



# 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 July 9, 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

Treasurer Tim Dritz

Public Relations Elmo Volstad

Others present:

Michelle Overholser, YMRWD Administrator

Brooke Buysse, Yellow Medicine SWCD/Watershed

Gary Crowley, Lyon County Commissioner

Richard Neilson, Landowner (wind tower complaint Lake Stay 14)

Francis Engels, Landowner (wind tower well fix Limestone)

Randy Gaffney, Landowner in Burton 26

Charles Gaffney, Landowner in Swede Prairie

Ed Laleman, Landowner Burton 25

Taylor Hoffman, Burton

Warren Regnier, Landowner Burton 24

Dan Larson, Landowner Burton 25

Mark Van ] Overbeke, Landowner Burton 25 & 26

### Set Agenda

Agenda was reviewed and board suggested moving Neilson (3.3) and Engels (2.1) to after the approval of previous minutes.

**Volstad moved to approve the agenda. Dritz seconded. Motion passed 3-0.**

### Approval of Past Meeting Minutes (June 11, 2018)

Minutes were reviewed and approved.

**Volstad moved to approve the minutes. Dritz seconded. Motion passed 3-0.**

### Permits to Approve – Francis Engels-Limestone 20

The wind turbine company struck an artesian aquifer while installing a wind tower. This event occurred in the fall of 2017. This issue was not taken care of before the foundation was poured. The company is working on correcting this issue over the summer. To this point they have installed a 55 foot deep concrete barrier and planning to install another barrier and discharge water using an existing tile line. The discharge will be twice a year totally 40,000 gal. Schedule 40 PVC will be used to connect the artesian well to the existing tile line. The board discussed downstream landowners and when the landowner would be allowed to pump water out of the holding facility.

**Dritz moved to approve the permit with the condition of only pumping water when the river is not in the top 25% of flow and only to pump 40,000 gal/year. Volstad seconded. Motion passed 3-0.**



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## Old Business –Neilson Update

Richard Neilson was present at the meeting to express his concerns about the work completed in Lake Stay 14 to address the altered flow paths created by the wind tower access road. The engineer proposed installing four rock crossings rather than culverts due to weight bearing capabilities. To our knowledge, the project has not yet been finished due to weather delays. Michelle has been out to the site with Robert Olson and determines that the proposed fix will meet the watershed's requirement for the permit if the rock crossing performs as described. Any fixes to grass waterways or erosion issues will need to be addressed by the perspective landowner, the SWCD may be able to offer some financial and technical assistance.

## Treasurer's Report

Overholser presented the following reports:

- Balance Sheet
- Profit and Loss Report
- Warrants to be Paid
- Ditch Balance Report

Total Liabilities and Equity = \$503,528.19  
 Net Income = \$42,001.18  
 Total Warrants = \$91,657.72  
 Total net Income = \$41,356.18

Outstanding warrants to be paid include:

- Jim Wambeke
- Century Tel
- Bolton & Menk, Inc
- Cooreman Contracting, Inc. Ditch 39 Project= \$150,420.86
- MCIT
- Minneota Mascot
- One Office Solution

Rent =\$500.00  
 Phone/Internet=\$117.25  
 Invoice No:0218225= \$9,510.00  
 Registration= \$105.00  
 1 Year Subscription= \$41.00  
 Copier Contract= \$149.34

**Dritz moved to pay the warrants and approve the treasurer's report. Volstad seconded. Motion passed 3-0.**

## Approve Ditch 39 Payment Requests

Payment for contractor conducting the work on ditch 39 project.

**Dritz moved to pay Ditch 39 contractors. Volstad seconded. Motion passed 3-0.**

## New Business –Ed Laleman -Burton 25

Group of neighbors claim that another neighbor has built a berm at the outlet of Burton Lake causing the lake to rise. Photos were provided where it shows a berm was created and bags of topsoil placed to prevent water from leaving. The landowner/operators reported that water levels began rising roughly four years ago. The board discussed contacting the DNR to determine the original water level of Burton lake. The ditch was re-determined last winter and more acres were assessed into the ditch.

**Dritz moved to fine the landowner \$750 for the unpermitted berm with the option of removing the berm in 10 consecutive days and having the fine reduced to \$250. After 10 consecutive days of receiving the letter if no action has been taken board will take further action. Volstad seconded. Motion passed 3-0.**

## Permits to Approve- Francis Engels- Nordland 7

Looking to install WASCObS and new outlets.

**Dritz moved to approve the permit. Volstad seconded. Motion passed 3-0.**



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## Permits to Approve – Jeff Van Keulen- Nordland 13: asked to revisit condition

This permit was previously approved with a condition of installing water control structures before all tile is installed. The board discussed the condition and decided to stand by their prior decision.

## Permits to Approve-Derek Hoffman-Oshkosh 28

Would like to install a lift pump that pumps into a private ditch and install new outlets. Since they are pumping into a private system no DNR permit is required.

**Volstad moved to approve the permit with the condition of not running the pump during the top 10% of river flow. Dritz seconded. Motion passed 3-0.**

## Old Business – Hoffman Update/Action

Michelle contacted an attorney in Montevideo and talked with him a week ago about the situation. He stated that we have been taking the correct steps and the letters we sent looked great. He is going to review the case further and respond to the watershed office.

## Old Business – Hauschild Dam-Update

Hauschild reported the water rising to the North instead of using the designed spillway and little to no water was exiting the outlet. Thompson Construction was supposed to go out and remove trees but due to the amount of rain we have had the water level is dangerously high. Michelle and John went out and visited site and noticed that water was in fact outletting and that the water level was not high enough to be using the spillway. Once the water level decreases the trees will be removed.

## Old Business – Lincoln Co. Ditch 39 extension update

The project was not completed by the deadline due to a combination of bad weather and work hours of the engineering firm. Landowners have signed a document saying they are okay with the extension of the project. Since the change order was not signed, liquidated damages were applied to partial pay estimates. The can waive all or some of these damage fees.

**Dritz moved to extend the contract and waive all the liquidated damages for the project. Volstad seconded. Motion passed 3-0.**

## New Business –Advisory Committee Meeting Dates

The board scheduled this meeting for August 23<sup>rd</sup> at 6:00pm.

## New Business –1W1P Equipment

The office would like to purchase a filing cabinet for 1W1P files and cost share contracts. The filing cabinet would match the most recent ones purchased for the office. The price is in the \$500 range, 1W1P money will be used for this purchase. The office is also looking at purchasing a new computer and accessories for the administrator.

Michelle was looking at two different options a HP and a surface book. Her current computer has a slow processor and the other office computer is having issues as well. The administrator's computer will be split 50/50 with 1W1P money and watershed money.

**Dritz moved to approve up to \$600 for the purchase of a filing cabinet and \$1600 for a computer and accessories. Volstad seconded. Motion passed 3-0.**



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## Old Business –Sandnes 12- Dead trees stacked up on Railroad Bridge

Office received a complaint early last week that trees are building up on the railroad crossings and causing higher water. Michelle contacted the railroad company and they will be taking care of the issue.

## Old Business –Eidsvold 6-Township requested technical assistance

Eidsvold township called and requested assistance for some township projects. Michelle met with them and visited some sites and calculated some culvert watershed delineations for them. They will discuss options at their next meeting and then get back to us to get the appropriate permits.

## Old Business –Buffer Rule for 103F

BSWR wants us to adopt a buffer rule and we already have buffers and didn't think we needed another rule. 103F states we do have to adopt the new rule in case we take on a ditch that does not have a compliant buffer. Michelle will compile rules that need to be changed/added to be looked at a later date.

## Old Business –Kaczmarek- Ash Lake 13: neighbor dumping water on him

Neighbor tiled and has an outlet 10 feet away from the line fence our office cannot seem to find a permit for such a project. There were also comments made about there being an unpermitted berm out there as well. The board discussed contacting the landowner about the non-permitted activity and inviting them to the next meeting for discussion and verification.

## Other Business – Future Events

August 13	9:00am	Regular Meeting-YMRWD in Minneota
August 13	Afternoon	1W1P Policy Committee
August 23	6:00pm	Advisory Committee Meeting Date and Budget Meeting

## Public Comment, Reports, and Adjournment

Crowley provided a report

Administration and Managers provided reports

**At 11:53 a.m. Dritz moved to adjourn the meeting. Volstad seconded. Motion carried 3-0 and the meeting was adjourned.**

Respectfully Submitted,

*John Boulton*

Secretary John Boulton

8/13/2018

Date

*Minutes prepared by Brooke Buysse and Michelle Overholser*

**The next regularly scheduled meeting of the Yellow Medicine River Watershed District will be held at 9:00 a.m. on August 13, 2018 at the District Office.**