



**MEETING Minutes**

Meeting will be held USDA Service Center at 1680 Franklin Street North, Glenwood, MN 56334  
**Supervisory Board Meeting 7:00 am**  
**October 17, 2023**

Attendance: Keith Nygaard, Tom Talle, D. Gary Reents, Randy Pederson, Randy Mitteness, Jeff Hellerman, Holly Kovarik, Christopher Borash, Kimberly DeMorett, Nicole Brede, CO Dan Baumbarger, Earl Hauge, Ron Cin, Virgil Christianson, Commissioner Paul Gerde, Alex Fellbaum

1. The meeting was called to order by the Vice Chair Tom Talle at 7:10 a.m. The Pledge of Allegiance was recited.
  
2. Approve the Agenda-Randy Mitteness made a motion to approve the agenda with the additional items suggested by Kovarik. Randy Pederson seconded the motion the motion passed with all in favor.
  
3. Consent Agenda (approved by one motion)-*President.*
  - o *September 19, Board Meeting Minutes*
  - o *Resolutions-None*

<u>Number</u>	<u>Description</u>

- o *Contract/Applications for Approval-None*

<u>Number/Name</u>	<u>Description</u>	<u>Total Application \$\$</u>

- o *Appropriations/Payments-None*

	<u>Payee</u>	<u>Description of Payment</u>	<u>Amount</u>	<u>Payment Code/Description</u>
1.	WSN	Ravine project	\$3,204.00	
2.	UofM	MDA Nitrogen Study	\$35,000	
3.	UofM	IXN Study	\$5,500	

- o *Grant Payment/Project Approvals-*

<u>Contract Code</u>	<u>Grant Name</u>	<u>Landowner</u>	<u>Type of Project</u>	<u>Project Location</u>	<u>Amount</u>	<u>Payment</u>
WS01-23	LWM	Lee Tangen	Well Sealing	WBL 36		\$500.00

D. Gary Reents made a motion to approve the consent agenda as presented and Randy Mitteness seconded the motion. The motion passed with all in favor.

4. Commissioner Update-*Paul Gerde*



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- He talked about the ditch hearing that they would be doing at 9 am and a Landuse CUP that would be addressed for a Coop station west of Starbuck.

### 5. Old Business

- No-till drill for sale update-We have sold one of the drills for \$7,500 and it will be going to Canada
- Update on grant amendment requests-Kovarik shared that the grant amendments for 2020 Local Capacity Grant and the 2021 Lake Minnewaska grant have been submitted and approved.
- West Central Irrigation Invoice Dispute has been settled.
- Thank you from Ag Society was shared with the board from the fair.
- Outstanding Conservationist Application was submitted for Joe and Melanie Cihlar.
- Area II Meeting/WCTSA meeting updates were shared all board members attended the area meeting this quarter.

### 6. New Business

- Pope and Stevens County Water Fest September 22 was held with 7 schools and over 300 students and volunteers.
- Pope and Stevens County Conservation Day September 28 was held with the same 7 school districts and another 300 plus students and volunteers. Keith Nygaard arrived at 7:25 and resumed the Chair role at this time.
- Discussion about decorum/minimum standard of conduct policy-The board discussed establishing a Decorum policy. D. Gary Reents made a motion to adopt the Pope County Decorum Policy and Protocol for Pope SWCD. Randy Mitteness seconded the motion. The motion passed with all in favor.
- MASWCD Resolutions will be done at the end of the meeting. Commissioner Gerde did provide some of his thoughts on the one resolution about rough fish.
- 2024 & 2025 Conservation Delivery \$18,592 and \$22,716.00 Conservation Contracts-Randy Pederson made a motion to approve the contract and D. Gary Reents seconded the motion. The motion passed with all in favor.
- 2024 Sales Order Form Updates were discussed. D. Gary Reents made a motion to approve the updated 2024 Sales Program order form and Randy Pederson seconded the motion. The motion passed with all in favor.
- Open House set for December 20<sup>th</sup> -The board agreed this was a good idea to set an open house. The staff will proceed to set up an event.
- MASWCD Convention December 11-13-Randy Mitteness made a motion to approve board members and staff to attend the Convention and applicable registration, hotel, and meal expenses. Randy Pederson seconded the motion. The motion passed with all in favor.



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7. Treasurer Report-June and July-D. Gary Reents made a motion to approve the treasurer report as presented and subject to audit. Tom Talle 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)
8. Reports
- Holly Kovarik, Manager
    - 3010 rear seal leak-We have not yet received the report from the mechanic. We will share that information when we receive it.
    - Fall Construction is underway with several projects in the works.
    - New Drill Delivery-The new drill has been delivered and is already at Glenwood Welding to set up the two drills to be hooked tandem.
    - Earned Sick and Safe Time Policy-need to review our current policy with the new law that will come into effect 1-1-24-Kovarik discussed this briefly and will provide more information as she is able to review the new law. We will need to make sure we review our company policies so that we are in compliance with the state law effective 1-1-24.
    - RIM Easement Work order up to \$3,500-Tom Talle made a motion to approve the agreement and Randy Pederson seconded the motion. The motion passed with all in favor.
    - Billable 3<sup>rd</sup> quarter-I am working on the billable tracking for the quarter.
      - Wetland Conservation Act
        - Pope County Wetland Conservation Act Meeting was held on 10-13-23 and it went good. We provided an in depth presentation on the program implementation. We had 2 hours to talk about the Wetland Conservation Act program. A copy of the Powerpoint will be shared with the full board for their review.
        - Olson Restoration Order is in process. The landowner is working on coming into compliance.
        - Freeman Restoration Order-We are waiting on information from the DNR on how to proceed on these two violations.
        - Herickoff Restoration Order-This is a restoration order that will need to be drafted.
        - Bakko Project-Kovarik shared that there is a project site in review for this landowner and we should have more to report at the next meeting.
        - Shawn McCormick-Kovarik presented a Notice of Decision for a Wetland Boundary and Type Determination and a Exemption for Deminimis of no more that 400 square feet of fill for an access trail. This was a recommendation for approval from the



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TEP. Randy Mitteness made a motion to approve and D. Gary Reents seconded the motion. The motion passed with all in favor.

- Kimberly DeMorett, Resource and Outreach Technician-She shared a written report with the board. She has been working a lot at Rosholt. She also shared she helped with water fest and conservation day and the observation wells were checked for the quarter.
- Nicole Brede, Habitat Resource Specialist-She shared a written report which was reviewed. She has been working a lot on the RIM reviews. She has a CREP/CRP project that she has been working on. She has assisted at the educational events and at Rosholt. She has had one new MAWQCP certified producer this past month. An update was also given on the compliance for Nissens buffer. He has purchased seed and is planning to get the site into compliance this fall.
- Christopher Borash, Conservation Technician-He shared he has been working at Rosholt, deliver drills and equipment, and assisting with the educational programming. He also provided a written report to the board. He has one fall dormant seeding project for about 23 acres to complete in early November.
  - Condition of Equipment Report has been tabled at this time.
  - Sales Order Form was approved earlier on the agenda.
  - Rosholt Harvest has begun.
- Jeff Hellerman, NRCS-He provided a written report to the board. He shared that they have been working on certifying practices completed. He shared they have 12 engineering requests submitted this fall to the area office. He has completed 4 I&E's this fall and has 2 more requests to do. He has 5 projects to do preliminary designs for erosion control projects. He shared that they now have more engineering staff to assist on designs.
- Alexander Fellbaum, FSA CED-He shared they are working on CRP payments, and it is the end of the fiscal year on November 17<sup>th</sup>. If a budget agreement is not reached there could be a potential for a shutdown.

Tom Talle made a motion to approve the WCTSA invoice provided for the 3<sup>rd</sup> quarter of \$10,150.10 which will be billed to various grants. Randy Pedersons seconded the motion. The motion passed with all in favor.

### 9. Board Member Meeting Reports

- Randy Pederson-North Fork Watershed IWIP meetings & staff update, Glacial Lakes Trail-The North Fork meeting will be held next month.
- Randy Mitteness-Chippewa River Watershed Board & staff update-The Chippewa meeting will be held next week. Kovarik shared that the JPB will have items to



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approve including additional items that will be paid out of the contingency funds and authorizing to submit the plan for the 60 day public review.

- o D. Gary Reents-Sauk River Watershed IWIP Committee meetings & staff update-D. Gary Reents shared that they will be meeting next month.

**10. Upcoming Meetings:**

<u>Meeting Date</u>	<u>Meeting Description</u>	<u>Meeting Location</u>	<u>Meeting Time</u>
11-21-23	Pope SWCD Regular Board Meeting	USDA Service Center Building	7:00 a.m.

**11. FYI Items-~~none~~**

- 12. Public Comment-**Earl Hauge, Ron Cin, and Virgil Christenson attended the meeting. Chair Nygaard indicated to Hauge that he had 15 minutes on the agenda to discuss his concerns. The DNR Conservation Officer Dan Baumbarger was also in attendance.

**Mr. Hauge's main points-**

- He stated that what he did was not illegal and that he has legal proof from the survey information from Landteam. That is his legal proof that he did not violate the Wetland Conservation Act. He admitted he had already discussed this with the board back in 2021. He stated he felt that Pope SWCD taking action on him was illegal because he did nothing wrong. He wanted our board to fully accept this accusation. He said then he would than reach out to the County Attorney to come after us. Kovarik told him that the County Attorney is the SWCD Attorney that we worked with on his case.
- His second point was wanting us to work with him to get Lynda Ponting released from employment with BWSR. The board did tell Mr. Hauge that she was not the SWCDs employee and asked him if he had contacted her employer. He indicated he had contacted BWSR.
- He also stated he wanted us to pay his fines, fees, mitigation costs, legal costs as he feels he has done nothing wrong.
- He told us he won't pursue damages.
- He wanted us to respond to him.

The board by consensus directed Kovarik to draft a letter of response to be reviewed by legal and discussed at the next meeting. Randy Mitteness made a motion to table this item for the letter response till the next board meeting and Tom Talle seconded the motion. The motion passed with all in favor.

Resolutions were reviewed by the board members. Randy Mitteness made a motion to approve the resolutions votes as captured in the meeting and direct Kovarik to submit those results for the members. Randy Pederson seconded the motion. The motion passed with all in favor.

- 13. Adjourn -**A motion to adjourn the meeting was made at 9:50 a.m. and Tom Talle seconded the motion. The motion passed with all in favor.



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*Mark Pappas* *for SWCD* *Chair* 11-21-23

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*Randy Pedersen* *Sec.* 11-21-28