



# 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)



## Regular Meeting Minutes May 14, 2018

### Call to Order

The meeting was called to order by President Tim Buysse at 9:01 a.m. at the Yellow Medicine River Watershed District (YMRWD) Office at 122 North Jefferson Street in Minneota, MN.

Managers present: President Tim Buysse  
Vice President James Kraus  
Treasurer Tim Dritz  
Secretary John Boulton  
Public Relations Elmo Volstad

Others present: Michelle Overholser, YMRWD Administrator  
Brooke Buysse, Yellow Medicine SWCD/Watershed  
Gary Laleman, Lyon SWCD Board  
Gary Crowley, Lyon County Commissioner  
Carrie Netzke, Area 2

### Set Agenda

Agenda was reviewed without any changes.

**Boulton moved to approve the agenda. Dritz seconded. Motion passed 4-0.**

### Approval of Past Meeting Minutes (April 9, 2018)

Minutes were reviewed and approved.

Volstad moved to approve the minutes. Boulton seconded. Motion passed 4-0.

### Treasurer's Report

Overholser presented the following reports:

- |                          |   |
|--------------------------|---|
| • Balance Sheet          | Total Liabilities and Equity = \$550,768.72 |
| • Profit and Loss Report | Net Income = \$36,298.21                    |
| • Warrants to be Paid    | Total Warrants = \$4,077.14                 |
| • Ditch Balance Report   | Total net Income = \$42,001.18              |

Outstanding warrants to be paid include:

- |                        |                             |
|------------------------|-----------------------------|
| • Jim Wambeke          | Rent =\$500.00              |
| • Century Tel          | Phone/Internet=\$117.11     |
| • Bankcard Center      | Office Supplies= \$615.83   |
| • ESRI                 | Arc GIS License= \$214.75   |
| • Lincoln SWCD         | Shared Services= \$1,364.99 |
| • Yellow Medicine SWCD | Shared Services= \$3,869.18 |
| • Netpoint             | Web Hosting=\$17.90         |
| • One Office Solution  | Copier Contract= \$42.58    |
| • Harold DeSmet        | Beaver Bounty (1)= \$30.00  |
| • John D Petersen      | Beaver Bounty (3)= \$90.00  |



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- TD Ameritrade, Inc
- Select Account

March Retirement= \$300.00  
March HRA= \$500.00

**Dritz moved to pay the warrants and approve the treasurer's report. Kraus seconded. Motion passed 4-0.**

## Permits to Approve – David Lanners-Omro 36

Permit was submitted to the board since project crossed subwatershed boundaries. The project outlets into a county tile system that already crosses subwatershed boundaries.

**Dritz moved to approve the permit with the condition of getting the project approved by the county. Volstad seconded. Motion passed 4-0.**

## Old Business – Annual Report

Reminder to the board to review the annual report when they have a chance.

## Old Business – Hoffman

We have not received any responses from Hoffman given the May 1 deadline. The board brief new board member Volstad, on the history of the problem. Discussion was held on what the next step would be, hiring an attorney to send a letter, certified mail, or police delivered mail. The board decided to send a letter by certified mail with a deadline of 10 days, if no response is received, or the certified letter is refused, the letter will be delivered by a police officer. Further action will be taken at the board meeting in June.

## Old Business – Nielson Complaint Update

Complaint was received in regards to a wind tower road washing gravel and silt into their tile intake. The wind tower company's issued permit states that they are not to change the flow of water. At this point they are in violation of the permit since they are restricting the flow of water. Overholser and Robert Olson visited the site and stopped at the company location in Ivanhoe. The employees there stated that they have a crew coming this summer to fix erosion problems. The board decided to send the wind tower company a letter stating they are in violation and request information on plans to resolve the issue.

## New Business – 1W1P Update

Fifty percent of the grant has been received and the SWCD's are putting together resolutions for cost share.

## New Business –TSA Services

An engineer will not be hired using money from 1W1P so they are looking at contracting an engineer through TSA services at a billable rate. Michelle drafted a letter of intent to send to TSA, allowing meetings to be conducted to discuss a contract and an agreement.

**Dritz moved to approve the letter and send to TSA. Kraus seconded. Motion passed 4-0.**



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## **New Business – Complaint about flooding in Upper Sioux Agency 32**

Landowner was concerned about flooding and accusing the watershed district of giving him the run around even though this was the first time he had ever spoken to Overholser, it is unknown if he has had contact with previous administrators. He believes his upstream neighbors are dumping water on him. The Yellow Medicine SWCD has also been getting calls in regards to the same issues. He was also upset that in the past DNR would not issue a bank stabilization permit and that there has not been funding through NRCS or State Cost-share, to build structures to protect his cropland located on the flood plain. At the time of his call the River was at peak discharge and had overflowed its banks in many locations. Overholser advised the landowner that his best recourse was to go into NRCS and see if they currently had any programs that could assist him or if this was a possible project once the NRCS RCPP funds become available. At this point the District does not have the funding to address field scale practices that pertain to one landowner. The SWCDs and NRCS are better equipped to handling those projects at this time. Funding through the 1W1P Performance funds would not be available at this since the land is not located in a designated priority watershed, but funding through this grant may be possible in the future.

## **New Business – Request for tree removal in river Westerheim 7/18**

Renter wants trees in the river removed from landowner's property to increase the flow of water, when the river has overflowed its banks and reduce flooding on the farmland. The board discussed removing the trees and decided that the trees were not located in the river but on the floodplain. It was decided that since the trees are not located in the channel but are located on the flood plain, removal is the landowner's responsibility.

## **New Business –Nordland 6 Contract**

A contract between the construction company and the District was presented for approval. Engels had reviewed the contract and did not have any objections to the District signing.

**Dritz moved to authorized Michelle to sign the contract on behalf of the district. Kraus seconded. Motion passed 4-0.**

## **New Business –Hauschild Dam**

Upstream landowner cut down trees last summer and stacked them outside of the reservoir. Emily, the previous Administrator, notified him that the logs needed to be removed from the floodplain to prevent them from entering the reservoir during high water and damaging the dam. Robert Olson has also talked with the landowner about removing the trees; the owner does not see this as his responsibility since the trees were dead due to the beaver population. Netzke found flowage agreements from when the dam was constructed and the county records will be checked for easements on the other involved parcel. It was discussed that the District should hire someone to remove the trees and then decide if they will ask the landowner to pay any of the cost, based on what is found in the easement documents, at the June meeting.

**Dritz moved to approve up to \$500 to hire Thompson Construction to remove trees before more damage is done to the dam. Volstad seconded. Motion passed 4-1.**



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## **New Business –CSW Termination Lincoln Co. Ditch 38**

Our engineer signed off on everything for the project last month. We are waiting for the downstream landowners to say work has been done to their approval.

**Kraus moved to have Michelle sign. Boulton seconded. Motion passed 4-0.**

## **New Business –Buffer Enforcement Rule**

BSWR says we need rule specifically for implementing the buffer law. It was suggested that we check neighboring watershed districts to see what everyone else is doing. The implementation date is November 1, 2018 and we need to get something passed by then.

## **New Business –Ditch 1 Report of Rusted/Broken Culverts**

There are rusted out drainage outlets on Ditch #1. Discussion was held on who is responsible for replacing outlets landowners or the watershed district. The board thinks policy should be written for clarification on the issue.

**Tabled until June, Michelle will seek ditch authority and or legal guidance.**

## **New Business –Ditch Inspections**

A schedule for ditch inspections needs to be created. It was decided that all the ditches will be inspected over the next two years. After that, a four year schedule may be a good option. Overholser is going to continue working on this and getting a schedule in place. The option of hiring someone to do the inspections was discussed.

## **New Business – Audit**

The watershed will be audited on June 14.

**Dritz moved to approve Michelle to enter into the contract with auditing company. Volstad seconded. Motion passed 4-0.**

## **New Business –MAWD Request for committee participation from Managers & Administrators**

MAWD is requesting members for committees. Board members should let Michelle know if they are interested on being on one of the committees.

## **New Business –Summer Tour**

Scheduled for June 20-22, Overholser registered herself and the Board for the event and reserved hotel rooms. Board Members will let Overholser know at the June meeting if they are not able to attend so the reservations can be cancelled.

## **Other Business – Future Events**

June 11            9:00am            Regular Meeting-YMRWD in Minneota



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June 19	All Day	Redwood/Cottonwood Canoe Trip
June 20-22	2 Day	Summer Tour

## Public Comment, Reports, and Adjournment

Crowley provided a report  
Laleman provided a report  
Administration and Managers provided reports

**At 11:43 a.m. Boulton 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 Brooke Buysse*

**The next regularly scheduled meeting of the Yellow Medicine River Watershed District will be held at 9:00 a.m. on June 11, 2018 at the District Office.**