

Lac qui Parle-Yellow Bank Watershed District
Regular Meeting Minutes #609
November 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, Vice-Chairman John Cornell, Secretary David Craigmile, & Publicity Manager Michael Frank all met in person with Manager David Ludvigson joining via ZOOM. **Managers absent:** none. **Staff present:** Administrator Trudy Hastad, Coordinator Mitch Enderson, Drainage Manager Jared Roiland and Park Manager Ron Fjerkenstad. **Others present via zoom:** Engineer Chris Otterness. **In person:** YM Weed Inspector Mike Mammele, LQP County Commissioner DeRon Brehmer & David Ulrich.

Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. Manager Cornell asked to add a washout repair in Hendricks Township. **M/S/P** to approve the amended agenda:

Motion: David Ludvigson **Seconded:** Michael Frank Roll call vote was taken & motion **Passed:** 5-0

Chairman Ellefson asked Engineer Chris Otterness to give the recommendation for bid award on the County Ditch #42 Improvement project.

Houston Engineer Chris Otterness reported on the bid opening for the County Ditch #42 Improvement project. The project was rebid after an initial bidding process where only one bid, significantly higher than the engineer's estimate, was received in September 2020. At that time, it was decided to re-bid the project. The completion date has been extended to November 15, 2020 in the project specifications for this rebidding. The bid process followed accepted practices as generally defined within MS 103D.811 Bids for Construction and MS 471.345 Uniform Municipal Contracting Law. The Lac qui Parle/Yellow Bank Watershed District initiated the bid process by placing advertisements in the Western Guard and the Dawson Sentinel for three-weeks and on QuestCDN, a commercial project advertising service. The requirements for bidding were defined within the Specifications/Bid Package dated September 30, 2020 – prepared by Houston Engineering Inc. A planholder's list was maintained by QuestCDN for the Project. An optional pre-bid meeting was conducted on October 21, 2020, that was not attended by any bidders.

The bid opening for the project was held virtually on Tuesday, October 27, 2020 at 2:00 p.m. The final Engineer' Report estimated the construction cost for the project at \$579,500. A total of three (3) sealed bids were received:

- | | |
|------------------------------|-----------|
| 1.) Dirt Proz LLC | \$574,700 |
| 2.) Gladen Construction, Inc | \$696,875 |

3.) Riley Bros. Construction, Inc \$844,550

The bids were reviewed for accuracy, completeness, and responsiveness and was found to be mathematically correct. No irregularities were noted within the bids. The lowest bid was received from Dirt Proz, LLC who provided the required information, has previously completed drainage, grading, culvert replacement and underground utility project and has the equipment necessary to complete this project. Reference provided with the bid confirmed that Dirt Proz LLC has completed work meeting project specifications.

Houston Engineering recommends award of the County Ditch #42 Improvement Project to Dirt Proz LLC in the amount of \$574,700. We further recommend that an additional 15% of the contract be budgeted as a contingency for potential change orders resulting from unforeseen conditions or omissions discovered as the project progresses, and that the Board assign and authorize a representative from the Board or staff to execute change orders up to this contingency amount.

M/S/P to accept the bid of Dirt Proz LLC in the amount of \$574,700 with an additional 15% of the contract for contingency that may come up.

Motion: David Craigmile **Seconded:** Michael Frank Roll call vote was taken and motion **Passed:** 5-0

M/S/P to have Administrator Hastad sign any change orders after following up with the Chairman of the Board.

Motion: Darrel Ellefson **Seconded:** David Craigmile Roll call vote was taken and motion **Passed:** 5-0

Staff Reports:

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

- Head mechanic's wife has COVID so he is in quarantine.
- Most of the leaves are cleaned up and branches trimmed.
- We are servicing the CLUB car as it has some slippage with the clutch, changing belts, oil, etc. about 1500 hours on machine.
- Water & Sewer are shut down but allowing primitive camping. Park had a lot of pheasant hunters camping. They enjoyed the overflow area.

COORDINATOR: Mitch Enderson reported on monthly activities:

- Eight people have entered photos for the photo contest with the deadline this Friday.
- Discussed cost of making calendars and it was decided to do a virtual calendar for 2021. People can then download if they want.
- BWSR academy was held virtually and I listened in on a couple virtual sessions of BWSR Academy. One session regarding 1W1P was useful but majority of sessions were geared toward SWCD technical staff.

- The next meeting for IWIP steering team is set for November 24, 2020. The MOA's and Bylaws will receive final edits so they can be available for partnering agencies to adopt. We will also need to assign a Board member to IWIP.
- I have been working on multiple requests from LQP County for their GIS program.
- Coordinating with Desi Jibben Surveying on section corner monumenting.
- Working with Eagleview/Pictometry contact to become primary contact and admin account for CONNECT Explorer.
- Twenty-two (one more pending) applications have been approved and sixteen disbursements requested for SSTS. Our funds are out and we need to get the amendment executed ASAP.

BE IT RESOLVED by the Lac qui Parle-Yellow Bank Watershed District Board that, as Project Sponsor and Loan Sponsor, on August 20, 2018 the Board passed a Resolution to enter into the Minnesota Clean Water Partnership Project Implementation Loan Agreement along with the Minnesota Pollution Control Agency to conduct the Lac qui Parle-Yellow Bank SSTS Loans Phase II Project.

BE IT FURTHER RESOLVED by the Lac qui Parle-Yellow Bank Watershed District board that Coordinator Mitchell Enderson, or designee was authorized by resolution of the Board, to serve as Project Representative and represent the County in all matters which, according to the conditions of the Minnesota Clean Waters Partnership Project Implementation Loan Agreement, do not specifically require action by the Board.

BE IT FURTHER RESOLVED by the Lac qui Parle-Yellow Bank Watershed District Board that Coordinator, Mitchell Enderson was authorized by resolution to execute loan disbursement requests for the above referenced project to the Minnesota Pollution Control Agency on behalf of the Board.

BE IT FURTHER RESOLVED by the Lac qui Parle-Yellow Bank Watershed District Board that, Mitchell Enderson, be authorized to execute the Minnesota Clean Water Partnership Project Implementation Loan Agreement Amendment No. 1 for the above referenced Project on behalf of the Board, as Project and Loan Sponsor. This is retroactive to and amends the previous Resolution with respect to the SRF0315 Clean Water Partnership Project Implementation Loan Agreement.

WHEREUPON the above resolution was adopted at regular meeting of the Lac qui Parle Yellow Bank Watershed District board this 4th day of November, 2020.

M/S/P to approve the above resolution and extend the SSTS by \$400,000 and authorize Mitchel Enderson to execute the Minnesota Clean Water Partnership Project Implementation Loan Agreement Amendment No. 1.

Motion: David Craigmile

Seconded: John Cornell

Roll call vote was taken & Passed: 5-0

WCA: Mitch Enderson

- TEP panel met and did a site visit to review a Draft Prospecturs for a potential wetland bank site in Cerro Gordo, 4. TEP comments, along with BWSR central office comments, have been compiled and returned to the landowner's agent. Overall, it is a good site provided a few BWSR and TEP concerns can be addressed.
- Proposed dikes – TEP met onsite of proposed dikes in Maxwell, 1. Working with landowner to complete Joint Applications for exemption.
- TEP findings completed for Yellow Bank, 15 site -protection of conservation easement ag bank.
- Completed an application for replacement for landowner draining a small FW through mitigation.
- Notified of a potential violation in Yellow Bank, 4. Did a site visit and it looks like the wetland was effectively drained. Requirement on the Watershed permit were not followed. A replacement order may be issued.

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

- I visited the CD #54 improvement site on October 20th and the intake in County Road 2 ROW had not been altered. The contractor said it should be done by the end of the week.
- Met with the LQP SWCD do discuss buffer updates. They would be sending me non-compliant landowners at the end of the month.
- I attended the MADI meeting virtually on October 19th, 2020.
- BWSR Academy was held virtually this year. I attended a few sessions that were useful and interesting. I learned about some online resources that we have access to that can help make more informed decisions.
- Filled out the Couny after-the-fact permit for the CD #54 improvement for the tile line that went thru the road. The Engineer missed getting this permit.
- Discussed storing the ROXOR in the Sheriff building for the winter. He recommended putting a trickle charger on it so that if they need to move vehicles around, they can get at it.
- We held a trial run version with H2Overviewers using “Go To” for the ROB hearing for twelve County Ditches to be held on November 17, 2020.
- We still have one non-compliant public waters buffer parcel. If it hasn't been planted or fine paid by the end of the year it will be put on his property taxes for payment.
- Discussed storage & winterizing the ROXOR. Sheriff's office may have a place to store as long as has a battery maintainer or triple charger so it will start if they need to move it around.

OTHERS PRESENT:

DeRon Brehmer & David Ulrich with Ulrich Trust regarding their land located in section 27, Yellow Bank Township. DeRon Brehmer gave some history of the land and David Ulrich asked the Board to either rescind a permit given to Donald Stolman and Glenda Reiffenberger in Yellow Bank, 28 or address the crossing/block that Brad Karels put in the private ditch as these actions have caused water to back up on the Ulrich property. The private ditch has been in place since 1993 and has worked well until Brad Karels put in two plastic six inch pipes which is acting as a plug in the private ditch. Discussion followed. Manager Craigmile felt that Brad Karels should have gotten a watershed permit for the crossing. Manager Ellefson said he visited with Attorney Kolb and the landowners can bring a civil suit against Mr. Karels. Discussion followed. Administrator Hastad will send a letter to Mr. Karels and invite him to a meeting between the landowners with the Watershed present as a neutral area.

Yellow Medicine Weed Inspector Mike Mammale met with the Board on behalf of Fortier Township. He inquired if the bull thistle was sprayed this fall at Lazarus and R-6. Manager Ludvigson said Anderson Aerial spraying sprayed the basin of Lazarus Creek on October 10 and a portion of R-6 and then the wind picked up and he had to stop. Discussed having Helena in Canby spray the area again this spring. No further action was taken.

TREASURERS' REPORT: Manager Ludvigson read and reviewed the Treasurer report.

M/S/P to approve the Treasurers report.

Motion by: Michael Frank Seconded by: David Ludvigson Roll call was taken and motion Passed: 5-0

M/S/P to transfer \$270,000 back from United Prairie General account to First Security park deposit account.

Motion by: David Ludvigson Seconded by: David Craigmile Roll call was taken and motion Passed: 5-0

The following warrants were presented for approval:

<u>Number</u>	<u>Vendor</u>	<u>Details</u>	<u>10/06/0020 to 11/04/2020</u>
<u>General Klein Account:</u>			
6154	Bev Grouthuis/Jeff Johnson	SSTS Loan	\$2,638.75
6155	Todd Buys/Wollschlager Exc	SSTS Loan	\$15,586.80
6156	Ethel Shelstad/Wollschlager	SSTS Loan	\$12,862.92
6157	Tom Bothun/Wollschlager	SSTS Loan	\$12,839.81
6158	DeeDee Mortenson Erp/Monnens	SSTS Loan	\$14,000.00
6159	DeeDee Mortenson Erp/Greg Thole Elec	SSTS Loan	<u>\$918.54</u>
		TOTAL	\$ 58,846.82
<u>UPB Park Expense Account:</u>			
1277	Frontier Communications	park phone, fax, internet	\$288.45
1278	NB Golf, LLC	belt, AWD	\$64.30
1279	Vlaminick Electric Inc	replace outlets, replace breaker	\$441.67
1280	Andeson Aerial Spraying	Lazarus & R-6 for bull thistle	\$1064.09
Transfer	to UPB General acct	11-5-2020 park payroll	\$3,395.22
1281	Olson Sanitation	October trash expense	\$149.75
1282	Ag Plus Cooperative	gas	\$52.52
1283	Laleman's Septic & Drain Cleaning	porta potties, flushed out RV dump	\$415.00
1284	Sturdevant's Auto Parts	parts	\$41.42
1285	MN Pump Works	lift station inspection & new handles	\$904.50
1286	Lyon-Lincoln Electric Cooperative	park electricity	\$791.09
1287	Doug's Serice & Marine	6 toro atomic blades	\$153.00

1288	Lincoln Pipestone Rural Water	rural water	\$64.52
		TOTAL	\$7,825.53
UPB GENERAL ACCT:			
20143-20145	semi-monthly payroll	10-1-20 to 10-15-20 payroll	\$4,921.06
20146	David Ludvigson	per diem	\$115.44
20147	David Craigmile	per diem, mileage, expense	\$280.78
20148	Darrel Ellefson	per diem, mileage	\$333.37
20149	Darrel Ellefson	County Ditch, mileage,	\$1,055.09
20150	John Cornell	per diem, mileage	\$305.57
20151	Michael Frank	per diem, mileage	\$138.43
3906	LQP-YB Liability Acct	semi-monthly PERA	\$952.19
3907	Rinke Noonan Attorney's	monthly retainer, CD #42 Imp	\$3,050.00
3908	I & S Group, Inc	CD #54 Engineering	\$18,728.23
3909	LQP-YB County Auditor/Treasurer	October postage	\$41.85
3910	Canby News, Inc.	meeting ad	\$16.88
3911	Dawson Sentinel	legal re-bid notice CD #42 Imp	\$283.50
3912	MPCA	SSTS Loan Repayments	\$56,418.54
3913	LQP-YB Liability Acct	Federal withholding	\$4,273.52
3914	LQP County Auditor/Treasurer	Health Insurance	\$4,335.00
3915	Jared Roiland	October mileage reimb	\$43.70
20152-20154	semi-monthly payroll	10-16-20 to 10-31-20	\$4,921.05
20155-20159	monthly payroll	October park payroll	\$3,395.22
3916	Houston Engineering	CD #42 Improvement	\$17,962.00
3917	MN Dept of Natural Resources	Campbell Radar Water Level Sensor	\$1300.25
3918-3920	VOID	VOID (in computer backwards)	\$-0-
3921	Houston Engineering	CD #42 Improvement	\$2,218.50
3922	MN Revenue	October sales & use tax	\$46.00
3923	LQP-YB Liability Acct	monthly & semi-monthly PERA	\$1,435.71
3924	LQP-YB First Security Bank	repayment of transfered money	\$270,000.00
3925	VOID	VOID	\$-0-
3926	Cletus Kruse (replace #3875)	CD #42 cashiers check return	<u>\$10,000.00</u>
		TOTAL	\$406,571.88

Debit Card

TOTAL: \$-0-

DITCH ACCT:

1373	Rinke-Noonan Attorney's	WS #11	\$1,162.50
1374	LQP County Auditor Treasurer	Lat A CD #85 2021 assmt	\$830.04
1375	Ground Works	WS #11 culvert replacement Hendricks, 29	<u>\$2,114.13</u>
		TOTAL	\$4,106.67

M/S/P to approve the warrants.

Motion: John Cornell

Seconded: Michael Frank

Roll call was taken and motion Passed: 5-0

Secretary's Report:

Meeting #608 minutes were mailed.

M/S/P to approve meeting minutes #608 as mailed.

Motion: Michael Frank

Seconded: David Craigmile

Roll call vote was taken & Passed: 5-0

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

- Nothing new to report due to the COVID-19 pandemic except numbers continue to rise in the County. We continue to wear masks when not at our desks and continue sanitizing efforts.
- Landowner paid another \$8,000 on overdue pasture lease money. Attorney Haugen wanted to know if the Board wanted to continue to work with him on payments or should we pursue assets. Discussion followed.

M/S/P to continue to work with landowner on overdue pasture money.

Motion: David Ludvigson

Seconded: David Craigmile

Roll call was taken and motion Passed: 5-0

- Reminder that the Advisory Board meeting will be held on Wednesday, December 2, 2020 via zoom. Manager Craigmile mentioned that LQP County Commissioner Roy Marihart was defeated in the election so we will need to have LQP County appoint another Commissioner to fill his seat.
- Inquired as to status on pickup purchase. Manager Craimile said we are on the list, so probably sometime in late December, January. No action was taken.
- Discussed MAWD annual meeting will be held virtually December 1-4, 2020. Need to appoint two delegates and one alternate.

Manager Cornell nominated Manager Craigmile & Ludvigson as delegates with Manager Ellefson as alternate. Chairman Ellefson called for other nominations. There being no other nominations, Manager Ellefson called for vote.

M/S/P to nominate Manager Craigmile & Ludvigson as delegates, & Manager Ellefson as alternate.

Motion: David Craigmile

Second: Manager Ludvigson

Roll call vote was taken & Passed: 5-0

Manager Cornell discussed a washout east of Hendricks on Watershed Ditch #11. The Board authorized the repair.

PERMITS- The following permit applications were applied for:

13277	George Carstens, Orval Gubrud	OshKosh, 7	clean ditch	11/04/20 MF
13278	Dan Aarke	Freeland, 14	seepage lines	11/04/20 DE

13279	Dan Aarke	Garfield, 17	clean ditch	11/04/20 DE
13280	Francis Branenburger	Augusta, 15	seepage lines, move pump	11/04/20 DE
13281	Roger Borstad	Lake Shore, 25	seepage lines	11/04/20 DE
13282	Renew #12706 Jacob Boehnke	Perry, 29	seepage lines	11/04/20 DE
13283	Bryan Clark	Arena, 24	seepage, main tile	11/04/20 DE
13284	Bryan Clark	Garfield, 5	seepage, main tile	11/04/20 DE
13285	Kevin Gloege	Agassiz, 19	seepage, main tile	11/04/20 DE
13286	Rnew #12854 Dave Estling	Cerro Gordo, 23	seepage lines	11/04/20 DE
13287	Dave Estling	Baxter, 19	seepage, main tile	11/04/20 DC
13288	Renew #12855 Dave Estling	Baxter, 30	seepage & main tile	11/04/20 DC
13289	Todd Kuechenmeister	Arena, 24	seepage lines w/pump	11/04/20 DE
13290	Kyle Mangel	Perry, 15-16	clean ditch	11/04/20 DE
13291	Tom Miller	Madison, 19-20	seepage lines	11/04/20 DE
13292	Lon Moen	Cerro Gordo, 24	seepage lines	11/04/20 DC
13293	Lon Moen	Cerro Gordo, 11, 12,13,14	seepage lines	11/04/20 DC
13294	Mark Peterson	Providence, 4	seepage lines	11/04/20 DE
13295	Mark Peterson	Providence, 8	seepage lines	11/04/20 DE
13296	Renew #12880 Gordon Rangaard	Norman, 1	seepage, main tile	11/04/20 MF
13297	Leon VanDerostyne	Oshkosh, 32	seepage lines	11/04/20 MF
13298	Leon VanDerostyne	Oshkosh, 31	seepage lines	11/04/20 MF
13299	John Wager	Providence, 8	seepage lines	11/04/20 DE
13300	Randy Wittnebel	Perry, 29	seepage & main tile	11/04/20 DE
13301	Randy Wittnebel	Perry, 34	seepage lines	11/04/20 DE

Permits Denied: None

M/S/P to approve watershed permits:

Motion: David Craigmile

Seconded: John Cornell

Roll call vote was taken and motion Passed: 5-0

Meeting adjourned at 7:10 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 1, 2020 at 4:30 p.m.