



# 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 June 12, 2017

### Call to Order

The meeting was called to order by President Tim Buysse at 9:00 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 Manager Doug Gregoire

Managers absent: None

Others present: Emily Javens, YMRWD Administrator  
Colleen Wichern, Lincoln SWCD / YMRWD Administrative Assistant  
John Engels, YMRWD Attorney  
Gary Crowley, Lyon County Commissioner  
Tom Frensko

### Approval of the Agenda

**Dritz moved to approve the agenda with no changes. Boulton seconded. Motion passed 5-0.**

### Approval of Past Meeting Minutes

**Dritz moved to approve the minutes. Kraus seconded. Motion passed 5-0.**

### Treasurer's Report

Javens presented the following reports:

- |                          |   |
|--------------------------|---|
| • Balance Sheet          | Total liabilities and equity = \$196,305.07 |
| • Profit and Loss Report | Net Income = -\$14,002.51                   |
| • Warrants to be Paid    | Total warrants = \$5,204.43                 |
| • Ditch Balance Report   | Total net income = \$48,539.24              |

Outstanding warrants to be paid include:

- |                                       |   |
|---------------------------------------|---|
| • League of MN Cities Insurance Trust | Insurance = \$4,030.00                  |
| • Board of Water & Soil Resources     | Workshop Registration = \$25.00         |
| • Jim Wambeke                         | Rent = \$500.00                         |
| • One Office Solution                 | Copy Machine Contract = \$12.00         |
| • Centurytel                          | Phone and Internet = \$116.53           |
| • Farm & Home Publishers              | Plat Book = \$53.80                     |
| • Bankcard                            | Credit Card = \$287.10                  |
| • Ivanhoe Times                       | Ditch 39 Public Hearing Notice = 180.00 |



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**Boulton moved to pay the warrants and file the treasurer's report. Gregoire seconded. Motion passed 5-0.**

## Old Business – After-the-fact permit – Fagen Farms (SE ¼ of Sandnes 12)

At the previous meeting, the board considered assessing an after-the-fact permit fee for a pattern tiling project that was completed by Oftedahl Tiling for Fagen Farms in the SE ¼ of section 12 of Sandnes Township. The board requested a legal opinion as to whether an alternative to the permit fee could be assessed. Since the project would have been ideal for a controlled drainage system, they wondered if adding a structure could be made a condition of the permit. Attorney Engels advised that since the project would have been permitted without the structure, they could only apply the after-the-fact permit fee described in the district's rules. They could, however, incentivize the addition of the practice by reducing or eliminating the fee in lieu of it.

**Dritz moved to assess the maximum \$750.00 permit fee to both the landowner and the contractor for failure to secure a permit before installing tile. Both fees would be reduced by \$250.00, however, if the applicant agreed to add a drainage control structure to the system before the end of 2017. Kraus seconded. Motion passed 4-1 with Gregoire voting against the motion.**

## Old Business – MAWD Summer Meeting and Tour

The board continued discussion on the upcoming meeting of the MN Association of Watershed Districts (MAWD). Since voting would be taking place, official delegates needed to be named.

**Dritz moved to approve attendance for managers and staff who could attend and name Boulton and Dritz as voting delegates, Kraus as the alternate, and Javens as a proxy voter in the event two managers cannot attend the meeting. Kraus seconded. Motion passed 5-0.**

## New Business – Permit Approvals

Three permit applications were presented to the board for consideration. The first permit request was for a Wetland Restoration in Oshkosh Township, section 34 for Ron Antony.

**Dritz moved to approve the Oshkosh 34 wetland restoration permit. Gregoire seconded. Motion carried 5-0.**

The second permit request was for the construction of 100 wind turbines and associated access roads and temporary river crossings. The project is being built by Red Pine Wind Energy with turbines located throughout Lincoln County. The project was extensively reviewed by the MN Pollution Control Agency, Department of Natural Resources, Lincoln County, and the Wetland Conservation Act Technical Advisory Panel for compliance with wetland and other water quality impacts.

**Dritz moved to approve the Red Pine Wind Turbine permit. Kraus seconded. Motion carried 5-0.**

The third permit request was for a ditch cleanout for Tom Frensko in Royal, section 33. A small portion of the ditch was not located on his property and the adjacent landowner did not sign the application.



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**Boulton moved to approve the portion of the ditch cleanout that was on the land owned by Frensko in Royal, section 33. Dritz seconded. Motion carried 5-0.**

Javens requested for guidance on ditch cleanout permit applications. The board has historically issued permits for this type of drainage activity, but it could be viewed as general maintenance which does not require a permit. The board decided to continue the practice of issuing permits for ditch cleanouts, but wanted to transfer approval authority to the administrator when the activity is limited to removing sediment buildup from the original construction of the ditch. All other conditions of issuing drainage permits would apply.

**Dritz moved to allow Administrator Javens to approve ditch cleanout permits without board review when all subsurface drainage conditions are met and the original grade and cross section of the ditch remains unchanged. Boulton seconded. Motion carried 5-0.**

## Public Hearing – Lincoln County Ditch 39 Improvement Project

Buysse recessed the regular meeting at 10:00 a.m. to conduct the public hearing of Lincoln County Ditch 39 Improvement Project. He resumed the regular meeting at 11:15 a.m. (Details from that hearing are provided in separate meeting minutes.) During that time, Manager Kraus left the meeting at 10:30.

## New Business – 2016 Audit

Javens presented quotes from two accounting firms to complete the district's 2016 annual audit.

**Gregoire moved to hire Richard Holmberg for the 2016 Audit. Dritz seconded. Motion carried 4-0.**

## New Business – Reseeding of Watershed Ditches 4 and 5

Discussion was held on the reseeded that needs to take place along ditches 4 and 5. No bids were received from private contractors to do the work and she proposed hiring the Lincoln Soil and Water Conservation District (SWCD) to do the seeding.

**Boulton moved to hire Lincoln SWCD for the ditch reseeded. Dritz seconded. Motion carried 4-0.**

## New Business – New Outlet for Watershed Ditch 5

Javens presented a request for a new outlet on Watershed Ditch 5 by Robert Hoffman in Burton 28.

**Dritz moved to approve the WD-5 outlet for Robert Hoffman. Gregoire seconded. Motion carried 4-0.**

## New Business – Election of Buffer Law Jurisdiction

Although the board already elected jurisdiction of its drainage ditches in March 2017, the Board of Water and Soil Resources requested a more lengthy resolution be passed.

**Dritz moved to approve resolution 2017-104: A Resolution Regarding the Election of Jurisdiction for the Minnesota Buffer Law. Boulton seconded. Motion passed 4-0.**



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## Public Comment, Reports, and Adjournment

Javens provided a verbal update of the past month's activities. Gary Crowley said to keep up the good work. Dritz gave an update on the MN Public Drainage Manual Workshop he attended. Boulton gave an Area 2 update.

**At 11:35 a.m. Boulton moved to adjourn the meeting. Gregoire seconded. Motion carried 4-0 and the meeting was adjourned.**

Respectfully Submitted,

*John Boulton*

*7/10/2017*

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Secretary John Boulton

Date

*Minutes prepared by Wichern and Javens*

**The next regularly scheduled meeting of the Yellow Medicine River Watershed District will be held at 9:00 a.m. on July 10, 2017 at the District Office.**