



# Yellow Medicine River Watershed District

122 North Jefferson Street, P.O. Box 267, Minneota MN 56264-0267  
Phone: 507-872-6720 [www.ymrwd.org](http://www.ymrwd.org) [ymrw@centurytel.net](mailto:ymrw@centurytel.net)



## Regular Meeting Minutes January 9, 2017

### Call to Order

The meeting was called to order by President Tim Buysse at 9:15 a.m. at the Yellow Medicine River Watershed District (YMRWD) Office at 122 North Jefferson Street in Minneota, MN.

Managers present: President Tim Buysse  
Secretary John Boulton  
Treasurer Tim Dritz

Managers absent: Vice President James Kraus

Others present: Administrator Emily Javens (via Skype video conference)

### 2017 Organizational Business

The first order of business was to elect the following officers.

**President:** Dritz nominated **Tim Buysse**. Boulton seconded. Motion passed 3-0.  
**Vice President:** Boulton nominated **James Kraus**. Dritz seconded. Motion passed 3-0.  
**Secretary:** Dritz nominated **John Boulton**. Boulton seconded. Motion passed 3-0.  
**Treasurer:** Boulton nominated **Tim Dritz**. Dritz seconded. Motion passed 3-0.  
**Public Relations:** This position will remain vacant until an appointment is made by the Yellow Medicine County Board of Commissioners. The seat became vacant with the death of Manager Jeff Hoffman on December 23, 2016.

The second order of business was to identify legal counsel and designate a depository and newspaper for official business purposes in 2017. Boulton made a motion to maintain the partnerships with the same bank, newspaper, and attorney as last year. Dritz seconded. Motion passed 3-0.

**Official Depository:** Bank of the West, Minneota MN  
**Official Newspaper:** Minneota Mascot, Minneota MN  
**Legal Counsel:** John Engels, Engels Law Offices, Minneota MN

The third order of business was to set a regular meeting date and time to conduct business each month. Boulton made a motion to follow the same schedule as last year. Dritz seconded. Motion passed 3-0.

**Meeting Date/Time:** 2<sup>nd</sup> Monday of each month at 9:00 a.m.

Dritz made a motion to appoint the following managers to represent the Watershed District at meetings. If the appointed manager cannot attend any given meeting, the manager should contact the manager listed as the alternate to attend. Boulton seconded. Motion passed 3-0.



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<u>Committee</u>	<u>Appointment</u>	<u>Alternate</u>
<b>One Watershed One Plan Partners Personnel Committee</b>	Buyse	Dritz
<b>Yellow Medicine County Buffer Law Committee</b>	Kraus	New Manager
<b>Area 2 MN River Basin Projects Liaison</b>	Boulton	Buyse

Dritz made a motion to keep the per diem and expense reimbursement rates at the same values as in 2016. Boulton seconded. Motion passed 3-0.

<b>Meeting Per Diem:</b>	\$75 per meeting
<b>Hourly Rate:</b>	\$15 per hour
<b>Maximum Daily Rate:</b>	\$75 per day
<b>Mileage:</b>	Use current IRS Rate (\$0.535/mile in 2017)
<b>Meals:</b>	Reimbursable with submitted receipts

## Approval of the Agenda

**Dritz moved to approve the agenda with no changes. Boulton seconded. Motion passed 3-0.**

## Approval of Past Meeting Minutes

**Dritz moved to approve the December 12, 2016 meeting minutes. Boulton seconded. Motion passed 3-0.**

## Treasurer's Report

Javens presented the following reports:

• December 12, 2016 Balance Sheet	Total liabilities and equity = \$302,692.64
• Profit and Loss Report (Oct 11 – Nov 14)	Net Income = \$112,948.15
• Expenses by Vendor Summary (Oct 11 – Nov 14)	Total warrants = \$13,305.06
• Ditch Balance Report (Jan 1 – Nov 14)	Total net income = \$68,222.41

Outstanding warrants to be paid include:

• Bankcard Center	Credit Card = \$1,137.84
• Bolton & Menk, Inc.	Ditch 38 and 39 Engineering = \$13,830.00
• Brian Skogen	Beaver Bounty = \$240.00
• Centurytel	Phone/Internet = \$116.53
• Jim Wambeke	Rent = \$500.00
• John Engels	Legal Services = \$28.90
• Minneota Mascot	Publishing = \$18.00
• MN State University, Mankato	Terrain Analysis Grant = \$9,850.32
• RESPEC, Inc.	Organizational Development Grant = \$1,045.00
• Rinke Noonan	Legal Services for Ditch 38 = \$8,825.00
• Steven Johnson	Ditch Viewing = \$1,348.00
• VK Services	Website Updates = \$42.80

**Bolton moved to approve the report and pay the warrants. Dritz seconded. Motion passed 3-0.**



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## New Business – After-the-Fact Permit in Wergeland 5

In previous board actions, the Board issued an after-the-fact permit fee of \$250 to Tim Miller for failure to secure a permit from the watershed district for ditch excavation work he completed on his property. A letter was sent to Miller from Watershed District Attorney John Engels and Miller subsequently came into the office to discuss the situation. During that visit, he explained that although the work was completed on his property, he was not the one who completed the work. It was completed by Rite Way Drainage, under contract with Yellow Medicine County as part of maintenance activities associated with County Ditch 23. Javens verified this information and explained that under these circumstances, Yellow Medicine County should have been the applicant for the permit and Miller would have only signed as an affected landowner. The Board directed Javens to work with Yellow Medicine County and the DNR to sort out the issue of water moving from one watershed into another and report back to them.

**Boulton moved to rescind the \$250 permit fee for Tim Miller. Dritz seconded. Motion passed 3-0.**

## Resolution 17-103: Adopt the Yellow Medicine One Watershed One Plan

In December 2016, the MN Board of Water and Soil Resources approved the Yellow Medicine One Watershed One Plan. Once approved, each of the partner organizations is required to adopt this plan as its official guiding document.

**Dritz moved to approve Resolution 17-103 adopting the Yellow Medicine One Watershed One Plan as the District's Comprehensive Watershed Management Plan. Boulton seconded. Motion passed 3-0.**

## Public Hearing – Lincoln County Ditch 38 Final Hearing

Buyse recessed the regular meeting at 9:57 a.m. to conduct the final public hearing of Lincoln County Ditch 38. He resumed the regular meeting at 10:32 a.m. (Details from that hearing are provided in separate meeting minutes.)

## Ordering of Lincoln County Ditch 38 Improvement

Mark Gruenes, Attorney for the District, advised the Board of its options for considering the “Findings and Final Order Establishing Drainage Project, Adopting and Confirming the Viewers’ Report of Improvement Benefits and Damages, Adopting and Confirming the Viewers’ Report of Redetermined Benefits and Damages, Authorizing Modification of the Drainage System by Reroute, and Directing Construction of the Project in the matter of the petition of Hauschild, Jerzak and others for the improvement of Lincoln County Ditch 38; the matter of the petition of Northern States Power Company to reroute a portion of Lincoln County Ditch 38; and the matter of the redetermination of benefits for Lincoln County Ditch 38.” Although the order as presented at the meeting assumed the Board wanted to include Alternative A that would add an optional branch to the system, the Board could edit the order to exclude Alternative A based on feedback received as part of the final public hearing. Based on comments received, the board decided eliminating Alternative A from the order was appropriate.

**Bolton moved to approve the findings and final order without Alternative A. Dritz seconded. Motion passed 3-0.**



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## Public Comment

No one was present to submit public comment.

## Reports and Adjournment

Javens provided a written and verbal report of the last month's activities and asked if anyone was interested in attending the Governor's Water Summit on January 27 in Morris or the Wetland and Drainage Conference on February 13 in St. Cloud.

**Dritz moved to approve attendance at the Water Summit by Javens, Dritz, and Buysse and the Drainage Conference by Boulton. Boulton seconded. Motion carried 3-0.**

With no further business, the meeting was adjourned at 11:15 a.m.

Respectfully Submitted,

*John Boulton*

*2/13/17*

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Secretary John Boulton

Date

*Minutes prepared by Javens*

**The next regularly scheduled meeting of the Yellow Medicine River Watershed District will be held at 9:00 a.m. on February 13, 2017 at the District Office.**