

Lac qui Parle-Yellow Bank Watershed District  
March Board Minutes  
March 2, 2021

Regular Meeting Minutes #613

Call to Order

The meeting was held in the Lac qui Parle Commissioners' Room in the Courthouse, 600 W 6<sup>th</sup> St, Madison, MN 56256, with a virtual ZOOM login option. The meeting was officially called to order by Chairman Darrel Ellefson at 4:30 p.m. Roll call was taken. **Managers Present:** Chairman Darrel Ellefson, Vice-Chairman John Cornell, Secretary David Craigmile, and Publicity Manager Michael Frank. **Managers present via ZOOM:** Treasurer David Ludvigson. **Managers absent:** none. **Staff present:** Coordinator Mitch Enderson, Drainage Manager Jared Roiland, and Park Manager Ron Fjerkenstad. **Staff present via ZOOM:** Administrator Trudy Hastad (joined at 4:50 p.m.) **Others present via zoom:** John Kolb, Rinke Noonan and LQP County Commissioner Stacy Tufto.

Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. There were no additions to the agenda. Michael Frank motioned to approve the agenda, seconded by David Craigmile. Upon vote, the motion passed 5-0.

John Kolb met with the Board to discuss a potential violation of section 5.B of the Watershed District's rules, which states: A permit is required for the construction or alteration of any Private Drainageway. Attorney Kolb notified the board they are allowed to perform enforcement of a rule violation according to MN Chapter 103D. Kolb discussed previous attempts to contact the landowner that have been unsuccessful. Under 103D, the landowner would need to correct the violation and pay the associated costs of enforcement. Kolb advised the next step for the Watershed Board would be to adopt an order instructing staff and himself to develop findings and a notice of violation in order to begin enforcement. David Craigmile motioned to adopt the recommendation of Attorney Kolb, seconded by Michael Frank. Attorney Kolb commented he will assist with preparing the findings and notice for the following month's meeting. Upon vote, the motion passed 5-0.

Staff Reports:

**PARK:** Park manager, Ron Fjerkenstad reported on monthly activities.

- Ron reported R-6 water levels have been low this spring, similar to normal summer levels.
- The road at the base of the incline coming down from the office is struggling with snowmelt, Ron is planning to start some of his road maintenance soon.
- The 4 cycle Evinrude boat motor needs to be fixed. The local repair shop attempted to work on it, but the repair only temporarily worked. The local shop said it was a carburetor issue and they can't get the parts needed. Ron may need to bring to a licensed Evinrude dealer, which may mean bringing it to Spicer.
- The Canby Sportsmen's Fishing Contest was Feb 5<sup>th</sup> & 6<sup>th</sup>, and was successful and had some nice press in the paper. Numbers were slightly lower than the previous year due to cold, but there were no major incidents and virtually no trash was left on the lake.
- Ron is dealing with a minor issue of someone using a shortcut on the dam. It may not be a huge deal if they can use varying paths and not wear down a trail.
- Dave Ludvigson recommended checking with GoFasters in Ortonville for the boat motor repair.
- Dave Ludvigson also mentioned to check with CCG for crushed granite to use on the road below the office. His township has had success using it on steep inclines on township roads.

**DRAINAGE MANAGER/INSPECTOR:** Jared Roiland reported on monthly activities:

- Friday February 5 – Trudy, Darrel, and I had a virtual meeting with Houston Engineering and the contractor for CD 42. The installed pipe was 1.5' high at approximately station 59+89. Houston informed the contractor that they will have to dig back to where they find they were on grade and start relaying pipe at the correct grade from that point. The contractor also let us know that they would be shutting down for the next week with the cold temperatures.

- Thursday February 18 – Dave Craigmile and I took the newly delivered truck to Dave Ludvigson’s to measure the hitch height vs. tow hook height on the ROXOR to determine which type of ball we would need for the hitch. We also took the truck to Tofte’s to have Ryan look at the doors to determine the size of the watershed decal.
- Friday February 19 – The CD 42 contractor was back on site determining where they got off grade and how far back they have to relay pipe. According to the engineer, they likely ran at 1.13% grade instead of a 0.13% for a short distance around Station 42 which accounted for the pipe installed that 1.5-2’ high. The contractor ended up having to remove 1,620’ of tile.
- Thursday February 25 – The CD 42 contractor is around station 64+65 just shy of Branch 3. They are now past where they were when they had to rip out the incorrectly laid tile line.
- Monday March 1 – Darrel and I met with Joe and Adam from Houston Engineering on site of CD 42. We discussed how the project was progressing and timelines moving forward. They are at about Station 73 right now which has a cut of about 16’ deep. They are still battling frost but with the warming temperatures and running a dozer to cut through the frost they are able to work through it better.
- Last week I sent out one public ditch APO and 5 corrective action notices. Since sending those out, the APO and 2 of the corrective action notices have been resolved. So, county wide there are 4 parcels non-compliant (1 public waters, 3 public ditch).
- The engineer and contractor have just gotten back out on site of CD 54. Yesterday (March 1) they did some inspecting and according to the engineer many of the joints that we had questions about from the televising were found to be within the specs. The contractor is testing out this internal joint seal that goes on the joint and there are expansion bands that expand a seal that will repair the damaged joints.
- Haas’s brought in a petition for improvement for Br. 3 CD 4 that will be brought before you tonight.
- While I was in our commissioner meeting about the next set of ditches that the county board is going to do redeterminations on, the question was brought up about the watershed ditches and when they would be redetermined. I told the commissioners that I would mention this to our board, and also mentioned the fact that the Watershed Ditches were turned over when an improvement occurred and there was likely a redetermination needed on many of these systems along with that. There are a few ditches that according to the file haven’t had a redetermination since the 50s.
- Houston has been providing us daily progress reports for the CD 42 Improvement Project. These reports are very thorough and include a timeline of work each day, the amount of tile laid that day and pictures of work that is being done.
- We just received the 2<sup>nd</sup> partial payment application for the CD 42 project this afternoon.
- Thank you to the board and especially Dave Craigmile for the truck. It runs great and looks sharp! I’ve already had a few compliments from the public about it, so I think it was a great purchase for us.

**COORDINATOR:** Mitch Enderson reported on monthly activities:

- The first policy committee meeting for the 1W1P was held February 24<sup>th</sup>. BWSR gave an overview of 1W1P, Bylaws were approved, committee officials were elected, the consultant Request for Proposals was reviewed and assigned to the Steering team to finalize pending committee comments, the workplan and timeline were approved, and the committee agreed to meet every two months on the fourth Wednesday.
- The policy committee was asked to provide feedback on the RFP and Advisory Committee. The workplan will begin to be entered into eLink and the grant agreement needs to be motioned and signed.
  - Motion by David Craigmile to approve BWSR grant, seconded by John Cornell. Upon vote, motion passed 5-0
- County tax spreadsheets were uploaded to Lyon County for parcel data updates. Three GIS data requests were responded to.
- A&C of Marshall will be completing the Del Clark projects. They should be sending us contracts and bonding information soon. Concerns from neighboring landowners about the projects were responded to.

- Jared and I have answered questions about County ditch 79 & 83 outlet cleanouts. We received and paid for invoices and were notified payment was received, prompting review process. The review process takes 45-150 days, but we are hopeful for the short side as we have already answered many questions.
- An application for some clean up in the outlet to County Ditch 4 has been started and is almost complete with the assistance of Houston Engineering
- MPCA is currently working on public notices for our WRAPS & TMDL reports.
- Florida Creek work group is meeting biweekly. There is hope to apply to appear before council this year. Easements must be sorted out and some additional measurements/modeling is needed this spring. DNR fisheries believes they can earmark additional funding for engineering.

**WCA:** Mitch Enderson

- Another quiet month for permits.
- A response to restoration order that issued was received claiming they would be okay in South Dakota. A reply letter was issued explaining why he is still in violation and order remains in effect. The letter was delivered on the 22<sup>nd</sup>.
- Met with representatives at Karian Peterson Electric to discuss needs for mitigating if they build a storage building in a wetland identified on their property. They will call to check credit prices and line up a site delineation when growing season arrives.
- Participated in Wetlands law and compliance webinar yesterday. Speakers from Houston Eng., Rinke Noonan, and Wetland Specialist, Inc. discussed different wetland identification methods, law & enforcement, delineations, and restorations. I will get 4 continuing education credits.
- The annual reporting was approved BWSR.
- Credit request for Moen bank was approved and deposited by BWSR.
- Received notice from USFWS that the restoration near the Olson bank site has been completed. As part of the project, the outlet to Olson bank was rerouted into this restoration.
- Road replacement program is now open for applications.

**TREASURER'S REPORT:** Trudy Hastad read and reviewed the Treasurer report. She added that some funds had to be moved from the savings account at Dawson Credit Union in order to comply with FDIC insurance requirements. Dave Craigmile motioned to accept the Treasurers' report as read, seconded by Michael Frank. Upon vote, the motion passed 5-0.

The following warrants were presented for approval:

Number	Vendor	Details	2/03/2021 to 3/02/2021
<b><u>General Klein Account:</u></b>			
6169	LQP County	FEMA ditch reimb CD #84	\$46,581.40
6170	VOID	VOID	\$-0-
6171	LQP County Auditor/Treasurer	2021 Ford pickup license/Title	<u>\$2,685.95</u>
		TOTAL	\$49,267.35
<b><u>UPB Park Expense Account:</u></b>			
1317	LQP County Auditor/Treas	park boat license	\$34.60
1318	NB Golf, LLC	2013 Carryall Repair	\$1,032.74
1319	Canby Print Shop	200 Stickers	\$34.10
1320	Frontier Communications	phone, fax, internet	\$300.43
1321	Ag Plus Cooperative	gas	\$28.41
1322	Lyon-Lincoln Electric Coop	park electricity	\$879.50
1323	Olson Sanitation, Inc	trash	\$15.21
1324	Postmaster	yearly PO Box 2 rent	\$64.00
1325	Lincoln Pipestone Rural Water	water meter	\$47.79
Transfer	to UPB General	February payroll	<u>\$2,176.58</u>
		TOTAL	\$4,613.36
<b><u>UPB GENERAL ACCT:</u></b>			
3984	TenVoorde Ford	2021 F150 Ford Pickup	\$32,630.00
21020-21022	semi-monthly PERA	Feb 1-15 payroll	\$5,108.52
21023	Michael Frank	per diem, mileage	\$253.27

21024	John Cornell	per diem, mileage	\$196.05
21025	David Ludvigson	per diem, mileage, expense	\$886.01
21026	David Craigmile	per diem, mileage	\$143.44
21027	Darrel Ellefson	per diem, mileage	\$255.38
21028	Darrel Ellefson	County ditch work	\$397.53
3985	LQP-YB Liability	semi-monthly PERA	\$1,004.49
3986	Swenson Nelson Stulz Trust	earnest money for Buer building purchase	\$1,000.00
3987	Rinke Noonan Attorney's	monthly retainer	\$200.00
3988	Eldon Haas	13 nuisance beaver	\$260.00
3989	Valley Office Products	deluxe colored file folders	\$21.68
3990	Doug DeJong Farms	Rob Hauger tree snagging	\$1,020.00
3991	Houston Engineering Inc.	CD #42 Improvement engineering	\$40,368.75
3992	New FX Signs & Graphics	Ford pickup WS logo door decal	\$185.00
3993	Nelson Oyen Torvik	Stok's Attorney coorespondence	\$437.50
3994	Jared Roiland	buffer postage	\$33.96
21029-21031	semi monthly payroll	Feb 16-28 payroll	\$5,108.52
21032	monthly payroll	February park payroll	\$2,176.58
3995	LQP County Auditor/Treasurer	February postage	\$18.65
3996	Dirt Proz, LLC	pay request #2 CD #42 improvement	\$83,452.75
3997	LQP-Y B Liability Acct	Federal withholding	\$3,962.92
3998	LQp County Auditor/Treasurer	Health Insurance	\$4679.00
3999	LQP-YB Liability Acct	monthly & semi-monthly PERA	\$1,414.88
4000	Minnesota Revenue	February sales & use tax	\$99.00
		<b>TOTAL</b>	<b>\$185,313.88</b>

Debit Card

HalfMoon Education, Inc.	WCA training - Mitch	\$289.00
	<b>TOTAL</b>	<b>\$289.00</b>

**DITCH ACCT:**

<b>None</b>	<b>None</b>	<b>\$-0-</b>
	<b>TOTAL</b>	<b>\$0.00</b>

Trudy Hastad mentioned that Federal withholding and health insurance need to be added to the bills on the agenda.

David Craigmile motioned to approve the warrants as presented with needed additions, seconded by Michael Frank. Upon vote, motion passed 5-0.

Secretary's Report:

David Craigmile had meeting #612 minutes printed and motioned to approve as printed, seconded by John Cornell. Upon vote, motion passed 5-0.

David Craigmile had Emergency meeting #612.1 printed and motioned to approve as printed, seconded by David Ludvigson. Michael Frank asked about the required sewer inspection. Mitch Enderson said he talked with his wife at the city and it is up to the buyer/seller to contact a plumber for the inspection. Pillatzke's in Madison does most of them but two other places out of Appleton and Ortonville have done a few. Discussion followed and the board wished to use the local inspector to save on trip expense. Trudy said she will work on scheduling and figuring out costs with seller. Upon vote, motion passed 5-0.

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

- Mitch Enderson read Attorney Kolbs memorandum recommendation regarding the Haas petition for improvement for Br 3 County Ditch #4. Hastad reported the findings were emailed to the managers. Discussion followed. Mickael Frank motioned to accept the petition, approve the findings, and appoint Houston Engineering as Engineers for the project, seconded by David Cragmille. Upon vote, motion passed 5-0.

- COVID-19 Pandemic update: Effective March 1, 2021 the Courthouse doors were opened back up to the public. Masks are to be worn in the Courthouse, and social distancing requirements are still in effect. The service desk in the lower level has been removed.
- Briefly discussed the 1W1P planning grant that was signed during Mitch's report.
- The 2021 Ford F-150 pickup arrived this month and staff are excited about it. It looks really sharp with the decals added.
- Worked with Attorney Stulz to draw up a purchase agreement for the Buer buildings. This was reviewed and taken to Buer's for signature, and Chairman Ellefson signed, and the deed was given to the attorney. The Watershed wrote a \$1,000 check for earnest money. I will check with Pillatzki Plumbing & Heating to inspect the drain pipe to the City hookup. We are going to try and close by the end of March. Buer's are busy cleaning out the buildings.
- The County Ditch #42 improvement project construction is still in progress. This has been a perfect winter for this project. They are planning on having this completed the end of March.
- The County Ditch #54 improvement project has had the camera run through and found some issues. The Contractor has been on site this week to spot check and work with engineer on repairs. This project has not been closed out yet.
- Briefly discussed the Karel's violation as missed that part of meeting.

PERMITS- The following permit applications were applied for:

13340	Brian Fernholz	Lake Shore, 23	Seepage lines	03/02/21 DE
13341	Scott Wittnebel	Arena, 6	close ditch with tile	03/02/21 DE
13342	Rick Hersom	Riverside, 8	seepage lines	03/02/21 DE
13343	Rick Hersom	Riverside, 8	seepage lines	03/02/21 DE
13344	Rick Hersom	Riverside, 17	seepage lines	03/02/21 DE
13345 renew 12973	Rick Hersom	Riverside, 19	seepage lines	03/02/21 DE
13346 renew 12977	Rick Hersom	Riverside, 19-20	seepage lines	03/02/21 DE
13347 renew 12972	Rick Hersom	Riverside, 20	seepage lines	03/02/21 DE
13348 renew 12975	Rick Hersom	Riverside, 19-20	seepage and main lines	03/02/21 DE
13349	Roger Shuelke	Augusta, 17	seepage and main lines	03/02/21 DE
13350	Roger Shuelke	Augusta, 17	seepage and main lines	03/02/21 DE
13351	Warren Trygestad	Perry, 2	seepage lines	03/02/21 DE
13352	Travis Volkenant	Yellow Bank, 23	seepage lines	03/02/21 DE
13353 renew 13122	Dave Kremer	Hansonville, 29	seepage lines	03/02/21 JC
13354 renew 13127	Dave Kremer	Hansonville, 20	seepage lines	03/02/21 JC
13355 renew 13126	Dave Kremer	Hansonville, 10	seepage lines	03/02/21 JC
13356	Kremer Farms Partnership	Hansonville, 16	seepage lines	03/02/21 JC
13357	Kremer Farms Partnership	Hansonville, 10	seepage lines	03/02/21 JC
13358	Kremer Farms Partnership	Hansonville, 29	seepage lines	03/02/21 JC
13359	Kremer Farms Partnership	Hansonville, 22	seepage and main lines	03/02/21 JC
13360	Brian Croatt	LQP, 31	close ditch with tile	3/2/21 DE

Permits Denied: None

Manager David Craigmile motioned to approve the permits, seconded by Manager John Cornell. Upon vote, motion passed 5-0.

Meeting adjourned at 5:53 p.m.

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Darrel Ellefson, LQP-YB Chairman

Attest:

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David Craigmile, LQP-YB Secretary

Minutes prepared by Hastad

The next regularly scheduled meeting of the Lac qui Parle-Yellow Bank Watershed District is Tuesday, April 6, 2021 at 4:30 p.m.