

**POPE SOIL & WATER CONSERVATION DISTRICT
MEETING MINUTES**

Supervisory Board Meeting 7:00 am July 15, 2014

**Meeting site: USDA Service Center,
1680 N. Franklin Avenue
Glenwood, MN 56334**

Attendance: Keith Nygaard, Randy Pederson, Tom Talle, Nicole Zimmerman, Terrence Chastan-Davis, Luke Johnson, Jeff Hellerman, Mike Billehus, D. Gary Reents, Grant Bullemer, Kelly Erickson, Holly Kovarik, Grant Herfindahl, Paul Gerde, Mark Deutschman, and Amy Mace

1. **The meeting was called to order by President Nygaard at 7:02 a.m. and the Pledge of Allegiance was recited.**
2. **President Nygaard asked for additions and corrections to the agenda. Tom Talle made a motion to approve the agenda with additions as presented. Randy Pederson seconded the motion. The motions passed with all in favor.**
3. **Consent Agenda (approved by one motion)-President**

a) **Contract/Applications for Approval-None**

<u>Number</u>	<u>Description</u>
P15-2921	2015 Farmbill Assistance Grant (Pope SWCD)

D. Gary Reents made a motion to approve the one consent agenda item for the 2015 Farmbill Assistance Grant Contract. Randy Pederson seconded the motion. The motion passed with all in favor.

4. **Commissioner Update-Paul Gerde**

- There is a proposal to complete repairs to the courthouse.
- The accepted with regrets the resignation of Amanda Strommer the Planning and Zoning Director effective early August. She took a position with the Minnesota Department of Health.
- They hired a new engineer from Stevens County.
- He attended a hazard mitigation meeting recently.

5. **Old Business**

a) **Houston Engineering Presentation on Terrain Analysis Project-** Kovarik

Mark Deutschman from Houston Engineering presented information on the products we will receive for the work they will conduct on the Terrain Analysis for the Trappers Run watershed and the South side of Lake Minnewaska.

b) **State Cost Share Program Updates** - Kovarik

Provided an update and presentation on the finished projects and closing of cost share grants and reporting. There were three state cost share projects completed: D. Gary Reents \$7,591.25 cost share(WASCOB), Juanita Then \$11,649.89 cost share(Side Inlet Structure), and Kevin Lundebrek \$1,534.63 cost share(WASCOB). Kovarik is finalizing the necessary paperwork

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and payment processing.

c) **Shoreline Restoration(DNR Grant)**- Bullemer/Kovarik

Staff shared the final details of project implementation including a presentation on three shoreline restorations that were completed this spring for Merlyn and Jackie Ast \$750 cash match, Dick and Rita Benson \$750 cash match, and Beth and Jim Wilson \$500 cash match.

Randy Pederson made a motion to approve any and all payments and paperwork necessary to meet deadline requirements for the state cost share projects completed and the shoreline restorations completed to close out the projects. This motion authorizes Holly Kovarik to complete the necessary requirements including e-link with oversight from the President Keith Nygaard. Tom Talle seconded the motion. The motion passed with all in favor.

6. New Business

a) **Billable Rates**-Kovarik

Kovarik discussed the billable rates that were calculated for the three fulltime staff. **D. Gary Reents made a motion to approve the billable rates as follows: Holly Kovarik \$41.44 per hour, Kelly Erickson \$36.70 per hour, and Grant Bullemer \$29.77 per hour. Tom Talle seconded the motion. The motion passed with all in favor. This rate is effective the 1st of January 2014.**

b) **Tom Beuckens Well Sealing** -Kovarik

The board discussed a well sealing project for Tom Beuckens which was previously discussed with staff. He has presented his information for payment. **Mike Billehus made a motion to approve the cost share for Tom Beuckens well sealing not to exceed \$500 or 75% of the total cost to seal the well. The board authorized payment upon all completed paperwork. Randy Pederson seconded the motion. The motion passed with all in favor.**

c) **Observation Well Program**-Kovarik

Staff discussed the changes to the observation well contract and that DNR will be paying \$30 per well per site visit. This doubles what the current contract is paying for our services. **Gary Reents made a motion to approve the revised contract with the DNR for the Observation Well program. Randy Pederson seconded the motion. The motion passed with all in favor.**

d) **MASWCD Elections/Awards programs/Outstanding Conservationists**- Kovarik

The board asked staff to prepare a short list of potential awardees for the next board meeting.

e) **Budget Discussion**- Kovarik

Kovarik discussed that we will need to prepare a 2015 budget. A meeting will be held with Keith and Tom to discuss as well prior to the next meeting.

7. Reports

- a) June 2014 Board Meeting Minutes –**Gary Reents made a motion to approve the minutes as prepared and Randy Pederson seconded the motion. The motion passed with all in favor.**

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b) **Treasurer Report**-(the June 2014 treasurer report will be handed out at the meeting)I am finalizing grants ending and billable time tracking. **Tom Talle made a motion to table the treasurer report until all of the grants had been closed out. Randy Pederson seconded the motion. The motion passed with all in favor.**

- i. Monthly Checking Account Report #11247 as of June 30, 2014
- ii. Monthly Savings Account Report #870903 as of June 30, 2014
- iii. Treasurer Report (2014, 2013, 2012)

c) Holly Kovarik, Manager

1. BWSR Grants Verification & Audit Meeting Updates-Kovarik attended this meeting where BWSR asked entities that have been through one of these audits how things are working or not working.
2. John Jaschke Meeting Update-Kovarik attended a meeting in Alexandria to talk with John Jaschke about current programs, funding, and concerns.
3. Newsletter has been distributed
4. MCIT Workers Comp Audit \$157 addition contribution 2013
5. Sauk River Watershed District Management Plan has been approved and a copy of the resolution from BWSR was shared with the board.
6. Pope County Hazard Mitigation Meetings-Kovarik could not attend the last meeting but Jeff Hellerman attended on behalf of the office.
7. Area II meeting updates/WCTSA meeting updates were shared with the board. Concern was raised at the Area II meeting by staff about the lack of WASCOBs getting funding through NRCS to Don Baloun. The next meeting will be held in September with a Legislative focus.
8. **D. Gary Reents made a motion to approve a well sealing not to exceed \$987.50 for David Kalina to seal two wells. Randy Pederson seconded the motion. The motion passed with all in favor.**
9. **Mike Billheus made a motion to approve an amendment to the Gordy Moen/Paul Freeman WASCOB project to encumber funds up to a total of \$13,315.50 the total cost of the project is \$17,574. The funding will be all out of the 2014 State Cost Share program funds. Randy Pederson seconded the motion. The motion passed with all in favor.**
10. **Mike Billehus made a motion to approve encumbrance of funding from the 2014 Clean Water Fund Sub-watershed project to Don Opdahl's WASCOB project \$18,093.75 cost share. Randy Pederson seconded the motion. The motion passed with all in favor.**

d) Grant Bullemer, Technician

1. Conservation Reserve Program Sign up has had 540 acres signed up with 13 contracts. There were about 80% of the acres kept into a program and most that wanted to enroll were able to get in.
2. He is working on WRP and RIM monitoring there are at least 8 that will need to be conducted this month.

e) Kelly Erickson, Technician-The seeding is completed for now. There is a WCA violation that is

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being pursued. He is completing soil moisture checks, observation well monitoring, and weed fabric installation to finish.

- f) Nicole Zimmerman, Cooperative Weed Management Intern-She has been working on spraying parsnip and collecting leafy spurge beetles, goose banding with the DNR, and the fair booth.
- g) Luke Johnson, Rosholt Research Project Intern-He is working on water samples, goose banding, uniformity tests at Rosholt, plant grass and weed fabric.
- h) Terrence Chastan-Davis-He has been working on waterfest set up, shoreline maintenance, ATV Training, goose banding with the DNR, and ditch inspections (3 have been completed).
- i) Grant Herfindahl, FSA-Sara Erdman has taken another job so he will be advertising an opening.
- j) Jeff Hellerman, NRCS-A local work group meeting has been scheduled for 12:30 on August 12th invites will be sent out by NRCS. A full report was handed out at the meeting.

8. Board Member Meeting Reports-none

9. Close Meeting for Attorney/Client discussion regarding proceedings with Modlin case.
Randy Pederson made a motion that the Minnesota Open Meeting Law, Minnesota Statute 13D.05, subdivision 3(b), allows the SWCD board to close a meeting to engage in attorney-client privileged discussions. The SWCD is a party to the matter of Modlin v. Pope County Soil and Water, Appellate Court File No A13-1987, which involves the issue of whether Mr. Modlin's application to withdraw wetland credits was automatically approved by the operation of Minnesota Statutes Section 15.99. The SWCD prevailed at the District Court level. The Minnesota Court of Appeals recently reversed the District Court's decision. The SWCD Board seeks to meet with its attorney to discuss the Board's attorney's analysis of the court decision and the Board's options in light of the decision. It would be detrimental to the SWCD's interests for the Board to hold a public discussion with its attorney where any adverse party or their attorney could listen to or be made aware of the SWCD's attorney's advice. It is in the SWCD's best interest of the Board to obtain legal advice in a confidential setting to maintain the attorney-client privilege. Accordingly, I will hereby entertain a motion that this meeting be closed pursuant to the attorney-client privilege for the reasons cited. D. Gary Reents seconded the motion to close the meeting as stated the motion passed with all in favor.

Tom Talle moved to open the meeting after the closed session and Randy Pederson seconded the motion. The motion passed to re-open the meeting with all in favor.

D. Gary Reents made a motion to pursue an appeal in the Modlin matter only if MCIT will cover the cost of the appeal. Tom Talle seconded the motion. The motion passed with all in favor.

10. Upcoming Meetings:

<u>Meeting Date</u>	<u>Meeting</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
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	<u>Description</u>		
8-19-14	Pope SWCD Regular Board Meeting	Pope County USDA Service Center	7:00 a.m.

11. Adjourn –Tom Talle made a motion to adjourn the meeting at 10:30 a.m. and Randy Pederson seconded the motion. The motion passed with all in favor.

Secretary

Date

President

Date

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