



Yellow Medicine River Watershed District  
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July 13, 2015

Regular meeting minutes

The regular meeting of the Yellow Medicine River Watershed District Board of Managers was called to order at 9:00 a.m. by Board Chairman Tim Buysse. Other board managers present were Tim Dritz, John Boulton, Jeff Hoffman and Corey Hoffman. Also in attendance was Cindy Potz, administrator and Emma Volz, technician.

*#1. Approval of Agenda*

The agenda was presented to the board for review and approval.

7-01-2015 Motion was made by Boulton, seconded by C Hoffman to approve the agenda.

All voted aye. Motion carried.

*#2. Approval of Previous Minutes*

The draft minutes of June 2015 were presented to the board.

7-02-2015 Motion was made by Boulton, seconded by J Hoffman to approve the minutes of June 2015, with the notation that we should have mentioned in the May minutes, that K and K Tiling had also attended our May meeting to discuss and share ideas with us on the cleaning of Ditch 4 and 5. All voted aye. Motion carried.

*#3. Approval of Treasurer's Report*

The treasurer's report was presented to the board by Potz. She presented the monthly budget report and the projects and ditches' financial reports for the past month.

After discussion,

07-03-2015 Motion was made by T Dritz, seconded by J Hoffman to approve the treasurers' report. All voted aye. Motion carried.

*#4. Approval of Submitted Warrants*

The submitted warrants were presented to the board for approval.

7-04-2015 Motion was made by J Hoffman, seconded by Boulton to approve payment on the warrants to be paid. All voted aye. Motion carried.

The approved warrants are as follows:

7783	James Wambeke	rent	\$500.00
7787	Century Tel	telephone	\$148.63
7788	Netpoint	website service	\$8.95
7778	managers per diem	Dritz	\$595.63
7793		J Hoffman	\$520.33
7791		Boulton	\$808.09
7777		Buysse	\$685.15
7792		C Hoffman	\$1,301.42
7775	staff	Potz	\$2,586.10
7776		Volz	\$2,467.37
	eft PERA	employee retirement fund	\$1,211.66
	eft IRS	payroll taxes	\$1,781.10
7779	Davis Typewriter Co	supplies	\$285.80
7786	Minneota Mascot	publishing	\$19.25
7781	Barber Spraying	ditch spraying 1 and 7	\$930.00
7780	Antony Graveling	Lake John, gravel	\$460.00
7781	Rinke Noonan	legal Lincoln County Ditch 38	\$354.00
7784	Bank of the West Card	MAWD Summer tour	\$2,128.03
7785	Canby News	publishing	\$27.50
7789	Bolton and Menk, Inc	Lincoln County Ditch 38	\$337.50
7790	Taylor Hoffman	Beaver Dam removal	\$300.00

#### #5. Approval of Submitted Tiling Permits

Volz presented the submitted tiling permit applications. After discussion, 07-05-2015 Motion was made by T Dritz, seconded by Boulton to approve the submitted tiling permit applications. All voted aye. Motion carried. The approved applications are as follows.

10715	Dennis Steffen	Lincoln	Marble	10	SE 1/4		7/9/2015
020715	YM Hwy Dept	YM	Sandnes	29	NW 1/4	replacing bridge	7/2/2015
030715	Lincoln Hwy Dept	Lincoln	Alta Vista	15	NE 1/4 SE	replacing culvert	7/2/2015
040715	Lincoln Hwy Dept	Lincoln	Royal	6	SE 1/4 SE	replacing culvert	7/2/2015
050715	Lincoln Hwy Dept	Lincoln	Royal	7	SW 1/4 SE	replacing culvert	7/2/2015
060715	Lincoln Hwy Dept	Lincoln	Shaokatan	29	SE 1/4 SE	replacing culvert	7/2/2015
070715	John Harrington	Lyon	Lucas	21	NE 1/4		7/2/2015
080715	Dennis Buyssee	Lyon	Westerhei	18	SE 1/4		6/25/2015
090715	BNSF Railroad	YM	Sandnes	12		replacing bridge	7/1/2015
100715	Gary Driessen	YM	Burton	22	SW 1/4 SW 1/4		6/23/2015
110715	Dale Swedzinski	Lyon	Eidsvold	30	SW 1/4	cost share w/ Fier (see	12/17/2015

#### #6. Unpermitted Tiling and Drainage concerns

Concerning other Ditch authority matters, discussion was held on the matter of Omar Laleman having tilled property along WD 5, and our meeting with him and his son Steve at our June meeting. After further deliberation and discussion about calls from the actual landowner, who would rather that the board would have fined Laleman and destroyed the crop, the board discussed their intent on dealing with this matter. They also discussed that the landowner would prefer now to leave the crop in and that the board not allow harvest. The board decided that that is not their call, and they would prefer that John Full work with (or against) Laleman to prevent

Laleman from entering his property to harvest the corn, perhaps by way of flagging the area to mark the boundary line.

07-06-2015 Motion was made by Boulton, seconded by J Hoffman, to ask the actual landowners, John Full and Robert Hoffman, to reseed the filter strip along ditch 5, and send the bill to Laleman. The board stated that they will destroy the crop at the landowners request. All voted aye. Motion carried. The board requested the staff to send a letter to the landowner and Omar and Steve Laleman.

In regard to the Louis Claeys incident that has yet to be resolved, the board asked the staff to request that John Engels, Attorney, proceed with setting a hearing date to meet with Louis Claeys and his legal representative in court, to settling the matter of unpermitted drainage completed by Claeys, in Hendricks township section 34, affecting neighbors to the west and to the east as well.

#### *#7. Board managers reports*

John Boulton reported on his attendance at Area II, and that the funding has become available for the flood control structure in Nordland township section 6. Area II will be contacting the watershed board for future meetings.

C Hoffman reported on attending the MAWD Summer tour on June 24-26<sup>th</sup> in Duluth, as did the rest of the board, and staff member Emma Volz.

Buysse and C Hoffman both reported having been called by Eloise Hauschild to review the flooding and damage at Hauschild Dam in Limestone township section 26, where beaver had built a dam in the riser on the lakeside, and flooding of approximately 5 acres has occurred.

John Boulton reported that he attended city council meetings in Porter, Taunton and Minneota, to share information with them on the One Watershed One Plan. He had suggested to them that if they share concerns of flooding, it would be advisable for them to send letters of recommendation and request to make flooding a priority in the One Watershed One Plan.

#### *#8. Administrators report*

Concerning the Lincoln County Ditch 38 petition for improvement, Potz reported that John Kolb Attorney for the petitioners, and Duane Hansel, engineer for the project, have suggested that the board request that the viewers create a redetermination of benefits on the project. The document for the signatures of the board was provided by John Kolb. The board discussed and agreed to the request.

07-07-2015 Motion was made by Tim Dritz, seconded by C Hoffman, to sign the document and request a redetermination of benefits on the project. All voted aye. Motion carried.

Potz reported on an inquiry by Jeff Hennen, to complete a drainage project in his county road ditch along Oshkosh township, section 33 that had begun by YM County Highway Dept, and then was aborted. He would like to see the ditch cleaned. Potz reported that she gave the phone number of the County Highway Department to Hennen.

Potz reported that the WRAPS project has been completed, and that she has been working on the budget report, and the narrative portion of the final report. She gave copies of the preliminary report and the budget to the board for their review.

Potz reported that BWSR and MPCA have both sent survey requests for us to report on any future flood control projects that we anticipate. BWSR reported that they have funds that are available for flood control projects.

Potz reported on the updates to the revised rules and regulations. She advised that BWSR stated that it is best that no set dollar amount be written into the rules and regulations, pertaining to the

fee for unpermitted drainage, as it would tie the board to those numbers. She reported that BWSR stated that it is better to have a statement that shows that the board will have the power to enforce a fee, depending on the degree of noncompliance. Some of the board disagreed. 07-08-2015 Motion was made by Tim Dritz, seconded by Corey Hoffman, to write the revised rules and regulations to include a specific fee amount, in which they wish to have the authority to charge an amount ranging from \$250.00 up to \$750.00 depending on the degree of noncompliance, and to add an additional \$100.00 per month for each month that the fee is not collected. The board requested that Potz schedule a public hearing on the revised rules and regulations for the next board meeting on August 10, 2015.

Potz requested that the board assist with the scheduling of the upcoming annual advisory hearing regularly held at the end of August at the Taunton Senior center in Taunton. They decided that August 27, 2015 will work for their schedule. The annual budget hearing will be held at that time, as well.

The board ordered in pizzas for lunch while the meeting continued.

#### *#9. Employee Review*

The board had requested an employee review at the July meeting. The board interviewed each employee with questions about the work they have been doing. This was a closed session, and the minutes for such are not available.

However, at the end of the employee review, when Potz was asked to return to the board, Chairman Tim Buysse informed Potz that the board has decided to terminate her employment, as they feel that she is now longer qualified to be the administrator and manage the projects or the staff. They gave her a choice of being immediately fired, or she could take the option of turning in her notice of intent to leave her position effective July 31, 2015, and they would honor those hours including any available vacation time. At first, she took the option of being fired, but then was told she needed to leave after cleaning up her possessions. They hadn't made it clear that if she took the option of being fired, she would have to leave immediately. She discussed the matter with the board, and they were still willing to allow her to stay until the end of the month with wages paid. So she accepted that offer, and will be submitting her involuntary notice of her intent to leave her position at the end of the month.

#### *#10. Adjourn the meeting*

Chairman Tim Buysse asked for a motion to adjourn the meeting.

7-09-15 Motion was made by Boulton, seconded by Dritz to adjourn the meeting. All voted aye. Motion carried. Meeting adjourned at 1:45 p.m.

Respectfully Submitted,

Corey Hoffman, Secretary of the Yellow Medicine River Watershed District

Minutes prepared by CMP

**The next regular meeting of the Watershed District board of managers will be held on August 10, 2015 at 9:00 a.m. at the office of the Yellow Medicine River Watershed District.**