



MEETING Minutes

Meeting will be held at 1680 Franklin Street North, Glenwood, MN and via Zoom
Supervisory Board Meeting 7:00 am June 15, 2021

Attendance: Keith Nygaard, Tom Talle, Randy Pederson, Randy Mitteness, D. Gary Reents, Kelly Erickson, Brittany Kimpe, Holly Kovarik, Lynda Ponting, Commissioner Paul Gerde (on via Zoom), Jeff Hellerman, Lynda Ponting, and Alexander Fellbaum

1. The meeting was called to order by President Keith Nygaard at 7:10 a.m.
2. There were two items added to the agenda including Wetland Conservation Act Training information for the board and Earl Hauge's information (including a new application for an irrigator crossing and his complaint related to his citation for violation of his Restoration Order in Chippewa Falls Section 26.)
3. Wetland Conservation Act Information
 - o WCA 101 Basic Administration video was viewed by the Board members (12 minutes long).
 - o WCA Application Procedures video was viewed by the Board members (14 minutes long).
 - o Kovarik presented 6 slides along with assistance from our area Wetland Specialist Lynda Ponting on Wetland Conservation Act Roles. These slides went through roles of each entity that was gone over in more detail in the two videos that were viewed. This included roles of the Local Government Unit (LGU), Board of Water and Soil Resources (BWSR), SWCDs, Department of Natural Resources (DNR) non-enforcement role, Technical Evaluation Panel (TEP), and DNR Enforcement role.
 - o The final slide of the Powerpoint showed the many paths that a site can take through Enforcement. The information on this slide also included the dates for Earl Hauge's violation progression.
 - May 7, 2020 Cease and Desist Order Issued (deadline to comply of 10/15/2020 set)
 - May 14, 2020 Investigation was conducted by the TEP.
 - July 9, 2020 the Resource Protection Notice was issued.
 - August 12, 2020 the Restoration Order was issued.
 - August 19, 2020 the landowner attempted to complete an after the fact application and this was incomplete.
 - Extensions issued to 11/30/2020, 12/31/2020, and 5/15/2021.
 - May 17, 2021 notified by DNR Conservation Officer that the landowner has not completed the restoration order and the landowner was cited by DNR for violation of the restoration order.
4. The agenda was approved by consensus with the additions by the members.
5. Consent Agenda (approved by one motion)-President
 - o *May 2021 Board Meeting Minutes*
 - o *Resolutions-None*
 - o *Contract/Applications for Approval-None*
 - o *Appropriations/Payments-None*
 - o *Grant Payment/Project Approvals-None*
6. Commissioner Update-Paul Gerde



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7. Old Business

- City of Glenwood Ravine Project Update-The project pre-construction meet is to be held later today.
- Jessica Blair Woman Farmer of the Year Finalist-Kovarik informed the board that Jessica has been selected as a finalist.

8. New Business

- MASWCD Resolution Process was discussed. There were no resolutions suggested at this time for development.
- Local Work Group Meeting will be held after June board meeting.
- Paul Freeman CS20-02 project complete approve cost share payment (2020 State Cost Share)-Kovarik shared that the project has been completed and asked for approval to do a final payment. The final invoice came in slightly under budget \$4,617. Kovarik asked for payment approval not to exceed what is encumbered and 75% of the total final invoice. D. Gary Reents made a motion to authorize the final payment and Randy Mitteness seconded the motion. The motion passed with all in favor.
- Kevin Lundebrek CWF18-02 project complete approve cost share payment NTE \$11,287.82 (2018 Lake Emily CWF)-Randy Pederson made a motion to authorize the payment not to exceed what has been encumbered and only up to 75% and Tom Talle seconded the motion. The motion passed with all in favor.
- Outstanding Conservationist Discussion-Kovarik shared that she has started a list of landowners that we will be discussing at the July meeting.

9. Treasurer Report-D. Gary Reents made a motion to approve the treasurer report as presented and Randy Pederson seconded the motion. The motion passed with all in favor.

- Monthly Checking Account Report #11247
- Monthly Savings Account Report #870903
- Treasurer Report (3-year comparison)

10. Reports

- Holly Kovarik, Manager
 - County Ditch 15 Stream Delisting information was shared with the board members. MPCA had asked for reasons why the water quality has improved. Kovarik provided general information on work being done by landowners in the area.
 - Water Fest Thank yous were shared with the board.
 - CWMA Invoices from Jeff Runge were discussed. There were two invoices received which were about \$1,000 more than the estimate already approved by the board. The first invoice #2578 in the amount of \$1,762.00 and #2577 \$1,612.00 were for right of way spraying in Swift County. This will be reimbursed by the MDA Noxious Weed Grant. Randy Pederson made a motion to approve the payment of the invoices and D. Gary Reents seconded the motion. The motion passed with all in favor.



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- Rosholt Field Day Set August 19th the board discussed the Glacial Ridge Cattleman making burgers again. Randy Mitteness will meet with the board and see if they have interest in doing this.
 - Legislative Updates were mentioned. The legislature is now in special session and updates have been provided to the board members by MAWQCP. There has not been anything formally passed yet. We are waiting to hear on Capacity funding which in the negotiated agreement includes \$24 million. We should know more by our next meeting.
 - Area II Meeting June 22 in Kandiyohi County.
 - End of the Quarter processing is beginning.
 - Chippewa River Watershed Project Updates were shared with the board. The account is fully set up in Pope County and closed in Chippewa County. Kovarik went to Chippewa and retrieved several boxes of files.
 - Worked on Irrigation Water Management and set up the templates for the season for Erickson.
 - Rosholt Coordination has been ongoing with all the research now up in full swing for the season.
- Kelly Erickson, Technician
 - Sales Program Updates
 - Finished installing the weed barrier fabric.
 - Busy with custom seeding 12 projects
 - 17 total seeded projects for the season
 - IWM on 5 pivots
 - WCA
 - Working with Blairs on their violation.
 - Meixel on a tile replacement
 - Bakkos on a proposed mitigation
 - Todd Beecher Boundary and Type Determination
 - Earl Hauge violation and new irrigator pass proposal
 - Rosholt
 - Irrigation has been done a few times now.
 - Seeded and sprayed the soybeans
 - Observation Well Monitoring Program
 - Received a new I-pad for doing the observation well monitoring. He will be taking measurements before the end of June.
 - Nicole Brede, District Technician
 - Sign up completed for MAWQCP Gregg and Brenda Weller, Dave Shirmers, Terry Barchenger, Jennifer Olson. We have a couple of landowners left to finish (3 count).
 - RIM-She has site checks for Vold and Amundson to complete and to do a plan for a food plot for Lyle Fettig. She also has to follow up on about 4-5 projects.



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- Buffers-We had a site visit to a site that was called in by a citizen that someone was noncompliant. She completed a site visit and will be following up with the landowner. She completed a site check to Gross that is now seeded.
- CWMA-She has been working with Kovarik on the CWMA grant and a payment was already discussed to for the contractor earlier on the agenda. She also sprayed the rain garden at the fairgrounds that has thistle.
- CREP- It sounds like there will be another signup, but we do not have any interest at this time.
- Education-She gave presentations to 3 schools and the awards. She presented incredible journey to 4-6th graders at Glacial Hills school. Water Fest donation requests went out and we are working with schools on t-shirt sizes and counts. We have also started working on presenters and stations.
- Jeff Hellerman, NRCS
 - The Local Work Group meeting will be held after the board meeting.
 - NRCS is working on EQIP and CSP programs.
 - They have been working on certifications for completed practices.
- Alexander Fellbaum, FSA CED
 - Acreage certifications are going well and keeping the office busy.
 - CRP software is opening the week of 6/7/21 with updated changes. As staff work through the updates in software and take training courses, more information will be able to be shared as to specifics with the CRP changes.
 - Several programs (QLA and WHIP+) have recent updates and payments for those programs will likely begin/continue soon.

11. Board Member Meeting Reports

- Randy Pederson-North Fork Watershed IWIP meetings & staff update, Glacial Lakes Trail -they had a meeting but are functioning more like an advisory group at this time.
- Randy Mitteness-Chippewa River Watershed Board & staff update-there is no meeting scheduled this month and the rest of the update was done by Kovarik earlier on the agenda.
- D. Gary Reents-Sauk River Watershed IWIP Committee meetings & staff update- There is nothing formal to report at this time.

12. Upcoming Meetings:

<u>Meeting Date</u>	<u>Meeting Description</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
7-20-21	Pope SWCD Regular Board Meeting	TBD	7:00 a.m.

13. FYI Items-None

14. Public Comment-Earl Hauge

- Earl Hauge asked to address the board it was 8:30 a.m. approximately at the time. Keith Nygaard indicated that we had 15 minutes under public comment. For the record the



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letter dated June 13, 2021 was submitted and distributed to the board. The main points from Earl's complaint letter include:

- o He wanted to discuss his violation in Chippewa Falls Section 26 and request time on the agenda to do so.
- o He mentioned complaints he had toward staff.
- o He asked the board to not follow the state Wetland Conservation Act and to have the SWCD board serve in a determination role of whether a project should be sent to enforcement. He asked specifically for the board to tell Pope SWCD staff members on the TEP to change the trajectory of his violation so it would not go to court.
- o He shared complaints about disagreement on the survey and original ditch depth.
- o He threatened a letter to the editor in the local paper.

Lynda Ponting, Pope SWCD Staff, and Board members all articulated to Earl that the role of the SWCD is administrative. The SWCD is not the enforcement of this law. It is our responsibility to follow the law. We cannot be less restrictive than the state. It is the duty of BWSR to oversee the implementation of the WCA law by local government. It is their role to train our local staff and they have rule making authority. The Department of Natural Resources is the enforcement entity. Earl was asked specifically why he did not share the detailed survey information 8 months or longer ago. He gave no reason. The LGU/SWCD have asked Mr. Hauge repeatedly for information and details. He was provided 3 extensions and continued to disagree and failed to reply with information for the LGU/TEP/SWCD to adjust requirements based on factual and science-based evidence. He did not complete a full after the fact application and he never appealed during the appropriate time frame. He did not comply by the deadline and then the Department of Natural Resources issued him a citation for his failure to comply with the Restoration Order by the deadline. Furthermore, the SWCD Board has found no fault with how staff or our regional specialist have completed their jobs.

15. Adjourn-Tom Talle made a motion to adjourn the meeting Randy Pederson seconded the motion. The motion passed with all in favor at 9:05 a.m.

16. The Local Work Group Meeting was held after the conclusion of the regular meeting.

Keith Ayscough

7-20-21

Randy Pederson

7-20-21

