



## Rice Soil and Water Conservation District

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### Rice SWCD – Board Meeting Minutes May 20, 2009 – 1:00 PM

Chairman Dick Huston called the meeting to order at 1:00 PM.

**PRESENT:** Bob Borchert, Bob Duban, Wally Hildebrandt, Richard Huston, Tom Coffman, Steve Pahs, Danielle Waldschmidt, John Nicholson, Adam Arndt, and Debbie Skarupa.

**ABSENT:** Gary Wagenbach

**MINUTES:** Motion by Wally Hildebrandt, seconded by Bob Borchert to approve the April 15, 2009 board meeting minutes. Ayes: Borchert, Duban, Hildebrandt, and Huston. All aye - None opposed – Motion carried.

**FINANCIAL STATEMENT/BILLS PAYABLE:** Motion by Bob Borchert, seconded by Wally Hildebrandt to approve the revised March program report, the April Program Report and May Bills Payable subject to audit. Ayes: Borchert, Duban, Hildebrandt, and Huston. All aye - None opposed - Motion carried.

#### **OLD BUSINESS:**

**2009 OUTSTANDING CONSERVATIONIST:** Item was tabled from the March 19, 2009 board meeting. Discussion followed. Motion by Bob Duban, seconded by Wally Hildebrandt to nominate the Tri-Lakes Sportsman's Club as the 2009 Outstanding Conservationists for Rice County. Ayes: Borchert, Duban, Hildebrandt, and Huston. All aye - None opposed - Motion carried. Steve Pahs will inform them.

**2009 WILDLIFE ENHANCEMENT AWARD:** Steve suggested a short tour with staff and supervisors to look at future participants. Motion by Bob Borchert, seconded by Bob Duban to nominate Bernie Rosckes as the 2009 Rice County Wildlife Enhancement Award recipient. Ayes: Borchert, Duban, Hildebrandt, and Huston. All aye - None opposed - Motion carried.

**WOMEN'S AG DAY:** The NRCS Area 7 Civil Rights Committee is planning a Women's Ag Day at Quarry Hill Nature Center in Rochester with a new date of September 2, 2009. NRCS Technician, Kelly Oliver, is on the committee and had asked the board for support or donations at the April Meeting. Wally Hildebrandt offered to donate two bird houses. Hiawatha Valley RC&D will donate two rain barrels. Dick Huston will bring in an assortment of backpacks, brief cases, etc. to be used for prizes. Topics will include Rain Gardens, Invasive Species, Backyard Conservation, and Farm Management. Danielle Waldschmidt may be presenting the rain garden demonstration for Kelly Oliver.

**NEW BUSINESS:**

**NRCS AREA D.C. JOHN NICHOLSON:** John Nicholson explained the federal budget procedure including authorization, appropriation, apportionment and allocation. Budget deficits were discussed.

**2009 BUDGET STATUS:** Steve Pahs spoke on the current year's projected deficit, feedlot grant dollars, MPCA grant status, the Rice County 2.5% allocation reduction, and other budget items. John Nicholson may be able to apply for a Contribution Agreement for Rice SWCD. Board preferred to keep no-till drill money as a separate fund. Steve Pahs will meet with the Budget Committee (Wally Hildebrandt and Bob Duban) in the next month or so.

**2010 BUDGET PROJECTIONS:** Rice County budget requests need to be in by July 2, 2009 and not more than the current year's allocation. Comments have been very positive on the PowerPoint presentation that Dick Huston presented to the county commissioners.

**RAIN GARDEN CONTRACTS:** Motion by Wally Hildebrandt, seconded by Bob Duban to approve eight rain garden applications as follows:

<b>Name</b>	<b>City</b>	<b>Amount</b>
Northfield United Methodist Church	Northfield	\$500.00
Carmen Dorr	Faribault	\$100.00
Fred Wenthe	Faribault	\$500.00
Julie and Eric Smisek	Faribault	\$500.00
Dennis and Arlene Kjar	Northfield	\$500.00
Joanna Rawson	Northfield	\$500.00
Candace Knudson	Faribault	\$494.50
Janet Lozon	Faribault	\$375.00

All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston. Wally Hildebrandt asked about possible signage on rain gardens and tours after completion.

**APPROVE STATE C-S VOUCHERS:** Motion by Wally Hildebrandt, seconded by Bob Borchert to approve the following state cost-share voucher:

CS#080830 – **Dave Judd** – 21991 Lind Trail – Waterville, SHV Sec 30 Farmstead Windbreak - \$673.72.

Tom Coffman was the designated Conservation District Technical Representative. No other funds are being applied to this 2008 FY practice, meeting the high priority definition does not apply to this practice, 65% is the approved cost-share amount with \$67.37 being the approximate T&A. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston.

Motion by Wally Hildebrandt, seconded by Bob Borchert to approve the following state cost-share voucher:

CS#091021 **Rodney LeVake** – 4400 240<sup>th</sup> St. W – Faribault, Warsaw Section 21 – 2 Sediment Basins - \$2683.52. Steve Pahs was the designated Conservation District Technical Representative.

No other funds are being applied to this FY 2009 practice, meeting the high priority definition does not apply to this practice, 65% is the approved cost-share amount with \$268.35 being the approximate T&A amount. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston.

**WETLAND ISSUES:** Tim Labs questioned the amount of detail in the WCA board reports regarding violations which are then posted on the internet. DNR has been flying the state finding violations. Discussion followed. Consensus was to be general and not list full names until the issues are resolved.

**CANCEL CLEAN WATER LEGACY C-S CONTRACT:** Motion by Wally Hildebrandt, seconded by Bob Borchert to cancel the following CWL cost share contract, sign the contract amendment for the dollar amount revision and approve the reimbursement of \$9129.25 (\$2101.75 T&A) to the SE SWCD Tech Support JPB.

CWLCS#2008001-**Charles Wagner** 10461 Jacobson Path Morristown, Morristown Section 3 –One sediment basin- \$7027.50.

Steve Pahs was the designated Conservation District Technical Representative. No other funds were applied to this practice and 75% would have been the approved cost share amount. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt and Huston.

**CANCEL STATE FEEDLOT CONTRACT:** Motion by Bob Duban, seconded by Wally Hildebrandt to cancel the following cost share feedlot contract and approve reimbursement to BWSR for the grant amount plus T&A of \$2,237.00 totaling \$24,612.00:

Feedlot CS #080701 – **Pete Hope** – 12135 Kenyon Blvd – Kenyon – Richland Section #1 - Ag Waste Management System - \$22,375.00.

Peter Fryer was the designated Conservation District Technical Representative. The \$500.00 earnest money was not received on this project. Discussion followed on feedlot completions. Board recommended getting the \$500.00 before the contract is approved. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston.

**EXTEND STATE FEEDLOT CONTRACT:** Motion by Bob Borchert, seconded by Bob Duban to approve a one year extension for the following FY 07 feedlot contract:

State Feedlot C-S#070236 – **Randy Bauer** - 6034 Kenyon Blvd – Faribault – Cannon City Section 36 – Ag Waste Management System - \$11,235.00. Pete Fryer is the designated Conservation District Technical Representative, and federal program dollars are also involved.

All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston.

**APPROVE STATE COST-SHARE CONTRACT:** Motion by Wally Hildebrandt, seconded by Bob Borchert to approve the following state cost share contract:

CS#091202 **Gene Werner** – 3104 Millersburg Blvd E. Dundas – Wells Section 2 – Three sediment basins - \$ 5005.00.

Steve Pahs is the designated Conservation District Technical Representative. No other funds are being applied to this practice, meeting the high priority definition does not apply to this practice, and 65% is the approved cost share amount with approximately \$500.50 in T&A. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt and Huston.

**FAIR BOOTH IDEAS:** Raingardens were the theme in 2008. Dick Huston would like to see shoreline restoration presented. Steve and Danielle to make a PowerPoint DVD to play continuously on a TV. Bob Borchert has a TV with DVD in it.

**BUS TOUR:** Rain garden completion deadline is August 15. Native prairie grasses in front lawns are currently allowed in Faribault. New ordinance requires that plans must show height of species before plan is approved.

Supervisors would like a tour of county ditches especially Ditch #32. Steve Pahs took Fran Windschitl on a tour of some ditch projects recently. Motion by Wally Hildebrandt, seconded by Bob Borchert to have a supervisor and staff tour on June 15 at 1:00 PM. Staff to put together an agenda. Dick Huston thought Larry and Betty Harmsen on Cannon Lake may be willing to let us view their restored shoreline.

**LAKE PEPIN FORUM III:** Steve Pahs said he will be attending and asked if any board members wanted to ride with him.

**STATE BANK CD:** Motion by Bob Borchert, seconded by Bob Duban to approve a CD at State Bank that matured May 14, 2009 for \$29,975.52 be renewed for 24 months at 2.5% interest. Interest rates are low. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt and Huston.

**RICE SWCD LOGO:** Steve passed around some possible examples of logos. Discussion followed and item will be revisited in June.

**MCIT RESPONSE TO FOIA:** With the Freedom of Information Act, landowners must give their permission for NRCS and SWCD personnel to give out certain information about the landowner and their land. If personnel give out information incorrectly they can be personally fined and reprimanded. Steve passed out a paper by Robyn Sykes from the Minnesota Counties Insurance Trust regarding the liability of FOIA and the Privacy Act. Discussion followed. SWCD staff has already signed Attachment C and supervisors may need to also sign it to discuss projects with staff. A Memo of Understanding is not available yet. Bob Duban suggested having all landowners sign a permission form. Tom Coffman felt landowners may be upset to sign yet another form. John Nicholson wants to read and study it more. Senator Klobuchar's office is also looking into the matter.

**SUPERVISOR REPORTS:** The feedback was very good regarding the Area 7 MASWCD spring meeting. Steve Pahs to do a PowerPoint presentation for Tri-Lakes Sportsman's Club, thank them, acknowledge them as 2009 Outstanding Conservationists and take pictures of the group. Wally would like to see PowerPoint presentation at a board meeting. Wally was happy to see Gardening 101 PowerPoint being used and more gardens being planted in communities. Dick Huston felt the 2009 SWCD Overview PowerPoint has been very successful with the Rice County Commissioners and service groups. Wally suggested putting them both on cable TV. Dick Huston will talk with Bruce Krenke. Steve was complimented on ditch work. Area 7 Envirothon winners from May 6 at Oxbow Park in Bryon were Rushford Peterson, John Marshall and Lourdes.

## **DC Report by Tom Coffman:**

1. RIM/WRP signup is underway until June 5. One applicant so far.
2. EQIP: First ranking period deadline is May 22. Presently have 19 sign-ups.
  - Majority are basins/waterways
  - Four no-tills
  - One Ag waste
  - One Buckthorn Control
  - Two Nutrient Management InitiativesExpect a couple of compost facilities by the end of the week. No organic or grazing interest yet. If you know of someone, let them know. I was on Jerry Groskreutz's KDHL Farm News this morning promoting EQIP.
3. Chief David White conducted his first hour-long virtual all employees meeting May 12. He started out the meeting with a ten minute history of SCS and made the following comments:
  - a.) Our policies and procedures are outdated.
  - b.) We over-engineer some of our practices.
  - c.) He wants to eliminate liquidated damage penalty for producers breaking contracts.
  - d.) He wants to simplify conservation delivery.
  - e.) Integrate computer tools.
  - f.) May take years to reach a clean "audit".
  - g.) Made the comment that DC's, SCT's, SC's are on the cutting edge of the sword – rest of NRCS staff are support.
  - h.) He said at NHQ, "You are not working for me, you're working for each other."

Wally Hildebrandt left at 3:10 PM

## **DISTRICT MANAGER'S REPORT by Steve Pahs:** None received.

Dave Rickert has \$200,000 available to do projects in Rice, Carver, Scott, Dakota and LeSueur. Steve purchased "Black Blizzard" a DVD on the Dust Bowl Era which is available to check-out.

## **DISTRICT PROGRAM MANAGER'S REPORT by Tim Labs:**

- ✿ Five observation well readings taken
- ✿ Attended a plat review meeting at Planning and Zoning
- ✿ CREP easement processing and seeding plans
- ✿ Wetland restoration staking on J. Jirik's RIM/WRP easement
- ✿ On-site meeting on the Brad Malecha RIM easement to discuss BWSR cost share to establish native prairie grass/forbs on old brome fields.
- ✿ Picked up Federal Line Pass in Minneapolis.
- ✿ Wetland Conservation Act Activities:
  - Numerous hours spent on various wetland violation sites viewing violations and discussing with the landowners. The DNR Enforcement Pilot flew an "Operation Bird's Eye View" flight in Rice County looking for wetland violations. Nine sites were spotted with five being violations. Visited the sites with DNR Enforcement Officer where Cease & Desist Orders were given to the landowners. Wrote up Restoration Orders and sent to the Enforcement Officer to deliver to the landowners.
  - On-site meeting on the Mary Flicek property in Wheatland Twp by Cody Lake with BWSR staff, Twin Lakes Sportsman's Club members, DNR Fisheries and adjacent

landowner to discuss disagreements between landowners on a wetland used for fish rearing.

- Approval of the Northern Natural Gas Company “no Loss” application for 3.01 acres of temporary wetland impacts. A \$10,000.00 performance bond was required to insure vegetative restoration is completed.
- On-site review of a wetland replacement monitoring report on the ALDI site with BWSR staff and consulting firm. It was determined that not enough wetland replacement was completed on site and a plan will be completed addressing this.

### **NUTRIENT MANAGEMENT SPECIALIST’S REPORT by Adam Arndt:**

- Spreader calibration for Bill McMillin in Wabasha Co.
- Presentations to second and fifth grade classes throughout the county.
- MinnFarm evaluation for Bryan Lips.
- Trained Danielle on water sampling and route.
- Delivered no-till drill to Duke Ernst, Harold Kuchina, Ted Langeslag, Curt Radtke, Bryan Peterson, Jeff Docken, Tony Gillen, Dan Honken, and Larry Salaba.
- Worked on water way design with Kelly Oliver.
- Unloaded and sorted trees for distribution.
- Helped Steele Co. with their tree distribution at the fair grounds.
- Calculated manure value for Bill McMillin using the U of M software.
- Learning to use the new nutrient management software and importing all of my old files.

### **Nutrient Plans Started, Completed, or Revised Last Month:**

- Bill McMillin (Wabasha)
- Larry Richie (Rice)
- John Warthesen (Wabasha)
- Bryan Lips (Rice)
- Troy Noble (Rice)
- Jon Huseth (Goodhue)
- Martin Werner (Rice)
- Allan Meyer (Rice)
- Ralph Michel (Rice)
- Curt Oeltjenbruns (Dodge)
- Scott Forcelle (Rice)

### **April Ditch Services:**

- Responding to complaints about CD 32 cleanout. Met with land owner, looked at damaged tile outlet and talked about cleaning 1,100’ more of the ditch.
- Met Glen Franek from RUDD construction to go over tile outlet fix and cleaning 1,100’ more ditch.
- Met with Glen to do a final checkout on CD32 cleanout.
- Viewed CD 9 to see beaver damage. Two dams are growing in size.
- Seeded ditch bank on CD 32 with Steve where cleanout took place.
- Met with Scott Glende to look at repairing tile blowout near CD 12, in the road ditch off Jacobs Ave. Scott is going to fix in the next few weeks.
- Discussed many issues with Steve on county ditches and the start of inventory on each ditch this summer.

### **STORMWATER TECHNICIAN’S REPORT by Danielle Waldschmidt:**

I am completing inspections on sites that have started construction. I am working on doing education for elected officials and cities. I spoke to the Bridgewater Township regarding the JPA program and NPDES requirements. I have worked with those interested in completing a raingarden on plans (location, plants, depth, etc.). Homeowners have been submitting plans for the available MN Waters raingarden money. I am making contacts with open lot participants to find those interested in technical assistance to correct feedlot pollution problems and be compliant with Open Lot Agreement requirements.

Accomplishments Include:

- Updated and organized case files for the stormwater program
- Conducted construction site inspections
- Worked with Contractors/Owners/Site Contacts to get their construction site activities in compliance with the NPDES/SDS
- Reviewed SWPPP's for compliance with CSW
- Attended Plat Review meeting
- Attended pre-construction meetings
- Completed weekly water testing at four rivers
- Worked on plans to correct Jim Dietz's feedlot
- Contacted open lot agreement participants on correcting feedlot issues

**JPB ACTIVITY REPORT:** None available this month.

**OTHER/CORRESPONDENCE:** Native Buffer Restoration dollars were discussed. Bob Borchert highly recommends the two-day orientation for Adam and Danielle.

**ADJOURN.** Motion by Bob Borchert, seconded by Bob Duban to adjourn. All aye - None opposed - Motion carried. Ayes: Borchert, Duban, Hildebrandt, and Huston. Time: 3:10 PM.

Respectfully submitted:

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Debbie Skarupa – Secretary

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Wally Hildebrandt - Board Secretary