion has slightly occurred when it filled with water and receded back down. The engineer recommended it should be reshaped, seeded, mulched, and covered with a straw blanket. A & C will come back to do this and then we can pay the remaining retainage to them.
- Working with YM SWCD to look into smaller projects if there is remaining funds left after the Kamrath dam.
- We have not received any SSTS applications for 2022.
- Held a successful canoe trip on June 3, 2022. We canoed the LQP river from Jon Lunds to the Dawson Covenant Church. We ended up with 32 people on the trip. We canoed 7.1 miles of river with a swift current so paddling wasn't strenuous. We ended with a light lunch for everyone.
- I am into the final two drawers of scanning the watershed permits. I haven't made much progress over the past month as the office has been quite busy.
- Working with emergency manager Blain for a damage assessment map that he can add points of damage reports too.

WCA:

- Rhyan and I met with Ron Kriese and came to an agreement for what he would be able to clean in his private road ditch. The outlet from the wetland into the ditch can be cleaned to the point that remains at or above the elevation of the other wetland outlet which has historically acted as the control.
- Went to WCA training in Mankato May 25-26th. The training was pretty good.
- Trudy & I met with Lynda from BWSR to discuss what would need to be done to clean a branch of County Ditch #5 that runs through a type 3 wetland.

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

- Darrel and I participated in our monthly drainage meeting on May 25th.
- The CD #42 improvement project water level continues to rise and as of June 2nd, Kruses’ combine is up to the top of the feeder house with water.
- Participated in the annual canoe trip on Friday, June 3rd, 2022. It was well attended and Mitch found a great route on the Lac qui Parle River south of Dawson.
- Trudy and I got all the notices for the final acceptance hearing for CD #54 improvement project to the papers and landowners.
- Our whole office was involved in getting out the notices for the group 2 redetermination of benefits. This was a massive mailing and it took all of us to get these out in time.
- I received notice from Kessen’s that they were in the process of seeding their buffer on WS Ditch #11 in Lincoln County. This was just ahead of their deadline of the beginning of June to have this completed. So now all the watershed ditches should be compliant with the buffer law.
- I had to send out an Administrative Penalty Order for buffer enforcement to a landowner with parcels along county ditch systems in Lac qui Parle County. He has until July 1st to comply, or he will start to accrue monthly penalties per parcel. We received notice from the post office that he had signed for the certified envelope, but we have not heard from him to this point.

OTHERS: None

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 4-0.

The following warrants were presented for approval:

Number Vendor Details 05/04/2022 to 06/07/2022

General Klein Account:

			TOTAL	\$0.00
<u>Park Expense Account:</u>				
1492	Aquacide Company	50 lb bag aquacade pellets & pond clear		\$743.16
1493	LQP County Auditor/Treas.	2017 Ford license tabs		\$204.25
1494	Canby Builders Supply	4 X 4 lumber		\$32.15
1495	Ag Plus Cooperative	gas		\$143.07
1496	NB Golf LLC	service kit, brake pad, rotors		\$359.29
1497	Running’s Supply Inc.	multi-ball mount, receiver pin lock, 3/8” angle valve		\$190.62
1498	LQP Environmental Office	park cell phone		\$41.21
1499	Frontier Communications	park phone, fax, internet		\$291.73
1500	Olson Sanitation	May trash		\$254.92
Transfer	to UPB General Acct	Lyon-Lincoln, Canby True Value, Lincoln Pipestone		\$2,248.56
Transfer	to UPB General Acct	Doug’s Service, Canby Printshop, C.A.S. Plumb		<u>\$936.54</u>
			TOTAL	\$5,445.50

UPB GENERAL ACCT:

22064-22067	semi-monthly payroll	May 1-15 payroll		\$6,831.43
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22068	Darrel Ellefson	per diem, mileage	\$182.80
22069	Darrel Ellefson	per diem, mileage	\$110.82
22070	David Craigmile	per diem, mileage	\$203.15
22071	Michael Frank	per diem, mileage	\$138.84
22072	John Cornell	per diem, mileage	\$201.51
22073	Andrew Weber	per diem, mileage	\$158.30
4261	LQP-YB Liability	semi-monthly PERA	\$1,337.23
4262	LQP-YB Liability	Federal Withholding	\$2,192.48
22074-22077	semi-monthly payroll	May 16-31 payroll	\$6,831.40
22078-22082	monthly payroll	May park payroll	\$6,175.80
4263	LQP-YB Liability	monthly & semi-monthly PERA	\$2,015.24
4264	LQP-YB Liability	Federal withholding	\$3,686.06
4265	Houston Engineering	Br 3 CD #4 final engineer	\$4,494.25
4266	Mike Johnson	8 nuisance beaver	\$160.00
4267	I & S Group	CD #54	\$1,157.50
4268	Rinke Noonan Attorney's	monthly retainer, CD #54, CD #42	\$2,025.50
4269	City of Madison	shop lights, water, sewer, garbage	\$106.90
4270	LQP Coop Oil Company	pickup gas	\$66.88
4271	LQP County Auditor/Treas	May postage	\$35.43
4272	Trudy Hastad	canoe trip meal reimb	\$168.10
4273	Jared Roiland	mileage & postage reimb	\$34.29
4274	Mitch Enderson	canoe trip reimb, WCA hotel reim	\$111.85
4275	Lyon-Lincoln Electric Cooperative	May park electricity	\$1,947.44
4276	Canby True Value	wheel disk, Dremel grinding stone, toilet cleaner etc	\$266.48
4277	Lincoln Pipestone Rural Water	May water usage	\$34.64
4278	LQP-YB Liability Acct	State withholding	\$765.00
4279	LQP County Auditor/Treas	Health insurance	\$5,888.46
4280	LQP County Auditor/Treasurer	2021 Ford F-150 pickup tabs	\$489.25
4281	Doug's Service & Marine	lawn mower blades, deck belt, primer bulb	\$436.03
4282	Canby Print Shop	250 add'l park stickers 2022	\$302.45
4283	C.A.S. Plumbing & Heating	Chicago faucet repair	\$198.06
4284	Minnesota Revenue	May sales & use tax	\$1,264.00
22083-22086	semi-monthly payroll	June 1-15 payroll	\$6,831.44
22087	Darrel Ellefson	per diem, mileage reimb	\$367.93
22088	David Craigmile	per diem, mileage reimb	\$163.16
22089	Andrew Weber	per diem, mileage reimb	\$128.31
22090	Michael Frank	per diem, mileage reimb	\$163.15
4285	LQP-YB Liability	semi-monthly PERA	\$1,337.23
4286	LQP-YB Liability	Federal withholding	\$2,177.14
		TOTAL	\$61,185.93

DITCH ACCT

TOTAL \$0.00

Andrew Weber motioned to approve the warrants as presented, seconded by Michael Frank. Upon roll call vote, motion passed 4-0.

Secretary's Report: Trudy Hastad reviewed Secretary report #627 as mailed.

Manager Andrew Weber motioned to approve meeting minutes #627 as mailed, seconded by Manager David Craigmile. Upon roll call vote, motion passed 4-0.

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

- Discussed the remodel update with no action taken.
- Park swing set is due to arrive in approximately two weeks.
- Been really busy working with CliftonAllenLarson on the audit.
- Received a check from MCIT insurance for the hail damage to roof of park house.
- The canoe trip was held on June 3, 2022 with approximately 32 paddlers and was a beautiful day with lots of great comments from the paddlers.
- Landowner meetings for the 25 ditches for redetermination of benefits will be held on 6-20-22 and we have been busy with noticing for this and the hearings.

- LQP County Administrator Sieg approached the watershed about hiring a ditch office assistant to help in the Auditor's office and WS office. County Auditor Djonne and myself came up with things a full-time person could be responsible for. County Administrator Sieg would like to see this be a Watershed hire (since we do the ditch maintenance for the County) with the County paying all costs for the position. Discussion followed.

Manager Andrew Weber motioned to make a ditch office assistant position as a Watershed employee, paid for by LQP County, seconded by Manager David Craigmile. Upon vote, motion passed 4-0.

- Discussed hiring for the Planning & Zoning position to fill Marg Berg's position with her retirement at end of 2022.

Manager David Craigmile motioned to work on hiring the person to fill the Planning & Zoning position with employee to start in September, seconded by Manager Andrew Weber. Upon vote, motion passed 4-0.

PERMITS- The following permit applications were applied for:

13645	Francis Brandenburger	Freeland, 30	clean ditch	06/07/22 DE
13646	Devin Devos	Hammer, 19 & Florida 13 & 24	seepage & main line	06/07/22 MF
13647	Zach Johnson	Hantho, 30	seepage & main line	06/07/22 DE
13648	Cameron Jurgenson	Ten Mile Lake, 13	seepage lines	06/07/22 DC
13649	Steve Kemen	Hamlin, 36	seepage, main tile, intakes	06/07/22 DE
13650	Ron Kriese	Augusta, 36	clean ditch	06/07/22 DE
13651	Gary Lee	Baxter, 9	seepage, main tile, intakes	06/07/22 DC
13652	Ryan Ludvigson	Garfield, 11	seepage, main tile, intakes, pump	06/07/22 DE
13653	Dave Mork	Perry, 18 & 19	replacing culvert	06/07/22 DE
13654	Andy Strei	Yellowbank, 8	seepage lines	06/07/22 AW

Permits Denied: none

Manager David Craigmile motioned to approve the permits, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 4-0.

Meeting adjourned at 6:10 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.