



Yellow Medicine River Watershed District

122 North Jefferson Street, P.O. Box 267, Minneota MN 56264

Phone 507-872-6720, Fax 507-872-6958



Regular Meeting Minutes

April 11, 2016

CALL TO ORDER

The regular meeting of the Yellow Medicine River Watershed District (YMRWD) Board of Managers was called to order at 9:00 a.m. by Board President Tim Buysse. Managers in attendance for the meeting included Tim Dritz, James Kraus, and John Boulton. Manager Jeff Hoffman was absent from the meeting. YMRWD Administrator Emily Javens, Area II Director Kerry Netzke, Lyon County Commissioner Rodney Stensrud, and permit applicant David Swenson were also present.

STANDING ITEMS

Approval of Agenda

Motion by Boulton, second by Dritz, to approve the agenda. Motion passed 4-0.

Approval of Previous Minutes

Motion by Dritz, second by Boulton, to approve the March 2016 regular meeting minutes, with one correction for the last name of Jeffrey Davis. Motion passed 4-0.

Approval of Treasurer's Report and Submitted Warrants

Javens presented the March 31, 2016 balance sheet, profit and loss report, warrants to be paid, and the ditch balance report. Motion by Boulton, second by Dritz, to approve the Treasurer's report and pay the following warrants, totaling \$29,787.20. Motion passed 4-0.

Aracely Leos	Office Cleaning – April 2016	\$30.00
Bolton and Menk, Inc	Ditch Engineering	12,819.00
CenturyTel	Phone and Internet	148.79
Jim Wambeke	Office Rent	500.00
John A Engels, Attorney	Legal Services	1,604.90
League of Minnesota Cities Insurance Trust	Insurance	372.00
Minnesota State University, Mankato	Terrain Analysis Grant - Labor	8,861.10
Netpoint	Website Hosting Fee	8.95
RESPEC	Office Administration, PRAP Grant	5,442.46



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OLD BUSINESS

Request for Financial Assistance – Lake Stay 3 (Jeffrey Davis)

After being tabled at the last meeting, the request for funding from Jeffrey Davis for a small dam project, located in Lake Stay Township Section 3, was presented with more details by Netzke. Javens presented cost benefit information from previous projects (adjusted for inflation) that showed this request was within the range of previous decisions by the board to provide financial assistance on similar projects that provided storage in the watershed. It should be noted that the range, however, was large and the calculations could be improved with better and more consistent measurements of the storage capacity of each project. The board indicated a desire to review previous projects in more depth with the intention to develop a formula that could be used to determine project funding levels based on watershed benefits. Netzke and Javens agreed to work on that task and bring the findings back to the board at a later date. Motion by Boulton, second by Kraus, to approve \$2500 in financial assistance for the project. Motion passed 4-0.

Buffer Violation – Burton 28 (Ditch 5)

Javens updated the board with new information on the buffer violation by Omer Laleman. The violation is located in Burton Township Section 28 on the properties of Robert Hoffman and John Full. It is also located within an easement held by the YMRWD for the legally required buffer for Ditch 5. Laleman removed the buffer last summer and planted corn. After being warned of the violation, Laleman harvested the corn and tilled up the land again. As directed by the board at the last meeting, Javens contacted the local DNR Enforcement Officer to request a citation be issued. This decision was based on legal guidance given by Rinke-Noonan Attorney John Kolb. The DNR looked into the possibility of issuing a citation and determined they did not have jurisdiction over the matter and could not do anything. The officer explained to Javens in a phone conversation that he thought the landowners could seek no trespassing orders against Laleman and/or they could take civil action against him for destruction of property. The ditch system could also take civil action for damage to the buffer easement. The board discussed the options and directed Javens to look into getting the buffer reseeded (at the expense of the ditch system) and purchasing signs that could be installed along the edge of the ditch right-of-way. The ditch system will then assess Laleman for the expenses incurred, along with a \$750 fine.

Buyse left at 11:00 a.m. and the meeting was turned over to Dritz.



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NEW BUSINESS

Drainage Permit Applications

Motion by Boulton, second by Dritz, to approve nine of the permit applications listed below. Two of the applications were not complete and will be approved when the remaining paperwork is submitted. A tenth application required more detailed information and will need to be reviewed by the board again prior to approval. Motion passed 3-0.

Application #	Location	Applicant	Activity	Board Action
2016-04-01	Oshkosh 34	Robert King	tiling	Approved
2016-04-02	Wergeland 11	Robert King	tiling	Approved
2016-04-03A	Eidsvold 5	John Wambeke	tiling	Approved
2016-04-03B	Eidsvold 5	John Wambeke	tiling	Approved
2016-04-04	Oshkosh 22	Citrowske Farms	n/a	NOT IN WD – no permit issued
2016-04-05	Oshkosh 35	Citrowske Farms	tiling	Conditional Approval - submittal of map required before authorization given
2016-04-06	Oshkosh 34	Ron Antony	tiling	Approved
2016-04-07A	Oshkosh 13	David Swenson	cleaning	Approved
2016-04-07B	Oshkosh 13	David Swenson	cleaning	Approved
2016-04-08	Royal 36	Duane Amundson	tiling	Not approved - requesting more information
2016-04-09	Limestone 34	Duane Amundson	tiling	Conditional Approval - submittal of application required

Drainage Alterations without Permits

Javens updated the board on the receipt of complaints of drainage alterations taking place throughout the watershed without permits. The Board guided here to send the owners an application for an after-the-fact permit and a fine, if any, would be determined by the board when the applications were received.

Set Preliminary Hearing - Lincoln County Ditch 39 Improvement

Javens told the board she had received the preliminary survey report in the matter or Nuese and others for the improvement of Lincoln County Ditch 39. The next step was to set a date for a preliminary hearing and notify all benefitted landowners and government agencies likely impacted by the project. Motion by Boulton, second by Kraus, to set a preliminary hearing for 10:00 a.m. on May 9, 2016 at the district office. Motion passed 3-0.



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PUBLIC COMMENT AND REPORTS

Public Comment

There was no public comment received.

Manager and Administrator Reports

Dritz asked for reports from the administrator and the managers. Javens updated the Board on her efforts to assess the condition of all outlet pipes on ditches 4 and 5 and put together a bid package for their replacement. She explained the easiest way to complete the work would be to use a GPS-enabled camera to document the locations and conditions of the outlet pipes. Rather than walking the entire length of the ditch system, the use of a 4-wheeler, was recommended. Kraus and Javens both offered the use of their equipment to complete the work.

Motion by Kraus, second by Boulton, to authorize the purchase of a GPS-enabled digital camera in an amount not to exceed \$500. Motion passed 3-0.

Motion by Kraus, second by Boulton, to approve rental payments in the amount of \$125 for 4-wheeler (and trailer) rental for a full day and \$75 for a half day. Motion passed 3-0.

ADJOURNMENT

Motion by Boulton, second by Kraus to adjourn the meeting. Motion passed and the meeting was adjourned at 11:30 a.m.

Respectfully Submitted,

John Boulton

6/13/16

Secretary of the Yellow Medicine River Watershed District

Minutes prepared by Javens

The next regular meeting of the Watershed District Board of Managers is scheduled for May 9, 2016 at 9:00 a.m. at the office of the Yellow Medicine River Watershed District.