

Lac qui Parle-Yellow Bank Watershed District

Regular Meeting Minutes #586

December 4, 2018

Call to Order

The meeting was called to order by Chairman Darrel Ellefson at 4:30 p.m. at the Lac qui Parle County Courthouse, Commissioners' Room, Courthouse, 600 6th Street, Madison, MN. **Managers present:** Chairman Darrel Ellefson, Vice-Chairman John Cornell, Secretary David Craigmile, Treasurer David Ludvigson. **Manager absent:** none **Staff present:** Administrator Trudy Hastad, Coordinator Mitch Enderson, Drainage manager Jared Roiland, Park Manager Ron Fjerkenstad. **Others present:** Michael Frank, & Debra Nefstead.

Approval of the Agenda

Ellefson asked for additions to the agenda. Manager Ludvigson asked to have the Berglund/Schmidt tile issue added. Ellefson asked for a motion to approve the amended agenda. **M/S/P** to approve the amended agenda:

Motion: David Craigmile, **Seconded:** John Cornell **Passed:** 4-0

Staff Reports:

PARK: Park Manager, Ron Fjerkenstad reported on monthly activities.

- The recall on the park pickup was completed and he just received another recall on the door latches that he will have taken care of.
- The last of the pruning at the park was completed.
- The Canby fire chief has the permits secured for the fishing tournament to be held at Del Clark the third weekend in January.
- Ron reported the park needs to be graveled this spring. Discussed possibly using granite fines.
- Michael Frank asked if the park was ever sprayed for mosquitoes. Ron reported it was sprayed this summer prior to the July 4th events held at the park.

DRAINAGE MANAGER/INSPECTOR

- We met with Ryan Bjerke, DNR Area Hydrologist regarding possible cleanout of CD #83 outlet.
- Met with Ryan Schicker from LQP SWCD regarding the remaining public watercourse non-compliant parcel list for us to send out Corrective Action Notices to landowners.
- Attended MAWD annual meeting November 29, 2018 and attended the drainage seminar.
- Met with a landowner to view a large beaver dam backing up water in CD #84 in Agassiz Township.
- Worked with Trudy on the corrective action notice for buffer compliance as will be sending out notices to landowners that are non-compliant with the public waters buffer law.
- Worked on information for viewers for redetermination of benefits of CD #84 and Lat B of CD #84.
- Continue to scan County Ditch records into Drainage DB.

COORDINATOR: Coordinator Mitch Enderson reported on monthly activities.

- 57 systems have been completed in the Drainage Records Management Grant.
- Attended the MAWD Annual meeting in Alexandria, MN. I presented along with Houston Engineering on our experience with the Altered Hydrology study during an afternoon session.
- Photo contest ended and 2019 calendars completed. 1st place was Ronald Cram.
- Attended a civic engagement event in Mankato.
- Working with a sign company about ideas and options for interpretive signs for our WRAPS grant.
- We have had 17 SSTS applications in 2018.
- Working with Trudy and Untied Prairie staff to transition payroll to direct deposit.
- Working with DNR to clean portion of ditch at outlet of County Ditch #83.

WCA – Coordinator Mitch Enderson

- Quiet month for permits.
- A landowner asked for assistance with what is required and getting the process started to apply and purchase credits for mitigation.

OTHER:

John Stone met with the Board to discuss his 40 acre parcel in section 8, Norman Township, Yellow Medicine County. This property has been enrolled in CRP since 1988 and they would like to sell the property and want to give the Watershed District first opportunity to buy it as it lays to the west of Stonehill/Del Clark Lake. The Stone family has sentimental feelings towards the park as their parents originally owned the Del Clark/Stonehill property and sold it to the park for the construction of the dam. Discussion followed. The Watershed Board of Managers were appreciative of the chance to purchase the property and are interested in the chance to purchase. Mr. Stone will see what the new farm bill does and the Watershed Board will check on a few details with their attorney and visit with Mr. Stone at the January meeting.

Deb Nesfedt met with the Board regarding some concerns with tiling being done on her property in section 4, Norman Township. Discussion followed. The Board will do a site visit and possibly set up a meeting with Ms. Nesfedt and the landowners.

Treasurers Report: Manager Ludvigson read the Treasurer's report.

M/S/P to approve the Treasurers report.

Motion by: John Cornell Second by: David Craigmile Passed: 4-0

The following warrants were presented for approval:

Number	Vendor	Details	10/02/18 to 11/05/18
<u>General Klein Account:</u>			
6529	Jay Kuechenmeister/Schulke Elec	SSTS Loan	\$108.98
6530	Ordell Vaala/Wollschlager Exc	SSTS Loan	\$2,680.50
6531	Ordell Vaala/Schuelke Elec	SSTS Loan	<u>\$140.47</u>
		TOTAL	\$2,929.95
<u>Klein Park Account:</u>			
6117	LQP-YB Park Expesne Acct	transfer to UPB park acct	<u>\$9,000.00</u>
		TOTAL	\$9,000.00
<u>UPB Park Expense Account:</u>			
1001	Countryside Public Health	2019 park license	\$409.25
1002	LQP County Environmental Office	park cell phone reimb	\$46.15
1003	Running's Supply, Inc.	seafoam motor tune-up, starting fluid, etc	\$55.51
EFT	monthly park payroll	Oct 26 – November 30 payroll	\$4,081.13
1004	Canby Print Shop	reservation forms	\$61.98
1005	Lawn Care Plus	tree trimming	\$1,983.16
1006	Frontier Communications	park cell, fax, internet	\$279.33
1007	Lyon-Lincoln Electric Coop	park electricity	<u>\$746.00</u>
		TOTAL	\$7,662.51
<u>UPB GENERAL ACCT:</u>			
EFT	semi-monthly payroll	Nov 1-15 payroll	\$4,704.43
EFT	PERA	semi-monthly payroll	\$880.76
3526	Ronald Kram	1 st place photo contest	\$50.00
3527	Chessa Frahm	2 nd place photo contest	\$30.00
3528	Shirley Markegard	3 rd place photo contest	\$20.00
3529	Valley Office Products	"copy" stamp	\$9.85
3530	Ortonville Independent	photo contest ad	\$75.00
3531	Rinke-Noonan Attorney's @ Law	CD#42 Imp,monthly,CD54 Imp, mo	\$6,517.00
3532	Wollschlager Excavating	four beaver dam removals	\$500.00
3533	Quill Corporation	laser jet toner cartridges	\$552.52
3534	Trudy A Hastad	mileage, MAWD rooms	Hastad, Roiland, Enderson, Ferguson \$832.43
3535	Jared Roiland	MAWD mileage	\$109.00
3536	Mitchell Enderson	mileage reimbursement	\$161.32
3537	Valley Office Products, Inc.	file folders	\$31.70

3538	Mike Johnson	five nuisance beavers	\$75.00
3539	Scott Croatt	30 nuisance beavers	\$450.00
3540	LQP-YB Liability Acct	federal withholding	\$2,984.12
3541	Trudy Hastad	MAWD room reimb – Cornell	\$311.25
EFT	semi-monthly payroll	Nov 16-30 payroll	\$4,627.57
3542	Lac qui Parle County Auditor/Treas	November postage	\$55.04
3543	Trudy Hastad	MAWD room reimb – Ludvigson	\$207.50
3544	Lac qui Parle County Auditor/Treas	Jan health insurance	\$5,070.00
3545	Minnesota Revenue	sales & use tax	\$11.00
3546	David Ludvigson	duplicate paycheck for #3522	\$74.72
3547	LQP-YB Liability Acct	PERA – semi monthly	\$1,064.34
3548	LQP-YB Liability Acct	PERA - monthly	<u>\$310.56</u>
		TOTAL	\$29,715.11
<u>DITCH ACCT:</u>			
1363	Dawson Sentinel	3-week hearing ad WS #92	<u>\$96.00</u>
		TOTAL	\$215.00

M/S/P to approve the warrants.

Motion: David Craigmile Secoded: David Ludvigson Passed: 4-0

Secretary's Report:

Hastad presented meeting minutes #585 for approval.

M/S/P to approve meeting minutes #585

Motion: David Ludvigson Secoded: John Cornell Passed: 4-0

Administrator Report/Old & New Business:

- Received a petition of Streich, Kruse and others for the improvement of portions of Lac qui Parle County Ditch #42. Upon review of the petition for improvement and the accompanying bond, Manager Craigmile moved, seconded by Manager Cornell, for the adoption of the attached (Exhibit A) findings and order.

Motion: David Craigmile Secoded: John Cornell Passed: 4-0

- Michael Frank was appointed as the Yellow Medicine Watershed Board member effective January 2019 to replace Manager Joe Ferguson.
- Discussed 2019 salaries.

M/S/P to approve 2.5% salary increase for 2019 full-time employees.

Motion: David Ludvigson Secoded: David Craigmile Passed: 4-0

Reported on MAWD Annual meeting and found the Drone booth to be very informative.

- Updated the Board on the CD #54 Improvement project. Kyle Sammons, ISG engineer changed jobs and Jacob Rischmiller will be the new engineer on the project.
- Transitioning into direct deposit for payroll. The December 5th payroll went smoothly.
- Reviewed a debit card policy for the Watershed District

M/S/P to adopt the debit card policy attached as Exhibit "B".

Motion: David Ludvigson Secoded: David Craigmile Passed: 4-0

Manager Ludvigson reported on the Ryan Smith/Hugh Bergland tiling project in the E1/2NE1/4 of Section 8, Hamlin Township. Hugh Bergland was supposed to abandon the line by plugging it and it has not happened. Discussion followed. Hastad was instructed to contact Attorney Haugen to send a letter to report on progress of abandoning the tile line on the Hugh Bergland property.

PERMITS - The following permit applications were applied for

12448 renew #12063	Scott Karels	Yellow Bank, 27 main tile, close ditch	12/04/18 DE
12449 renew #11906	Warren Trygestad	Perry, 1 seepage lines	12/04/18 DE

12450	Lyle Breberg	Providence, 10	seepage lines	12/04/18 DC
12451	David Swenson	Providence, 10	seepage lines	12/04/18 DC
12452	Jerome Schuelke	Providence, 32	seepage, main tile, pump	12/04/18 DC
12453	Jerry Abramowski	Perry, 32	clean ditch	12/04/18 DE
12454	Jason Wollschlager	Madison, 1	seepage, main tile	12/04/18 DL
12455	Darin Plessner	Arena, 8	seepage lines	12/04/18 DL
12456	Clayton Ross	Hendricks, 2	seepage lines	12/04/18 JC
12457	Gail Kvenmo	Hendricks, 12	main tile	12/04/18 JC

Permits Denied: Mike Knutson for review, & rober & Jeffrey Thiegles for manager signature

M/S/P to approve watershed permits except those denied:

Motion: David Ludvigson, Seconded: David Craigmile Passed: 4-0

Meeting adjourned at 6:45 p.m.


 Darrel Ellefson, LQP-YB Chairman

Attest:


 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, December 4, 2018 at 4:30 p.m. at the Lac qui Parle County Courthouse, Commissioners' Room.

STATE OF MINNESOTA
LAC QUI PARLE/YELLOW BANK WATERSHED DISTRICT
DRAINAGE AUTHORITY FOR LAC QUI PARLE COUNTY DITCH 42

The matter of the petition of Kruse, et al.,
for the improvement of a portion of Lac qui
Parle County Ditch 42

Preliminary Findings and Order

The Board of Managers of the Lac qui Parle/Yellow Bank Watershed District, at its regular meeting on 12-4, 2018, received the petition of Kruse and others for the improvement of portions of Lac qui Parle County Ditch 42. Upon review of the petition for improvement and the accompanying bond, Manager Craigmile moved, seconded by Manager Cornell, for adoption of the following Findings:

1. The petition of Kruse and others for the improvement of Lac qui Parle County Ditch 42 (CD 42) was filed with the Board of Managers pursuant to Minnesota Statutes, section 103D.215. The petition was amended and resubmitted on November 19, 2018, to correct noted deficiencies.
2. Improvements of existing drainage systems in the watershed district must be initiated by filing a petition with the Managers.
3. The proceedings for the construction or improvement of drainage systems in the watershed district must conform to chapter 103E.
4. The Board's attorney verified the signatures and ownership interests of the petitioners and finds that the petitioners are the owners of 9 of the 11 – 40-acre parcels that the proposed improvement passes over. As such, petitioners are at least 26 percent of the owners of the property affected by the proposed improvement; or the owners of at least 26 percent of the property area that the proposed improvement passes over.
5. The petition was properly filed with the Board of Managers to initiate improvement proceedings. For the purpose of a properly filed petition for improvement of a drainage system within the Watershed District, the Board of Managers composes the Drainage Authority for the improvement and, if the improvement is ordered and constructed, for all subsequent actions on the drainage system, or portion thereof.
6. The petition properly designated the drainage system proposed to be improved by number or another description that identifies the drainage system.

7. The petition alleges that the drainage system has insufficient capacity or needs enlarging to furnish sufficient capacity.
8. The petition describes the improvement, including the names and addresses of owners of the 40-acre tracts or government lots and property that the improvement passes over.
9. The petition alleges that the proposed improvement is necessary and will be of public utility and promote the public health.
10. The petition contains an agreement by the petitioners that they will pay all costs and expenses that may be incurred if the improvement proceedings are dismissed.
11. The petition was accompanied by a cashier's check from the petitioners in the amount of \$10,000.00, subject to increase as required by statute, payable to the Watershed District. The bond is adequate surety and has been reviewed and approved by Board's attorney. The bond is conditioned to pay the costs incurred if the proceedings are dismissed or a contract is not awarded to construct the drainage system proposed in the petition.
12. The costs incurred before the proposed drainage project is established may not exceed the amount of the petitioners' bond. A claim for expenses greater than the amount of the bond may not be paid unless an additional bond is filed. If the drainage authority determines that the cost of the proceeding will be greater than the petitioners' bond before the proposed drainage project is established, the drainage authority shall require an additional bond to cover all costs to be filed within a prescribed time. The proceeding will be stopped until the additional bond prescribed by the drainage authority is filed. If the additional bond is not filed within the time prescribed, the proceeding will be dismissed.
13. The Board's attorney has reviewed the petition and bond and has determined they meet the requirement of these proceedings.

Based on the foregoing findings, the Board of Managers adopts the following **Order**:

- a. The Board appoints the engineering firm of Houston Engineering, Inc., to make a preliminary survey and file and report within 90 days of this order.
- b. The engineer shall serve as the engineer for the drainage project throughout the proceedings and construction unless otherwise ordered.
- c. The engineer shall file an oath to faithfully perform the assigned duties in the best manner possible and file a bond with the managers.
- d. The engineer shall include in his preliminary survey and report an investigation of the scope of improvement to include consideration of alternative improvement

configurations and the impact of regulatory permitting requirements related to wetlands or other environmental factors on the possible alternatives.

- e. The engineer shall, as part of his work on the preliminary survey, investigate the potential use of external sources of funding to facilitate the purposes indicated in section 103E.011, subd. 5, and alternative measures in section 103E.015, subd. 1(2). This investigation shall include early coordination with applicable soil and water conservation district and county and watershed district water planning authorities about potential external sources of funding and technical assistance for these purposes and alternative measures.
- f. The engineer shall include in his preliminary survey and report an investigation of the current condition of the portion of the drainage system proposed to be improved and provide a recommendation on the propriety of a separable maintenance allocation of project costs.

After discussion, the Board President called the question. The question was on the adoption of the foregoing findings and order, and there were ___ yeas and ___ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Darrel Ellefson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Ferguson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Ludvigson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Craigmile	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Cornell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chairman declared the motion Passed.



Darrell Ellefson, Chairman

Dated: 12-4, 2018

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I, David Craigmile, Secretary of the Lac qui Parle/Yellow Bank Watershed District, do hereby certify that I have compared the above motion, findings and order with the original thereof as the same appears of record and on file with the Board of Managers and find the same to be a true and correct transcript thereof. The above order was filed with me, Secretary of the Board of Managers, on _____, 2018.

IN TESTIMONY WHEREOF, I hereunto set my hand this __ day of _____, 2018.

David Craigmile

LAC QUI PARLE-YELLOW BANK WATERSHED DISTRICT
DEBIT CARD POLICY
ADOPTED: December 2018

1. Policy Statement

It is the policy of Lac qui Parle-Yellow Bank Watershed District to provide an effective and efficient tool for the Administrator and selected Watershed employees to requisition, purchase and pay for goods and services used within the scope of their employment. This policy applies to all users approved by the Lac qui Parle-Yellow Bank Board of Managers to do Lac qui Parle-Yellow Bank Watershed business using a debit card issued in the Watershed's name.

This policy ensures internal controls for authorized debit, ensures that Lac qui Parle-Yellow Bank Watershed bears no legal liability from inappropriate use, provides a convenient debit method, minimizes the number of debit cards issued and empowers employees to increase productivity, flexibility and efficiency.

2. Statutory Authority

Authority to Establish – Minnesota Statute 103D.325, Subd. 4. Credit card use

The managers may authorize the use of a credit card by any watershed district officer or employee otherwise authorized to make a purchase on behalf of the watershed district. If a watershed district officer or employee makes a purchase by credit card that is not approved by the managers, the officer or employee is personally liable for the amount of the purchase. A purchase by credit card must otherwise comply with all statutes, rules, or watershed district policy applicable to watershed district purchases.

3. Authorization

- Requests for a Watershed debit card will be submitted to the Administrator for Watershed Board consideration. Watershed Board approval is necessary for any employee to obtain a Watershed issued debit card.
- The Administrator will process the approved request, distribute the card(s) and maintain a debit card inventory list.
- The Administrator may, at any time and without notice to the employee, cancel debit card use authorization for any of his/her employees. The Board of Managers reserves the right to cancel any individual cardholder privileges at any time. The Administrator is authorized to cancel individual cardholders upon resignation or termination from Lac qui Parle-Yellow Bank Watershed District employment.

- On an annual basis, or as needed/requested, the Administrator will conduct a physical inventory of all Watershed issued debit cards and report to the Board of Managers. Each cardholder will be required to physically produce their debit card.

4. Watershed Issued Debit Card Daily Spending

<u>Cardholder</u>	<u>Daily Spending</u>
Administrator	\$3000
Manager's & Staff	\$1000

The Watershed Board of Managers will approve all account limits. Any purchase exceeding the cardholder limit will not be allowed on the Watershed issued debit card.

5. Uses of a Watershed Issued Debit Card

Watershed issued debit cards are to be used only for conducting officially approved Watershed business. **Under no circumstances are they to be used for personal reasons.**

1. Eligible – The debit card **may** be used for:
 - a. Guarantee rooms for conferences and/or meeting attendance.
 - b. Purchase lodging during overnight stays while attending authorized meetings or training sessions.
 - c. Purchase supplies and/or materials when purchase of the items by debit card is more time and cost efficient than if purchased by a Watershed warrant.
2. Ineligible – The debit card **may not** be used for:
 - a. Personal purchases. Absolutely no personal use of the card is allowed.
 - b. Daily meal allowance and/or gratuities.
 - c. Gasoline for any personal vehicle.
 - d. Back ordered items billed but not received.
 - e. Cash advances.
 - f. Alcoholic beverages.
 - g. Violation of any Watershed policy concerning debit card use.

6. Procedure for Use of Watershed Issued Debit Card

- Each cardholder is responsible to obtain an itemized proof of receipt for debit card use. This documentation must be submitted to the Watershed office as soon as possible. If no documentation is produced within 30 days of the original purchase, the cardholder must immediately reimburse the Watershed for the purchase amount or make arrangement with the Board of Managers.

7. Lost or Stolen Watershed Issued Debit Cards

If a Watershed issued debit card is lost or stolen, it is the responsibility of the card holder to notify the Administrator immediately. Fraudulent charges must be reported to the card issuer within 60 days.

8. Penalty for misuse of Watershed Issued Debit Card

Any deviation from this policy may be grounds for discipline up to and including termination of employment from Lac qui Parle-Yellow Bank Watershed District and criminal charges for violations of state statutes.

Approval Date: 12/04/2018

