

DUBUQUE SOIL & WATER
CONSERVATION DISTRICT COMMISSIONER'S MEETING
EPWORTH IA
January 10, 2022

Call Meeting to Order: The monthly meeting of the Dubuque Soil & Water Conservation District Commissioners was called to order by Chairperson Wayne Demmer at 6:23 p.m. via Zoom on January 10, 2022. Those present included Staff: Theresa Weiss, Colleen Siefken, Zach Timm & Eric Schmechel; Commissioners: Wayne Demmer, Jeff Schmitt, Ronald Lindblom, John Smith & Mike Freiburger; Assistant Commissioner: Dave Ruden.

Adopt Agenda: The following additions were added:

CDI Scholarship/Poster Contest
Schmitt asked to address Lindblom's email to Board

22-14 Motion made by Lindblom to approve the agenda with additions. Motion seconded by Schmitt. Motion carried unanimously.

Approval of Minutes of Last Meeting: Demmer called for a discussion of the December 13 & 29, 2021 meeting minutes.

22-15 Motion made by Freiburger to approve the meeting minutes. Motion seconded by Schmitt. Motion carried unanimously.

FARMS Program Summary: Current **FARMS '21** Account information:

Program	Balance	Program	Balance
REAPP	\$ 0.00	Cost Share	\$ 0.00
REAPF/NG	\$ 0.00		

Cost Share Priorities: To be discussed at February meeting. Only 5 structural practices completed 1/21 – 12/21 – 3 grade stab structures and 2 grass waterways. Should we put off 6-12 months? Siefken will email board for opinion.

Cost Share Applications: Demmer reviewed the following:

IFIP
None
REAP
None

Cost Share Certifications: Demmer reviewed the following:

Payments for Approval 1/10/22							
Practice Number	Program	Applicant	Practice	Amount Installed	Practice Units	Eligible Cost	Cost Share Amount
91465	Water Quality Initiative -	BURKLE, GARY	Cover Crop - 1 Year	87.6	Acre(s)	\$4,380.00	\$1,314.00
91627	Water Quality Initiative -	SCHUELLER, DENNIS	Cover Crop - 1 Year	56	Acre(s)	\$2,800.00	\$1,400.00
92230	Water Quality Initiative -	SMITH, JOHN	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
92234	Water Quality Initiative -	STEFFENSMEIER, JASON	Cover Crop - 1 Year	40	Acre(s)	\$2,000.00	\$1,000.00
92239	Water Quality Initiative -	MILLER, RONALD	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
92259	Water Quality Initiative -	DEUTMEYER, MICHAEL	Cover Crop - 1 Year	138	Acre(s)	\$6,900.00	\$2,070.00
92402	Water Quality Initiative -	WOLFE, LORAS	Cover Crop - 1 Year	124	Acre(s)	\$6,200.00	\$3,100.00
92415	Water Quality Initiative -	KAUFFMANN, JERRY	Cover Crop - 1 Year	85.6	Acre(s)	\$4,280.00	\$1,284.00
92440	Water Quality Initiative -	THIER, JEFF	Cover Crop - 1 Year	78	Acre(s)	\$3,900.00	\$1,170.00
92659	Water Quality Initiative -	FREIBURGER, MARVIN	Cover Crop - 1 Year	131.7	Acre(s)	\$6,585.00	\$1,975.50
93379	Water Quality Initiative -	WILWERT, ANDREW	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
93382	Water Quality Initiative -	KOOPMANN, KEITH	Cover Crop - 1 Year	84.34	Acre(s)	\$4,217.00	\$1,265.10
93385	Water Quality Initiative -	ZAUICHE, ROBERT	Cover Crop - 1 Year	106	Acre(s)	\$5,300.00	\$1,590.00
93762	Water Quality Initiative -	WEST, DANIEL	Cover Crop - 1 Year	91	Acre(s)	\$4,550.00	\$2,275.00
93838	Water Quality Initiative -	HERMSEN, MARTIN	Cover Crop - 1 Year	150	Acre(s)	\$7,500.00	\$2,250.00
94653	Water Quality Initiative -	FELDMANN, AMY	Cover Crop - 1 Year	36.8	Acre(s)	\$1,840.00	\$552.00
94790	Water Quality Initiative -	COOK, TODD	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
94793	Water Quality Initiative -	COOK, ALICE	Cover Crop - 1 Year	120	Acre(s)	\$6,000.00	\$1,800.00
94795	Water Quality Initiative -	COOK, TONY	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
95481	Water Quality Initiative -	TAYLOR, PETER	Cover Crop - 1 Year	160	Acre(s)	\$8,000.00	\$2,400.00
95917	Water Quality Initiative -	RYAN, KELLY	Cover Crop - 1 Year	157	Acre(s)	\$7,850.00	\$3,925.00

22-16 Motion made by Freiburger to approve the cost share certifications. Motion seconded by Schmitt. Smith abstained. Motion carried.

Watershed Project Update:

Budget review with BOS on January 26th, no time set yet.

Buffer Strips Update – Eric is planning to meet with FSA January 18th or 20th to discuss new County program. Requesting \$75,000 from BOS. No approval yet.

Watershed Roundtable Sessions start Tuesday, January 11th and will run for 4 months.

Jeo Virtual Agency Scoping Meeting for Northern Dubuque County WFPO Watershed Plan –

January 19th, 2-4 p.m. microsoft teams. Followed by 6-8 p.m. meeting at Asbury City hall to answer public questions.

Champion Farmers – rethinking idea. Only 3 people applied.

28E Agreement updating between SWCD & Asbury. Currently being reviewed by Attorney General's office.

Intern desired to assist John Wiley next summer. Proposal coming.

1M/Finance:

- December Bank Statement & Treasurer reports were reviewed. \$8.55 added to Vendor Bills Submitted page for check made out to Hartig Drug to pay for postage to mail FARMS Audit folders.

22-17 Motion made by Lindblom to approve the December Treasurer Report. Motion seconded by Schmitt. Motion carried unanimously.

Correspondence Received:

- New State Technician job application period closed 1/9/22. To be Interviewed by Kuennen, Weiss, commissioner or two.

- CDI Connections Newsletter (December)

- CDI Scholarship Fund Request

- FARMS Audit Request – Accounting is now reviewing cost share claims from 7/1/20 – 6/30/21 and requested 8 files to be sent.

- CDI Scholarship/Poster contest – Scholarship will be circulated through high schools. Poster contest won't be advertised as it needs to go through Forum and interest has been poor in the past.

- Lindblom email to Board –

Fellow Commissioners,

I am listing concerns I witnessed at our December 13th meeting. I think the commission should reconsider its actions and make revisions, but the purpose of this letter is only to record what I witnessed:

1. Before and during the December 13th the majority of the commission:

A) Subverted the Iowa Open Meetings Law (Code chapter 21.1) by meeting in private to decide who would be appointed to fill the Commissioner's seat which was soon to be left vacant by Mel Wilgenbush, and offering that seat to the recipient without consulting the full board. Emails on this matter are (by the same code) available to the public upon request. This may be the point at which those commissioners opened a legal liability for the commission.

Section 21.1 was subverted again on the 13th when the commission proceeded to vote in the new commissioner without any public notification, discourse, or qualifications of the new commissioner being asked for or presented. When the public nature of a procedure is in doubt, section 21.1 makes clear the commission is to proceed in favor of openness and public notification.

B) Ignored the advice of Conservation Districts of Iowa president John Whitaker to post notice in the newspaper of the open commissioner's seat, collect qualifications and evaluate them equitably, and pay attention to section 21.1. I understand the failure to do this has sparked several conversations in Des Moines between CDI, IDALS and others (not me) on how to better guide commissioners in the future, and there is some promise this will be addressed.

C) Voted on filling this vacancy when that was not on the agenda. According to the Districts Administration section of our Commissioner Handbook, we are operating on Robert's Rules of Order, relaxed Version. Per those rules, matters may not be taken up which are not on the agenda without a

motion to amend the agenda. The commission has, in the past, followed this protocol. I called our Conservation Assistant, on December 10 - three days before this meeting – to hear that voting on the replacement commissioner was *not* on the agenda, despite wording which may have been mistakenly interrupted that way. The agenda item was to discuss a *plan* to fill the vacancy in January. Therefore, the full board did not have notification of this agenda item. If we did have notice, alternate candidates who had expressed interest could have been notified. No candidates attended the meeting.

The District Administration rules state “the motion to Reconsider practically knows no limit in a committee” – thus it appears the commission is free and encouraged by Chapter 21 to do that by rerunning this appointment by a process that honors the code. Presently, this is a stain on our commission.

Having been commissioner for over a year, I believe the issues is not rooted in intent as much as the preference of the majority to run the commission as a social club. Yet the commissions actual role is to represent a diverse population of citizens and address issues objectively, on their merits. We struggle to get past the person presenting and listen to issues objectively – the fate of the Ecosystem Paradigm initiative vs. the Stream Buffer Proposal is an example.

We have an odd numbered commission so opposing votes can register the diverse opinion of our electorate while we still get business done. Those opposing votes are often the most important ones we will ever make for the county. When the commission *intentionally* votes as a block and criticizes those who don't – as has occurred on different issues – this is a perfect example of not representing anyone except the self-interests of the commissioners as a social club. This opens us to ineffectualness and significant legal liability.

I believe we have strong respect for each other and can get our work done better if we consider these things.

Thank you,
Ronald Lindblom, commissioner
Jan 9 2022

Schmitt replied that there was no private meeting to appoint a replacement for Mel. He felt it a misunderstanding in that when Mel announced his pending resignation at our November meeting it was mentioned that it would be an opportunity to see if John Smith would still be interested in serving the board and that someone should contact him to see if so. There was an item on the December 13th agenda, item D, Appointment of candidate to fill Wilgenbusch term. Schmitt commented that between the members of the board they have approximately 175 years of combined agricultural experience. Lindblom's comment about the board being a social club with self interests leaves Schmitt and others at a loss. Board members feel they do not vote as a block. They agree on many topics, but do speak up with questions and if warranted vote in opposition.

Freiburger mentioned that we did follow current IDALS guidance re filling a board vacancy. CDI is an advisory board to the commissioners. We follow the policies of IDALS. Regarding the ecosystem – we/NRCS work to improve the counties ecosystem daily. County Buffer Strip proposal is a good example of that.

Demmer mentioned that when we are outvoted we still need to agree with the quorum of the board. We agree to disagree.

Lindblom replied that between CDI/IDALS he is hopeful changes will be made to current guidelines to better address issues. He stressed optics are important.

22-18 Motion made by Schmitt to give \$100 to CDI for their Scholarship program. Motion seconded by Freiburger. Motion carried unanimously.

Slough Bill Updates: Wait until February meeting.

Meeting Updates:

None

Personnel Updates:

State Technician – no update from IDALS

Kathy Sweeney will be submitting her resignation as she has accepted a job with the Farm Service Agency.

Mileage Rates Increasing to \$0.585/mile in '22.

NACD 5th round TA Grants – Siefken & Weiss haven't had a chance to talk.

22-19 Motion made by Lindblom to increase the mileage rate for Watershed employees. Motion seconded by Schmitt. Motion carried unanimously.

NRCS Updates: Weiss reported the following:

- Review of Civil Rights Responsibilities & Expectations with Agency Partners – information was emailed to Board. Signature sheet will be mailed to Commissioners for their acknowledgement.
- New National Wild Turkey Federation employee hired.
- EQIP Rankings – priority HUC 12 watersheds and 3 resource concerns are increasing points for producers.
- Ranking/assessing '22 EQIP/CSP applications

Being no further business to discuss, Demmer requested a motion to adjourn.

22-20 Motion made by Freiburger to adjourn. Motion seconded by Schmitt. Motion carried unanimously.

The meeting adjourned at 8:00 p.m.

The next meeting will be held on Monday, **February 14, 2022** at **6:30 p.m.** at a location to be announced.

Wayne Demmer 2/14/22
 Chairperson Date

Colleen Suffer 1/18/22
 Secretary Date

