

Lac qui Parle-Yellow Bank Watershed District

Regular Meeting Minutes #606

August 4, 2020

Call to Order

The meeting was held in the Lac qui Parle County Annex, 422 5th Avenue, Madison, MN 56256 with ZOOM 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, Secretary David Craigmile, & Publicity Manager Michael Frank all met in person with Manager David Ludvigson joining via ZOOM. **Managers absent:** Vice-Chairman, John Cornell. **Staff present:** Administrator Trudy Hastad, Coordinator Mitch Enderson, Drainage Manager Jared Roiland and Park Manager Ron Fjerkenstad. **Others present:** Attorney John Kolb, Chris Otterness with Houston Engineering, & Chad Engels with Moore Engineering, Jim Moravitz, Chuck Nygard, & Ron Weverka from the Hendricks Township Board all joined via ZOOM.

Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. There were none. **M/S/P** to approve the agenda:

Motion: David Craigmile

Seconded: Michael Frank

Passed: 4-0

Chairman Darrel Ellefson reconvened the County Ditch #42 final engineer improvement hearing from the July 7, 2020 hearing.

Attorney Kolb reported the meeting was reconvened in order to give sufficient time to draft findings and an order establishing the Improvement of County Ditch #42 to 3/8 co-efficient following final hearing comments. Attorney Kolb read the findings and order. Discussion followed.

M/S/P to adopt the findings and order prepared by Attorney Kolb to establish the Improvement of County Ditch #42 to a 3/8 co-efficient.

Motion: David Craigmile

Seconded: Michael Frank

Roll call vote was taken and motion **Passed:** 4-0

Staff will send a copy to the DNR. Engineer Chris Otterness discussed bidding process, and timelines. Board approved advertising August 18, 25 and September 1 with bid opening to be held on-line on September 3, 2020. Final approval of the bid will go before the Watershed Board of Managers. Discussion followed regarding changing the September 1, 2020 meeting date to Wednesday, September 9, 2020 to accommodate project bids.

M/S/P to change the September 1, 2020 meeting date to September 9, 2020 at 4:30 p.m. to be able to approve the bids for the CD#42 Improvement project.

Motion: David Craigmile

Seconded: David Ludvigson

Roll call vote was taken and motion **Passed:** 4-0

Staff Reports:

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

- Ron reported things were going well at the park.
- Still using the porta-potties at the beach as easier to maintain with COVID.
- Doug Olson with Signs by Design created the new BEECHER DRIVE sign and one other sign. Very reasonably priced.
- Discussed having the crew go to R-6 to remove logs on the top of the riser and make sure the gate is open prior to it filling up.

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

- I have been visiting the CD #54 Improvement site a couple times a week and taking photos to upload into Drainage DB
- Darrel and I went to Watertown to look at ROXOR's on July 13, 2020.
- Trudy, Mitch, & I had a phone conference with Ryan Bjerke, DNR to discuss how to apply for cleanouts on public waters at the outlets of CD #79 and CD #83. He suggested we break them up into two separate permit

applications and described all the materials that would be required along with the permit. We gathered the required information and sent the permit applications.

- Trudy and I met with Rhyan from SWCD to discuss issues she found with her buffer inspections and to discuss how we are going to enforce previously compliant parcels.
- Continue to study the pesticide applicator books and have lined up to take two of the tests the week of the 17th of August with the other two tests the week after.
- Trudy, Rhyan, and I have been working with the County Attorney on an amendment to the County buffer ordinance to help clarify how enforcement will look going forward and took to the County Board this morning for approval.

COORDINATOR: Coordinator Mitch Enderson reported on monthly activities.

- Discussed doing the photo contest and calendars for 2020. The Board of manager gave approval.
- Submitted the DNR permit application for the CD #79 and CD #83 outlet cleanouts.
- Submitted the final disbursement request for WRAPS.
- The final report, budget, and voucher request for previous retainage was submitted for WRAPS.
- Signs have been put up at the LQP County park, Rock rapids in Dawson, Stonehill Park, & at the headwaters in Hendricks.
- Eleven applications have been approved for SSTS and three payments made with two more payments outstanding. After those two payments we will have \$170,058.56 remaining.
- I spoke via phone with the CORPS this past Friday and they requested some information. They are supposed to be setting up another call with Kerry Netzke to discuss the Canby Creek grant.

WCA – Coordinator Mitch Enderson:

- All WCA in-person trainings and exams for 2020 have been cancelled. Certifications will be extended a year.
- Met onsite with Kane Radel from BWSR at a potential bank site in section 15, Yellow Bank Township. Kane is working with the landowner on the site, which would generate credits from expiring CRP being protected and placed in the bank.
- I have been helping a potential bank site applicant contact possible consultants.
- Took care of a road wetland issue for Lake Shore Township after a site visit.
- Contacted a landowner about a cleanout through a branch of CD #5 that has been too wet through the wetlands to survey previously.
- Looking at section 36, Walter township for road ditch cleanout.

Manager Ludvigson asked Attorney Kolb's opinion on what the Watershed can legally do on private drainage systems that get blocked by a disgruntled neighboring landowner. Attorney Kolb replied that the Watershed would need to address in their rules as currently the rules do not specify crossings or obstruction to drainage. Landowners can remedy under civil law.

At 5:30 p.m. Chairman Ellefson called the hearing to order for the petition of Caroline Kessen to modify its order concerning realignment and relocation of a portion of Watershed Ditch #11 pursuant to MSA 103E.227.

Roll call was taken: Managers Ellefson, Craigmile, & Frank attended in person, with Manager Ludvigson joining via zoom. Staff members Hastad & Roiland were in person. Attorney Kolb, Engineer Chad Engels, & Hendricks Township members Chuck Nygard, Jim Moravitz, & Ron Weverka also joined via zoom.

Attorney Kolb reviewed the petition of Karoline Kesson. He reported the Watershed Board hired Chad Engels with Moore Engineering to investigate the condition of WS #11 to determined necessary costs and maintenance before they would consider taking on the ditch system.

Engineer Engel reviewed his findings in detail and recommended the following issues be considered by the Board of Managers:

- 1.) The relocated channel be seeded and grassed.
- 2.) The existing spoil banks be leveled and seeded.
- 3.) The existing 30" culvert downstream end is 1 ½" higher creating some scour. If they add riprap it should stabilize the culvert and bank.

The channel was found to be in similar condition to the upstream and downstream reaches.

Comments: Chuck Nygard with Hendricks Township reported the private ditch portion was cleaned out the previous year, and the spoil banks were leveled and seeded in the previous month.

Staff member Jared Roiland verified that the spoil banks were leveled and seeded.

M/S/P to reconvene the hearing to Wednesday, September 9, 2020 at 4:30 p.m. in order to allow time for Attorney Kolb to write the findings and order to modify the 2002 order concerning the realignment and relocation of a portion of WS #11.

Motion: Michael Frank Seconded: David Craigmile Roll call vote was taken & Passed: 4-0

Chairman Ellefson reported this concluded the hearing and re-opened the regular Watershed Board meeting.

OTHERS PRESENT: Steve Haas and Dan Croatt met with the Board of Managers to discuss a private ditch problem in section 10, Hamlin Township. According to Haas & Croatt the downstream landowner, Dan Lee, will not let them cleanout the culvert on his property which is causing water to back up on about 600 acres. Administrator Hastad reported she sent a letter to Mr. Lee requesting he remove the obstructions, but hadn't heard anything back from him. Discussion followed. Manager Craigmile said we didn't have legal grounds to make him do a cleanout, but the landowners could settle this in civil court. Haas & Croatt did not want to do that and cause hard feelings in the neighborhood. They wanted the Watershed Board to handle this. The Manager's explained we would need to have something in our rules to address this to make it stick legally. Discussion followed. Manager Ellefson volunteered to talk to Mr. Lee to see if he would maintain the private ditch. They also discussed that if they had a maintenance agreement it would elevate this problem.

The Board of Managers discussed the need to review the Watershed rules to determine if we need a rule revision.

M/S/P to consult with Attorney Kolb to change rules on private ditch plugs.

Motion: David Ludvigson Seconded: David Craigmile Upon roll call vote, motion Passed: 4-0

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

M/S/P to approve the Treasurers report.

Motion by: David Craigmile Seconded by: Michael Frank Roll call was taken and motion Passed: 4-0

M/S/P to transfer \$200,000 from Old National general account to United Prairie Bank general account.

Motion by: David Ludvigson Seconded by: Michael Frank Roll call was taken and motion Passed: 4-0

The following warrants were presented for approval:

Number	Vendor	Details	07/04/2020 to 08/04/2020
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General Klein Account:

6141	Gene Halldorson & Gruwell Electric	SSTS Loan	\$790.64
6142	UPB General Account	transfer amount	<u>\$200,000.00</u>
		TOTAL	\$200,790.64

UPB Park Expense Account:

1245	Canby Print Shop	50 COVID-19 flyers, 500 #10 envelopes, 500 letterhead	\$439.07
1246	Vlaminck Electric	outlet repair sites 12, 14 & check #22	\$362.90
1247	Kockelman Construction	class 5 gravel, blading, sand	\$1,068.36
1248	Frontier Communications	park phone, fax, internet	\$291.26
1249	Running's Supply, Inc.	1-gallon sprayer	\$13.88
1250	Olson Signs by Design	BEECHER sign & one other	\$110.00
1251	Lalleman's Septic & Drain Cleaning	park expense	\$480.00
1252	Lincoln Pipestone Rural Water	water usage @ park	\$214.04
1253	Olson Sanitation	trash expense	\$712.23
1254	Lyon-Lincoln Electric Coop	park electricity	<u>\$4,154.03</u>
		TOTAL	\$7,845.77

UPB GENERAL ACCT:

20102-20104	semi- monthly payroll	July 16-31 payroll	\$4921.06
20105-20109	park payroll	July payroll	\$4675.30

3852	Rinke Noonan Attorney's	2 months retainer, CD#42 final orders, hearing, DNR resp.	\$6,284.50
3853	Valley Office Products	staples, paper	\$18.97
3854	Houston Engineering	preliminary & final engineering CD #42 improvement	\$19,621.39
3855	I & S Group, Inc.	construction, staking, engineering CD #54 improvement	\$30,404.53
3856	Ag Tech Drainage	partial payment CD #54 improvement 10/27/19 to 07/21/20	\$116,739.53
3857	Jared Roiland	July mileage reimb	\$126.49
3858	Mitchell Enderson	WCA mileage, July mileage	\$73.78
3859	LQP-YB Liability Account	Federal withholding	\$4363.14
3860	Lac qui Parle County Auditor/Treas.	Health insurance	\$4,335.00
3861	LQP-YB Liability Acct	PERA monthly & semi-monthly 8-5-20 payroll	\$1,488.20
3862	Minnesota Revenue	July sales & use tax	\$860.00
3863	Lac qui Parle County Auditor/Treasurer	July postage	\$60.15
3864	Besser Bike Barn	2019 ROXOR	\$18,030.04
TOTALS:			\$212,002.08

Debit Card

TOTAL: \$-0-

DITCH ACCT:

1370	Rinke Noonan Attorney's	WS ditch #11	\$937.50
1371	Heinrich Excavating & Hauling	WS #92 \$1746.78; Lat A WS #1 \$850	\$2,596.78
TOTAL			\$3,534.28

M/S/P to approve the warrants.

Motion: David Craigmile Seconded: Michael Frank Roll call was taken and motion Passed:4-0

Secretary's Report:

Meeting #605 minutes were mailed.

M/S/P to approve meeting minutes #605 as mailed.

Motion: David Ludvigson Seconded: Michael Frank Roll call vote was taken & Passed: 4-0

M/S/P to approve meeting minutes #605.1 as mailed:

Motion: David Ludvigson Seconded: David Craigmile Roll call vote was taken & Passed: 4-0

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

- COVID-19 pandemic updates.
- Discussed payment for the CD #54 improvement project and frustration that the engineer and/or contractor had not run the camera thru pipe as was promised.
- Handed out a proposed budget for 2021 along with actual totals for year-end 2019 and current total as of July 29, 2020. Discussion followed.

M/S/P to set and keep the proposed levy at \$290,000 for 2021.

Motion: David Ludvigson Seconded: David Craigmile Roll call vote was taken & motion Passed: 4-0

M/S/P to set the budget hearing date for Wednesday, September 9, 2020 at 5:30 p.m.

Motion: David Craigmile Seconded: Michael Frank Roll call vote was taken & motion Passed: 4-0

- Hastad reported the County Board authorized approximately \$50,000 from County buffer funds to be used to purchase a vehicle for buffer inspections, ditch inspections, ditch spraying and also a pickup for the same use.
- Reviewed bids/quotes for a ROXOR and a John Deere side-by-side and discussed options.

M/S/P to purchase the low bid/quote for a 2019 ROXOR and order the hardtop, spare tire & bracket, and lockouts so it can be towed.

Motion: David Ludvigson Seconded: David Craigmile Roll call vote was taken & motion Passed: 4-0

Manager Craigmile shared quotes for 2020 & 2021 pickups. Discussion followed. The Tenvordee quote was approximately 3,000 lower than anything local for a 2021 Ford F-150 pickup. Discussion followed.

M/S/P to recommend purchase of the 2021 Ford-150 pickup with the low bid from TenVordee of \$31,636.

Motion: David Craigmile Seconded: Michael Frank Roll call vote was taken & motion Passed: 4-0

- Hastad discussed conversation with the Yellow Medicine weed inspector regarding the bull thistle problem on Lazarus Creek and R-6. Hastad reported that the Watershed will spray them this fall, again in the spring, and possibly again the fall of 2021 if needed. He thought this would be good and also suggested we try and mow down what we could until they could be sprayed.

PERMITS - The following permit applications were applied for

13158	Mike Anderson	Hamlin, 33	main tile	08/04/20 DE
13159 Renew #12805	DeRon Brehmer	Perry, 21	seepage, main tile	08/04/20 DE
13160	Fortier Township	Fortier, 16	main tile	08/04/20 MF
13161 Renew #12080	Steve Haas	Hamlin, 9-10	seepage, main tile w/pump	08/04/20 DE
13162	Mike Knutson	Hammer, 19	seepage tile	08/04/20 MF
13163	Darin Lund	Lac qui Parle, 8	seepage tile	08/04/20 DE
13164	Mark Roisen	Baxter, 5 & 6	seepage tile	08/04/20 DC
13165 Renew #12771	Schutte Family Farms	Riverside, 36	seepage tile	08/04/20 DE
13166 Renew #12924	Kaleb Steele	Fortier, 19	seepage, main tile	08/04/20 MF
13167	Dennis Steffen	Norman, 22	seepage, main tile	08/04/20 MF
13168 Renew #9683	Curtis Thomson	Lake Shore N, 31	seepage tile	08/04/20 DE
13169 Renew #11219	Curtis Thomson	Agassiz, 24	seepage tile	08/04/20 DE
13170 Renew #12145	Curtis Thomson	Agassiz, 36	seepage tile	08/04/20 DE
13171	Paul Tol	Fortier, 8	seepage & main tile	08/04/20 MF
13172 Renew #12779	Dale Von Eschen	Yellow Bank n, 33	seepage tile	08/04/20 DE
13173	Curtis Wildung	Perry, 16	seepage tile	08/04/20 DE
13174 Renew #12785	Mike Anhalt	Manfred, 12	seepage tile	08/04/20 DL
13175 Renew #12784	Mike Anhalt	Freeland, 22	seepage, main tile/pump	08/04/20 DL
13176	Jordan Connor	Garfield, 1	seepage tile	08/04/20 DL
13177 Renew #12806	Steve Eidem	Augusta, 20 & 29	seepage & main line	08/04/20 DL
13178	Dan Jibben	Augusta, 33	clean ditch	08/04/20 DL
13179	Dan Jibben	Augusta, 15	seepage & main tile	08/04/20 DL
13180	Kemen Farms	Hamlin, 22	seepage, main tile	08/04/20 DL
13181	Kyle Mangel	Perry, 21	seepage lines	08/04/20 DL
13182	Aaron Tasto	Manfred, 4	clean ditch	08/04/20 DL
13183	Jim Tasto	Arena, 26	seepage lines	08/04/20 DL
13184	Gerard Radermacher	Walter, 3	seepage, main tile w/pump	08/04/20 DL
13185	Dale Von Eschen	Yellow Bank, 4	seepage lines	08/04/20 DL
13186	Scott Wittnebel	Perry, 31	seepage lines	08/04/20 DL

Permits Denied: Nathan Ufkin for WCA review, & Kraemer Farms for manager review.

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

Motion: David Craigmile

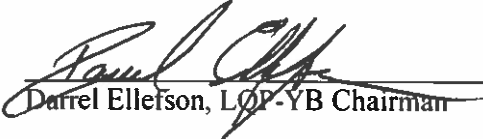
Seconded: Michael Frank

Roll call vote was taken and motion Passed: 4-0

Meeting adjourned at 7:47 p.m.

Attest:


David Craigmile, LQP-YB Secretary


Darrel Ellefson, LQP-YB Chairman

Minutes prepared by Hastad

The next regularly scheduled meeting of the Lac qui Parle-Yellow Bank Watershed District is Wednesday, September 9, 2020 at 4:30 p.m.