

## Meeting #548

The regular meeting of the Lac qui Parle-Yellow Bank Watershed District Board of Managers was held on Tuesday, October 6, 2015 at the Lac qui Parle County Courthouse at 4:30 p.m. The meeting was called to order by Chairman Darrel Ellefson. Managers present were: David Craigmile, David Ludvigson, & John Cornell. Manager Ferguson was absent. Others present were: Trudy Hastad, Mary Homan, & Ronald Fjerkenstad.

Chairman Ellefson asked for additions to the agenda. There being none, Manager Craigmile motioned to approve the agenda, seconded by Manager Cornell. Upon vote, all voted in favor.

CWP REPORT: Homan met with the Board and reported that the SWAG sampling for 2015 was completed. She is still compiling data and pictures for the grant requirements. These reports are due November 1<sup>st</sup>, 2015. Homan reported the septic loan program is having its largest year since the loan program has been offered with requests still coming in. Homan reported getting notification from MAWD that our PRE-WRAPS program that we entered for program recognition was selected as a finalist for the MAWD Banquet. Homan reported the Terrain Analysis meeting was well attended but over the heads of many. Those that used ArcView frequently were well pleased with the presentation. She is still working with them on getting final products for the Clean Water Legacy grant requirements. Homan informed the Board that it was announced in the MPCA bulletin that we may be delayed six months to two years in getting our WRAPS dollars. Katherine from MPCA assured her we are still on target to get funding this week. All the pre-WRAPS work that was completed has kept us on target. Homan requested payment for two BMP projects funded thru the Yellow Bank Grant. The Doug & Lyle Wittnebel terrace project was completed and the grant will pay additional expenses (after EQUIP program) up to 75% which comes up to \$4,871.84. Also a filter strip incentive payment for Glen Radermacher for 6.41 acres for 10 years in the amount of \$4,807.50.

Manager Ludvigson motioned to approve payment from Yellow Bank Grant for 75% cost share of a terrace project to Wittnebel Farms for \$4,871.84, seconded by Manager Craigmile. Upon vote, all voted in favor.

Manager Craigmile motioned to approve a 6.41 acre filter strip incentive for 10 years from the Yellow Bank Grant to Glen Radermacher for \$4,807.50, seconded by Manager Ludvigson. Upon vote, all voted in favor.

WCA REPORT: Reviewed and discussed permit # 11186 that was issued. No action was taken. Homan updated the Board on the Happe/Markus site. Homan updated the Board on the Olson wetland bank application. No further action was taken.

PARK REPORT: Ron met with the Board for park updates. Ron reported the water was turned off with electricity being shut down the 2<sup>nd</sup> week of October. Ron discussed some needed infrastructure upgrades. He received a quote from Vlamick Electric to upgrade 12 sites to 50 amp at a cost of \$700.89 and to replace light fixture in beach bathhouse for \$664.00 with an additional \$80 rebate from RDC. Discussion followed.

Manager Craigmile motioned to accept the quote from Vlamick Electric to upgrade the 12 campsites to 50 amp at a cost of \$700.89 and replace the beach bathhouse light fixture for \$664.00, seconded by Manager Cornell. Upon vote, all voted in favor.

Ron discussed trading in some old equipment for a utility tractor with loader which is greatly needed as the old tractor is on it's last legs. Discussion followed with the Board recommending getting quotes with trade and without trade from the local dealers in the Watershed District. No further action was taken.

Ron discussed the 2016 park rates and felt a small increase was needed as the rates remained the same since 2014.

Manager Ludvigson motioned the following park rates for 2016, seconded by Manager Cornell. Upon vote all voted in favor.

Park Rates  
(all rates include sales tax)

	<u>2015 Rate</u>	<u>2016 Rate</u>
Park Fees:		
Yearly Park Pass	\$25.00	\$25.00
Daily Park Pass	\$ 4.00	\$ 4.00
Daily:		
Lights & Water	\$22.50	\$25.00
Overflow (electric only)		\$20.00
Monthly:		
Lights & Water	\$459.00	\$500.00
Seasonal: (May 1 to October 1)		
Lights & Water	\$1,300.00	\$1,350.00
Lights, Water, & Sewer (single)	\$1,540.00	\$1,600.00
Lights, Water, & Sewer (double)	\$1,750.00	\$1,825.00

Administrator Hastad discussed drawing down the water in R-6 prior to ice formation as recommended by NRCS. Discussion followed. Hastad will contact DNR & Fisheries prior to the drawdown and the park crew will oversee the drawdown to the set elevation recommended from the NRCS. No further action was taken.

TREASURER'S REPORT: Manager Ludvigson presented the Treasurer's report. Manager Craigmile motioned to approve the Treasurer's report, seconded by Manager Ludvigson. Upon vote, all voted in favor.

SECRETARY'S REPORT: Secretarial report #547 was presented. Manager Cornell motioned to approve report #547 as mailed, seconded by Manager Ludvigson. Upon vote, all voted in favor.

The next meeting date was set for Monday, November 2, 2015 at 4:30 p.m. in the Lac qui Parle County Commissioners' room. Date changed due to local elections on Tuesday, November 3, 2015.

ADMINISTRATOR'S REPORT:



Hastad discussed the 2016 watershed ditch assessments and reported that Lincoln County needed this in a resolution format as follows:

Resolution No. 4-2015

BE IT RESOLVED, by the Lac qui Parle-Yellow Bank Board of Managers, acting as the Watershed Ditch Authority, Counties of Lac qui Parle, a portion of Yellow Medicine, & a portion of Lincoln Counties, State of Minnesota, that the following assessments are herewith adopted; and

BE IT FURTHER RESOLVED, that the following one year assessments are adopted to maintain an appropriate balance in each of the following Ditch Repair Funds:

LAC QUI PARLE COUNTY WATERSHED DITCH PROJECT:

<u>Project No.</u>		<u>Amount</u>
4020	Lat A of LQP-YB #1	\$5,142.80
4030	LQP-YB #2	\$4,582.25
4050	LQP-YB #81-82	\$4,336.00
4060	LQP-YB #88-1	\$3,414.72
4070	LQP-YB #32	\$4,621.10
4080	LQP-YB #92	\$10,142.23

LINCOLN COUNTY WATERSHED DITCH PROJECT:

LQP-YB Lincoln Ditch #11	\$15,000.00
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BE IT FURTHER RESOLVED, that the aforementioned assessments are due and payable to the Lac qui Parle-Yellow Bank Ditch Repair Funds in 2016.

WHEREUPON, the above resolution was adopted at the regular meeting of the Lac qui Parle-Yellow Bank Watershed Board of Managers this 6<sup>th</sup> day of October, 2015.

Manager Cornell motioned to approve resolution #4-2015, seconded by Manager Craigmile. Upon vote, all voted in favor.

Hastad reported that the contractors for the Br 11 CD #27 Improvement Project have finished with the paperwork for the project, so she is waiting for the Engineer's ok to schedule the Contractor hearing. Discussion followed with no action being taken.

Hastad informed the Board that a letter was sent to Canby Farmers Coop elevator regarding fertilizing the hayground at Del Clark. Mr. Driessen called and said they still will not let him spread the fertilizer due to some law changes that occurred on March 1. Discussion followed with Hastad instructed to contact Driessen and have him check with another fertilizer plant. No further action was taken.

Hastad said she received an e-mail from Judy Boudreau from State DNR requesting the EAP for R-1 contact names etc. be updated. They could help with a dam break analysis this winter which could replace the existing inundation maps. Discussion followed. Hastad replied this will probably be a late fall/early winter project. No further action was taken.

Hastad informed the Board that the MAWD annual meeting will be held December 3-5 and asked who would be attending so she could make room reservations. Discussion followed with Hastad instructed to reserve rooms. No further action was taken.

Hastad further discussed the Br 11 CD #27 Improvement project. They discussed funding of the project and asking the County to Bond the project. Hastad presented a reimbursement resolution and a bonding term, interest rate, and deficiency resolution prepared by John Kolb from Rinke-Noonan for the Board's consideration. Discussion followed.

Resolution 5-2015:

STATE OF MINNESOTA  
LAC QUI PARLE-YELLOW BANK WATERSHED DISTRICT BOARD OF MANAGERS  
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E  
FOR THE IMPROVEMENT OF BRANCH 11 OF LAC QUI PARLE COUNTY DITCH 27

The Matter of the Improvement of Branch 11  
Of Lac qui Parle County Ditch 27

REIMBURSEMENT RESOLUTION

At the regular meeting of the Board of Managers of the Lac qui Parle-Yellow Bank Watershed District, Drainage Authority for the Improvement of Branch (Br.) 11 of Lac qui Parle County Ditch (CD) 27, on October 6, 2015, Manager Ludvigson moved, seconded by Manager Craigmile for adoption of the following Resolution:

1. On April 3, 2012, the Lac qui Parle-Yellow Bank Watershed District Board of Managers accepted the petition of Kostad and others for the Improvement of Br. 11 of CD 27.
2. The petition was properly filed with the Board of Managers pursuant to Minnesota Statutes section 103D.525, subd.4, which requires improvements of existing drainage systems in the watershed district to be initiated by filing a petition with the managers.
3. The Watershed Board held all of the proceedings necessary to order the improvement and to accept the viewers' report of improvement benefits and damages.
4. The Watershed Board adopted an order on December 2, 2014, establishing the improvement and confirming the viewers' report of improvement benefits and damages.
5. No appeals were taken from the Board's order.
6. The Board advertised the project, accepted bids and awarded a contract for the improvement.
7. The work is substantially completed.
8. Statutes section 103E.655 requires the costs for drainage project proceedings and construction to be paid from the drainage system account by drawing on the account. Statutes section 103E.645 requires the payment of fees and expenses.
9. Statutes section 103E.655 allows the Drainage Authority, in the event the drainage system account is insufficient to pay costs, to transfer money from another account to pay costs until such time as alternative financing is in place to cover costs.
10. Statutes section 103E.635 authorizes the County board to issue bonds after the contract for the construction of a drainage project is awarded, in an amount necessary to pay the cost of establishing and constructing the drainage project, not an amount in excess of the total cost, including expenses, to be assessed to pay for the drainage system.

Based on the foregoing, the Board of Managers of the Lac qui Parle-Yellow Bank Watershed District resolves: Payment of costs may be reimbursed by the issuance of tax exempt bonds, issued pursuant to Statutes sections 103E.635-E.641.

After discussion, the President called the question. The question was on the adoption of the foregoing findings and order and there were 4 yeas and 0 nays.

Upon vote, the President declared the Resolution passed.



STATE OF MINNESOTA  
LAC QUI PARLE-YELLOW BANK WATERSHED DISTRICT BOARD OF MANAGERS  
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E  
FOR THE IMPROVEMENT OF BRANCH 11 OF LAC QUI PARLE COUNTY DITCH 27

In the Matter of the Improvement of Branch  
11 of Lac qui Parle County Ditch 27

BONDING TERM, INTEREST RATE AND  
DEFICIENCY RESOLUTION

At the regular meeting of the Board of Managers of the Lac qui Parle-Yellow Bank Watershed District, Drainage Authority for the Improvement of Branch (Br.) 11 of Lac qui Parle County Ditch (CD) 27, on October 6, 2015, Manager Ludvigson moved, seconded by Manager Cornell for adoption of the following Resolution:

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2. The Petition was properly filed with the Board of Managers pursuant to Minnesota Statutes section 103D.525, subd. 4, which requires improvements of existing drainage systems in the watershed district to be initiated by filing a petition with the managers.
3. The Watershed Board held all of the proceedings necessary to order the improvement and to accept the viewers' report of improvement benefits and damages.
4. The Watershed Board adopted an order on December 2, 2014, establishing the improvement and confirming the viewers' report of improvement benefits and damages.
5. No appeals were taken from the Board's order.
6. The Board advertised the project, accepted bids and awarded a contract for the improvement.
7. The work is substantially completed.
8. Statutes section 103E.655 requires the costs of drainage project proceedings and construction to be paid from the drainage system account by drawing on the account. Statutes section 103E.645 requires the payment of fees and expenses.
9. Statutes section 103E.635 authorizes the County Board to issue bonds after the contract for the construction of a drainage project is awarded, in an amount necessary to pay the cost of establishing and constructing the drainage project, not in an amount in excess of the total cost, including expenses, to be assessed to pay for the drainage system.
10. To pay the costs of establishing and construction the project, the Watershed Board will certify to the Lac qui Parle County Auditor-Treasurer assessments against property benefitted by the ditch project in up to 20 equal annual installments, in accordance with Statutes section 103E.611, which provides that the interest rate on such assessments cannot exceed the rate determined by the state court administrator for judgments under section 549.09 (currently 4% maximum), and Lac qui Parle County may issue bonds pursuant to statutes section 103E.635 to pay the costs of the drainage project proceedings and construction.
11. Because of the interest rate limitation, prepayment of assessments, and delinquencies, it is possible that the collection of drainage assessments to pay the principal and interest on the drainage bonds will be less than that required to meet the repayment obligations.
12. Despite possible deficiencies in the drainage assessments collected to pay the principal and interest on the drainage bonds, the obligation to repay the bonds remains a cost and obligation of the drainage systems. (See §§ 103E.645; E.655).

Based on the foregoing, the Board of Managers of the Lac qui Parle-Yellow Bank Watershed District resolves:

- A. Should Lac qui Parle issue bonds to cover the costs of the project, the Watershed District obligates itself to pay to Lac qui Parle County the amount in each year by which the drainage assessments collected by the County in such year are insufficient to pay the

principal and interest on the drainage bonds. Such deficiency payment shall be paid from the reserve account and debited against the drainage system account from which the deficiency originates.

- B. Funds transferred from the reserve account shall be repaid by additional annual assessments certified against property in the debited drainage system.

After discussion, the President called the question. The question was on the adoption of the foregoing findings and order and there were 4 yeas and 0 nays.

Upon vote, the President declared the Resolution passed.

The following bills were presented for payment:

**GENERAL KLEIN ACCOUNT:**

09-24-15	6340	Mike ton & Monnens Excavating	SSTS loan	\$16,780.00
09-24-15	6341	Trig Viessman & D. A. Wiegiers	SSTS Loan	\$16,632.00
09-24-15	6342	Trig Viessman & Paul Pillatzki	SSTS Loan	\$1,540.00
09-29-15	6343	Betty Johnson & Monnens Excavating	SSTS Loan	\$11,800.00
10-06-15	6344	Office Depot	pens	\$17.49
10-06-15	6345	Rinke Noonan Attorney's	monthly retainer	\$200.00
10-06-15	6346	LQP Broadcasting Co., Inc.	August 12 radio program	\$17.50
10-06-15	6347	Gary Redepinning	120 nuisance beaver	\$1,500.00
10-06-15	6348	Mary Homan	mileage & supply reimb	\$127.56
10-06-15	6349	Mary Homan	SWAG – water sample mileage reim	\$954.49
10-06-15	6350	Upper MN River Watershed District	SWAG – water sample – Vanessa	\$492.02
10-06-15	6351	LQP SWCD	YB – technical service fee	\$4,562.72
10-06-15	6352	RMB Environmental Lab	SWAG – water sampling	\$13,418.00
10-07-15	6353- 6357	monthly payroll	September payroll & Ditch work	\$3,442.76
10-07-15	6358	Minnesota Revenue	State Withholding	\$1,547.00
10-07-15	6359	LQP-YB Liability	Federal Withholding	\$1,450.16
10-07-15	6360	PERA	semi-monthly deductions	\$619.09
10-06-15	6361	Wittnebel Farms	YB – 75% cost share on terraces	\$4,871.84
10-06-15	6362	Glen Radermacher	YB – 6.41 acre filter strip incentive	\$4,807.50
10-12-15	6363	Minnesota Revenue	September sales & use tax	\$140.00
			<b>TOTAL</b>	<b>\$84,920.13</b>

**PARK ACCOUNT:**

09-30-15	5505 – 5508	monthly payroll	September park payroll	\$4,444.45
10-06-15	5509	Farmers Coop Association	gas, lp tank rental, 267 gal unlead	\$981.60
10-06-15	5510	AT&T Mobility	park cell phone 507-829-0394	\$41.56
10-06-15	5511	Frontier Communications	park phone, fax, internet	\$221.85
10-06-15	5512	Running's Supply	park supplies	\$28.79
10-06-15	5513	C.A.S. Plumbing & Heating	quarterly softner rent	\$43.28
10-06-15	5514	Sturdevant's Auto Parts	supplies	\$26.22
10-06-15	5515	Olson Sanitation LLC	September trash	\$454.19
10-06-15	5516	Lyon-Lincoln Electric	park electricity	\$2,368.31
10-06-15	5517	Lincoln Pipestone Rural Water	water meter @ park	\$154.82
10-06-15	5518	Doug's Service & Marine	supplies/parts	\$237.68
10-06-15	5519	Canby True Value	August & September Supplies	\$680.65
			<b>TOTAL</b>	<b>\$9,683.40</b>

**UNITED PRAIRIE BANK GENERAL ACCOUNT:**

09-18-15	2490 – 2491	semi-monthly payroll	Sept 1-15 payroll	\$3,313.39
09-21-15	2492	PERA	semi-monthly deductions	\$619.09
09-30-15	2493	PERA	monthly deductions	\$330.53
10-05-15	2494 – 2495	semi-monthly payroll	Sept 16-31 payroll	\$3,313.41
10-06-15	2496	Bolton & Menk Inc.	Br 11 CD #27	\$587.50
10-06-15	2497	Frontier Communications	office phone 320-598-3117	\$42.14
10-06-15	2498	Frontier Communications	CWP office phone 320-598-3319	\$49.63
10-06-15	2499	LQP County Auditor/Treas	September postage	\$55.90
10-06-15	2500	BWSR	Homan BWSR Academy Reg	\$123.00



**DITCH FUND**

10-06-15

1345

LQP County Auditor/Treasurer

**TOTAL**

WS #85 2016 Levy

**TOTAL****\$8,434.59**\$1,368.25**\$1,368.25**

Manager Ludvigson motioned to approve the bills, seconded by Manager Cornell. Upon vote, all voted in favor.

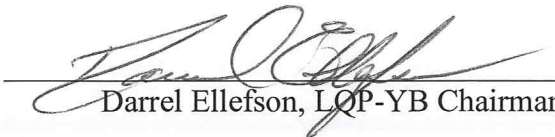
**PERMITS:** The following permit applications were applied for:

11295	Wayne Anderson	Baxter, 7	seepage lines	10/06/15 DC
11296	Matt Bormann	Madison, 29	seepage lines	10/06/15 DE
11297	Greg Bothun	Riverside, 2	seepage, main tile, clean ditch	10/06/15 DE
11298	Todd Brehmer	Perry, 16	seepage, main tile	10/06/15 DE
11299	Todd Brehmer	Perry, 20	seepage lines	10/06/15 DE
11300	Brian Croatt	Madison, 33	clean ditch	10/06/15 DE
11301	Ron Dessonville	Cerro Gordo, 11 & 12	seepage, main tile	10/06/15 DE
11302	Tom Fernholz	Madison, 2	seepage, main tile	10/06/15 DE
11303 RENEW #10862	Jeff Hanson	Garfield, 17	seepage lines	10/06/15 DE
11304	Steve Haas	Hamlin, 3	close ditch, intake	10/06/15 DE
11305	Steve Haas	Madison, 10 & 11	close ditch w/tile	10/06/15 DE
11306	Keith Hansen	Lake Shore S, 5	seepage lines	10/06/15 DE
11307	Paul Hill	Riverside, 17	seepage, main tile	10/06/15 DE
11308 Renew #9260	Keith Hoffman	Agassiz, 21	seepage lines	10/06/15 DE
11309	Keith Hoffman	Perry, 12	seepage, main tile	10/06/15 DE
11310	Keith Hoffman	Perry, 3	seepage lines	10/06/15 DE
11311	Keith Hoffman	Agassiz, 35	seepage lines	10/06/15 DE
11312	Keith Hoffman	Agassiz, 32 & 33	seepage lines	10/06/15 DE
11313	Mark Kunde	Lake Shore N, 31	clean ditch	10/06/15 DE
11314	Mark Kunde	Lake Shore N, 30	seepage, main tile	10/06/15 DE
11315	Gary Lee	Lac qui Parle, 32	seepage, main tile	10/06/15 DE
11316 Renew #10930	Nate Ludvigson	Mehurin, 8	seepage, main, pump, clean waterway	10/06/15 DE
11317	Eric Lund	Lake Shore N, 31	seepage, main tile	10/06/15 DE
11318	Jason Lund	Lake Shore S, 4 & 9	seepage, main tile	10/06/15 DE
11319	Luke Oie	Madison, 12	seepage lines	10/06/15 DE
11320	Luke Oie	Madison, 2	seepage lines	10/06/15 DE
11321	Luke Oie	Madison, 12	seepage lines, intakes	10/06/15 DE
11322	Luke Oie	Madison, 12	seepage lines, intakes	10/06/15 DE
11323	Paul Olson	Baxter, 2	restore/cleanout waterway	10/06/15 DC
11324	Jim Pehrson	Providence, 36	seepage, main tile	10/06/15 DE
11325	Gary Robertson	Providence, 14	seepage, replace culvert	10/06/15 DE
11326	Roger Storlien	Garfield, 36	restore/cleanout waterway	10/06/15 DE
11327	Jim Thomas	Hantho, 25; LQP, 30	seepage lines	10/06/15 DE
11328	Roy Tonn	Lake Shore S, 17	clean ditch	10/06/15 DE
11329 Renew #10398	David Torstenson	Baxter, 25	seepage, main tile, terraces	10/06/15 DC

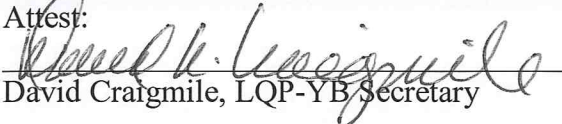
**PERMITS HELD:** Adrian Hemish, Bob Pehrson, Loran Haas, Dean Pearson (approved pending Manager Ferguson signature).

Manager Craigmile motioned to approve the permits, seconded by Manager Cornell. Upon vote, all voted in favor.

The meeting adjourned at 6:30 p.m.

  
Darrel Ellefson, LQP-YB Chairman

Attest:

  
David Craigmile, LQP-YB Secretary