





# Yellow Medicine River Watershed District



122 N Jefferson St | P.O. Box 267 | Minneota MN 56264-0267  
[admin@ymrwd.org](mailto:admin@ymrwd.org) | (507) 872-6720 | [www.ymrwd.org](http://www.ymrwd.org)

## Permits to Approve – None

### Public Comment, and Reports

Administration and Managers provided reports, Gary Crowley provided a report.

### Old Business – Burton Lake

Roger Verly is the owner of the property in which the unpermitted diking activity has taken place. He wants to appeal the board's decision regarding the fines and having a contractor restore the area. The board will take the matter under consideration. They would like to have DNR's assistance in establishing what is the ordinary highwater mark and if the constructed dike was holding water back. Overholser will gather more information and the board will table this matter until the required data can be obtained.

### Old Business – Hoffman Update/Action

Overholser received a response to the cease and desist order. Opposing council has requested that a meeting between the Watershed and Hoffman takes place. It is the opinion of Mr. Hoffman's attorney that a misunderstanding has taken place. Overholser received the letter last week and has not been able to discuss the situation with the Districts Attorney. Overholser feels that it may be beneficial to get all the parties in the same room to discuss the issue. The board would like Overholser to confer with our attorney and follow his recommendations regarding meeting.

### Old Business – Nordland 6

The project is complete and it is Area II's recommendation that we proceed with the final payment.  
**Boulton moved to approve the payment request. Dritz seconded. Motion passed 4-0.**

### Old Business – Project Assistant

Overholser hired Mike Luke as the new part time project assistant.

## Meeting was recessed for Ditch 39 Final Acceptance Hearing at 10:00 a.m.

By accepting the final construction report the two-year maintenance procedure will begin. There were questions as to if there would be additional crop damages awarded because the contract did get extended. It was asked why the engineering cost came in over budget. The engineer responded that there was some private tile found that had to be redesigned and that was probably most of the overage. He also commented that he underestimated on the estimate. He stated that it is hard to estimate these small jobs sometimes and, in the future, he will keep the scale in mind.

**Boulton moved to accept the final construction report, to accept the contract and to take under advisement to consider additional crop damages. Volstad seconded. Motion passed 4-0.**

## Meeting was reopened at 10:25



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## New Business – Ditch 8

Landowner on Ditch 8 called. He has a field crossing culvert that has rotted out and is dangerous. In recent years he has purchased the land on both sides of the field crossing and it is no longer used or needed. When reviewing the ditch as-built, there no indication if the culvert is private or not. The lack of indication on the ditch maps could be interpreted both as a district owned culvert or as a private culvert. The landowner would like to just remove the culvert.

**Boulton moved to allow landowner to remove the culvert and to provide 50% cost-share up to \$250.00. Volstad seconded. Motion passed 4-0.**

## New Business – MAWD

The convention will be from November 29<sup>th</sup> thru December 1<sup>st</sup>. Registration prices will be going up soon so we need to confirm who will be attending and if anyone wants to attend the pre-conference sessions.

## New Business – Ditch 16 Clean Out

A benefited landowner of Ditch 16 called the office to report that it needs to be cleaned.

## New Business – Beaver Dams

A nuisance beaver dam was reported. Discussion was held on when the district is responsible for dam removal and when it is up to the landowner. In the past this has been decided on a case by case basis. Most of the time it will be the landowner's responsibility unless the dam is causing more than just nuisance problems, then the board may decide to assist with the cost of removal.

## New Business – Administrator's Review

A time needs to be set to do the Administrators Review. Overholser started on an hourly basis November 30<sup>th</sup> 2018. She started her contract officially on January 1, 2018. A consensus was reached to do the administrators review at 8:45 before the next meeting on December 10, 2018.

## New Business – QuickBooks Class Cleanup

There are multiple classes in QuickBooks that should be made inactive but they are still showing a balance. Overholser is requesting that journal entries are made to zero out those balances and make those classes inactive. **Boulton moved to allow Overholser to close out inactive classes by using journal entries to balance the accounts. Volstad seconded. Motion carried 4-0.**

## New Business – PERA Authorization

The name on the PERA account has never been changed. Overholser is asking the board to sign the authorization that gives her administration rights over the account.

**Dritz moved to authorized Overholser to have admin privilege. Volstad seconded. Motion carried 4-0.**



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## Swede Prairie 7 – Complaint regarding culvert

There was a complaint received from a landowner regarding a culvert on a minimum maintenance road. The landowner said that there is a culvert that has an elbow attached in order to maintain higher water on his property. The wetland was restored years ago and he is having problems with a neighbor coming over and removing the structure in order to increase the water flow. The board would like more information and would like to know if the landowner had required the necessary permits/paperwork to impound the water in the first place.

## New Business – 1W1P Costshare - Dybsetter Farms Inc. – Alta Vista 29 (Approve Contract)

The board has no concerns with the project.

**Dritz moved to approve cost-share contract. Boulton seconded. Motion carried 4-0.**

## New Business – 1W1P Costshare – Dennis Jerzak – CS 2018-0025 (Approve Payment)

The project came in under budget.

**Boulton move to approve the cost-share payment. Volstad seconded. Motion carried 4-0.**

## Meeting recessed at 11:08 for the Public Hearing for Rule Changes

There was no public in attendance and no comments received at this point. The comment period will be open until December 6, 2018.

## Meeting reopened at 11:11

## Other Business – Future Events

1W1P Policy Meeting	November 19 <sup>th</sup> 1:00
MAWD	November 29 – December 1
Next Meeting	December 10 <sup>th</sup>
Michelle on Vacation???	December 11 <sup>th</sup> – January 7 <sup>nd</sup> ???
Rinke Noonan	February 14 <sup>th</sup> 8:15

## Adjournment

**Dritz moved to adjourn the meeting. Volstad seconded. Motion carried 4-0 and the meeting was adjourned.**

Respectfully Submitted,

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Secretary John Boulton

Date

*Minutes prepared by Michelle Overholser*

**The next regularly scheduled meeting of the Yellow Medicine River Watershed District will be held at 8:45 a.m. on December 10, 2018 at the District Office.**