

AREA II

AREA II / RCRCA

April 6, 2023 –Board of Directors Meeting
Redwood Falls, MN

NOTE: *Roll Call Voting on all motions.*

AREA II Members Present: Jeff Veerkamp, Larry Anderson, John Maatz*, Joe Drietz*, Gary Crowley, Lori Gunnink, Luke Johnson, and Rick Wakefield.

RCRCA Members Present: Jeff Veerkamp, Bill Eckstein, Larry Anderson, Clark Lingbeek*, Joe Drietz*, Gary Crowley, Mark Meulebroeck, Lori Gunnink, Paul Posthuma, Rick Wakefield, Ed Carter* and Luke Johnson.

Others Present: Kevin Stevens – Cottonwood County alternate, Kerry Netzke – Executive Director and Joy Bruns – RCRCA Office Manager.

**joined virtually via Zoom*

The meeting was called to order at 9:01 AM by RCRCA Chairman Johnson and Area II Chairman Anderson. Introductions followed.

ADOPT AGENDA. Netzke requested two additions to the agenda: 1) Approve 3 RCRCA Cost Share Contracts, and 2) Approval to add Juneteenth as a paid holiday. **RCRCA** - Motion by Posthuma, seconded by Meulebroeck, to approve the agenda as amended. Motion carried unanimously. **Area II** - Motion by Crowley, seconded by Veerkamp, to approve the agenda as amended. Motion carried unanimously.

AGENCY AND MEETING REPORTS.

MASWCD – Lingbeek reported that AMC continues to work on securing local government aid for SWCDs.

AMC – Johnson reported that small funding increases to county program aid are expected from the legislature, but more mandates will negate those increases.

RATIFY APPROVAL - RCRCA MINUTES of February 2023 Board Meeting. Motion by Wakefield, seconded by Crowley, to ratify approval of the February 2023 Minutes as presented. Motion carried unanimously.

RATIFY APPROVAL - AREA II MINUTES of February 2023 Board Meeting. Motion by Johnson, seconded by Veerkamp, to ratify approval of the February 2023 Minutes as presented. Motion carried unanimously.

APPROVE – RCRCA MINUTES of March 2023 Board Meeting. Motion by Meulebroeck, seconded by Wakefield to approve the minutes as amended. Motion carried unanimously.

APPROVE – AREA II MINUTES of Mach 2023 Board Meeting. Motion by Crowley, seconded by Johnson to approve the minutes as amended. Motion carried unanimously.

RATIFY APPROVAL - RCRCA TREASURER’S REPORT – February 2023. Financials were provided to the Board. Motion by Crowley, seconded by Gunnink, to ratify approval to file the February 2023 Treasurer’s Report subject to audit. Motion carried unanimously.

RATIFY APPROVAL – AREA II TREASURER’S REPORT – February 2023. Financials were provided to the Board. Motion by Veerkamp, seconded by Posthuma, to ratify approval to file the February 2023 Treasurer’s Report subject to audit. Motion carried unanimously.

RCRCA TREASURER’S REPORT – March 2023. Financials were reviewed by the Board. Motion by Anderson, seconded by Veerkamp, to file the March 2023 Treasurer’s Report subject to audit. Motion carried unanimously.

AREA II TREASURER’S REPORT – March 2023. Financials were reviewed by the Board. Revenue received: \$4,277.33 Contract Services Income, and \$449.12 Interest. Bills for approval: \$4,056.00 Bolton & Menk. Motion by Crowley, seconded by Gunnink, to file the March 2023 Treasurer’s Report subject to audit and to approve payment of the bill. Motion carried unanimously.

Revenue as recorded:

Contract Service Income (RCRCA)	\$ 4,277.33	Projects-Bonding	\$ 0.00
Interest Income	\$ 449.12	County Levy	\$ 0.00
State of MN-Administrative	\$ 0.00	SWCD Tech Assistance	\$ 0.00
Water Quality Storage Grant	\$ 0.00	Miscellaneous Income	\$ 0.00

Paid bills are summarized below:

Administration	\$ 16,600.14	Office Supplies	\$ 0.00
Bonding Project Funds	\$ 0.00	Other Insurance	\$ 0.00
Capital Outlay	\$ 0.00	Postage	\$ 7.92
Contract Services - RCRCA	\$ 1,500.25	Professional Services	\$ 8,637.50
Directors’ Expense	\$ 0.00	Project Expenses Paid	\$ 0.00
Directors’ Insurance	\$ 0.00	Project Permit Fees	\$ 300.00
Employee Expense	\$ 222.35	Rent	\$ 837.00
Field Supplies	\$ 0.00	Telephone	\$ 18.67
Investigating & Testing	\$ 0.00	Utilities	\$ 0.00
Maintenance & Repair	\$ 1,586.90	Vehicle Expense	\$ 59.50
Miscellaneous Expense	\$ 0.00	Continuing Education	\$ 0.00
Insurance	\$ 0.00		

Bill for approval:

Professional Services	\$ 4,056.00
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CONFLICT OF INTEREST DISCLOSURES. Several board members need to complete the form(s) as only one other in-person meeting was held since the first of the year. Bruns will send the forms to those individuals.

EXECUTIVE DIRECTOR’S REPORT.

AREA II

- **Lac qui Parle-Yellow Bank 1W1P** Plan approval occurred on March 23 by the BWSR Board.
- **Legislative Testimony** Netzke testified virtually on March 9 for the administrative funding in the Senate Environment, Climate and Legacy committee; and testified in person on March 14 for the Senate Capital Investment Committee. No hearings were held in the House for these bills.

RCRCA

- **Lake Redwood Dredging Update** Houston Engineering, RCRCA and the City of Redwood Falls created a punch-list of tasks for JF Brennan to complete before project closeout. Accordingly, Houston prepared a Change Order to extend the project closeout date from April 1, 2023 to September 1, 2023. Houston has also prepared a **Fee for Supplemental Tasks** agreement relating to work performed for the unexpected Stormwater Construction Permit needed for Phase 2 Dredging, the virtual Industry Day held to attract dredge bidders, and tasks added by RCRCA/City of Redwood Falls to complete the project. Lastly, a grant amendment was requested and granted from DNR to extend the bonding funds through December 31, 2023 to allow for project closeout tasks. Aerial applicators out of Olivia have been located who are willing to aerial seed the CDF; the City of Redwood Falls is working with the applicators to obtain quotes. Ice and snow cover is delaying the planned work.

- **Cottonwood-Middle MN 1W1P** The first Policy Committee meeting is set for April 11. Election of officers, review of bylaws, roles/responsibilities of PC members, hiring of a consultant, and establishing a set day/time for future meetings are on the agenda. The Steering Team will meet the afternoon of April 6 to revise the bylaws and offer recommendations on the hiring of a consultant.
- **Redwood 1W1P** BWSR's RFP for planning grants has opened. The Redwood partners have been contacted to confirm intent to begin planning which would start in 2024. Pipestone, Murray, and Yellow Medicine Counties have less than 10% of their county within the watershed and may opt out of planning. Yellow Medicine County and SWCD have already indicated that they will opt out.
- **Middle MN-Mankato WRAPS Cycle 2** MPCA has proposed the sampling locations for Cycle 2 of which 3 sites were sampled by RCRCA in Cycle 1. RCRCA requested 2 additional sites to be reassessed due to insufficient findings in Cycle 1: Wabasha Creek and Crow Creek. Final sampling sites will be discussed and decided upon April 24. Surface Water Assessment Grants (SWAG) will be issued to the sampling partners this summer.
- **Cottonwood & Redwood WRAPS/TMDL Updates** To date, the Cottonwood WRAPS and TMDL are both approved. The Redwood WRAPS and TMDL are off Public Notice; no comments were received. MPCA has a 30-day waiting period before sending the TMDL to EPA for the Final Decision Document. The WRAPS will soon be presented to the MPCA Division Director for Final Approval. The Redwood RES (River Eutrophication Standard) TMDL is getting closer to Public Notice. Some language was cleaned up as the permit writers worked with the City of Marshall and ADM for input.

AREA II ENGINEER'S REPORT.

Springdale 24 Small Dam, Redwood County. We have completed the final construction plans and have submitted permit applications to DNR and USACE. ***Monroe Water and Sediment Basins, Lyon County.*** The Monroe 17 and 22 projects were not completed in 2022 and will be constructed this spring. ***Holly 10 Small Dam, Murray County.*** The project has been submitted for DNR Dam Safety, USACE and WCA permits. The Corps has requested additional information which we have responded to, and a teleconference will be held March 30. Section 401 Water Quality Certification from the MPCA is being addressed. This permit will be an Individual Permit as Letters of Permission have been discontinued. *Netzke added that from the teleconference, USACE wants to review Area II's projects under their Nationwide General Permit 43 aimed at stormwater. This would be an easier process for them than an Individual Permit. USACE is charged with finding the LEDPA (Least Environmentally Damaging Project Alternative), so questions were asked about lowering the dam height and permanent pond level to reduce impacts. USACE wants to visit the site to assess the stream before a permit decision is made. MPCA issued a waiver decision for Section 401 certification.* ***Holly 11 Small Dam, Murray County.*** The owner has accepted the low bid of A & C Excavating and the project will be constructed this summer. ***Holly 21 Dam Repair, Murray County.*** At the request of the landowner, the project has been redesigned to incorporate two smaller sediment berms and a main dam. We met with the landowner and placed lath identifying the dam centerline. We now have his approval to secure bids for the project. ***Lake Marshall 28 Small Dam Repair, Lyon County.*** The project has been bid, but construction was delayed to this spring. ***Nordland 8 Small Dam Repair, Lyon County.*** Plans are nearly complete for this project. The existing small dike has been leaking, causing a drawdown of the pond. The project would excavate a core trench under the dike and install clay to try and stop the seepage, as well as install a new outlet pipe. Lyon SWCD may have funding for this project, and it may be redesigned by BWSR. ***Holly 4 Small Dam, Murray County.*** Preliminary design for this project is completed. The dam site would be adjacent to an unnamed protected waters stream and in a potential wetland area. We are hoping to design the dam as a conservation project to minimize wetland impacts and to provide a field crossing for the landowner. We will meet with the landowner soon. ***Lynd 2 Small Dam, Lyon County.*** We have completed preliminary design work and have met with the landowner. He would like to proceed and would need to purchase some neighboring property to make the project feasible. ***Lake Shaokatan Dam, Lincoln County.*** After considering the ramifications of moving the dam closer to the shoreline, Lincoln County has decided to replace the dam in its original location. We are working on the plans for the project. *Netzke added that the revised Plans and necessary documents have been provided to DNR.* ***Island Lake 3 Road Retention, Lyon County.*** The soils report revealed sand under the roadway, but the full depth of the sand layer was not determined in the field. American Engineering Testing completed the additional soil borings and found sand to the full depth of 45 feet. We anticipate that the project will be infeasible

because of the high cost of controlling seepage through this sand layer. *Commissioner Crowley inquired as to who is financially responsible for the project expenses to date. Netzke responded that this is the cost of doing business; Area II absorbs these costs. Fortunately, infeasible projects do not happen often. Florida 15 Dam Repair, Yellow Medicine County.* Design work is nearly complete for this dam repair. This is a typical repair of an old SCS dam with a corroded outlet pipe, serious erosion on the dam, and trees to be removed. We met with the landowner, and he would like to proceed once cost-share funding is located. *Nordland 6 Dam Repair, Lyon County.* Bids were received for this project on March 29. The low bidder is Ryan West Excavating at \$43,208.23. The second low bidder was Ground Works at \$45,154.30. Engineer's estimate was \$41,179.05 with the contingency. Cost share will be provided by Yellow Medicine 1W1P as the project is in a priority area. *Sodus 9 Dam Repair, Lyon County.* Design work is nearly complete for this dam repair. The project involves extensive raising of the dam and emergency spillway work, and thus will be more expensive than typical repairs. We are waiting to hear EQIP funding awards as the landowner applied for this funding. *Dovray 16 Small Dam, Murray County.* We are in the preliminary design phase for this project. The dam would be located on an unnamed stream and should have good storage characteristics.

LEGISLATIVE SESSION – AREA II.

Administrative Funding: Currently, hf 793 has been included in the omnibus bill (hf 2310) at \$140,000/year. Testimony was given for sf 542 (increasing \$140,000/year to \$190,000/year) for the Senate Environment, Climate and Legacy Committee. The bill was laid over for possible inclusion in the omnibus bill which is still in development. The best-case scenario is that the Senate will include the \$190,000/year amount in their omnibus bill, and the conference committee will determine the final appropriation amount.

Bonding Funds: Netzke testified on March 14 for sf 541 requesting \$1.5 million of bonding funds. This request was included in hf 670 which was the cash portion of the bonding bill (hf 669). Both bills passed out of the House but met opposition in the Senate. Senate Republicans asked for tax relief before scheduling passage of this bill on the Senate floor. The bill proceeded to the Senate floor, failed to pass without the Republican votes, and was laid on the table. The accompanying cash portion (hf 670) was not voted on due to hf 669's failure. No House hearing has been scheduled to date for the companion bill hf 794 as the Capital Investment committee continues to hear testimony and craft its bill. There are rumors circulating that a cash only bill may evolve that would only require a simple majority vote in fear that Republicans would vote down a bonding bill that requires a supermajority vote for passage.

RCRCA – COST SHARE CONTRACTS. Netzke presented 3 cost share contracts: one Plum Creek Grant cost share contract: Holly 21 – Murray for a 410-dam repair and 638 WSCBs; and two Pell Creek Grant cost share contracts: North Hero 34 – Redwood for 638 WSCBs and North Hero 34 – Redwood for a 412 Waterway. Discussion followed. Motion by Meulebroeck, seconded by Gunnink, to approve all three cost share contracts. Motion carried unanimously.

1W1P PLANNING GRANT APPLICATION FOR REDWOOD WATERSHED. Netzke contacted the counties and SWCDs to confirm interest and staff time to participate in the planning process of the Redwood Watershed 1W1P Planning Grant. The majority have indicated that they wish to apply and participate. *Area II* – Motion by Crowley, seconded by Gunnink, to support the application for a Redwood Watershed 1W1P Planning Grant. Motion carried unanimously. *RCRCA* - Motion by Gunnink, seconded by Veerkamp, to support the application for a Redwood Watershed 1W1P Planning Grant with RCRCA serving as the administrative and fiscal agent. Motion carried unanimously.

RCRCA – Lake Redwood Dredging:

Fees for Supplemental Tasks from Houston Engineering, Inc. – The fees for the outlined supplemental tasks is \$24,900.00 (not to exceed). Netzke noted that prior to the start of dredging, Houston had underestimated the time and effort to secure permits and address concerns of the neighbors to the CDF. At that time, Houston requested to add nearly \$57,000 to their contract for this completed work. The RCRCA Board asked Houston to wait until dredging was complete before considering their request. Due to the excellent work performed by JF Brennan

Company which reduced the need for Houston to be onsite 2 days per week and related travel and lodging expenses, Houston’s overage was reduced to just under \$4,000. Motion by Veerkamp, seconded by Crowley, to approve up to \$24,900 for Houston Engineering Inc. and for Chairman Johnson to sign the agreement. Motion carried unanimously.

Change Order 4 – JF Brennan Company. – Due to an excessively snowy winter and delayed snowmelt, Change Order 4 was signed by Netzke to extend the final completion date from April 1, 2023 to September 1, 2023. Houston Engineering, City of Redwood Falls, JF Brennan Company and RCRCA have compiled a Punch List of items that need to be completed and was made part of the substantial completion certificate.

Bonding Funds Amendment. – Netzke requested a grant extension from June 30, 2023 to December 31, 2023 due to the late spring and need to vegetate the CDF and other project areas. The request was approved by the DNR with the amendment signed on March 7, 2023.

Fishing Pier – DNR has confirmed that the handicap-accessible fishing pier has been ordered, however the delivery date has not been confirmed. A dedication ceremony will be planned with the City of Redwood Falls once the installation date is confirmed. DNR Fisheries has confirmed their intent to stock 32,000 walleye fry into Lake Redwood this spring. DNR’s initial estimate was 25,000 fry.

OTHER BUSINESS:

Juneteenth (June 19) Holiday: Juneteenth has been declared a federal and state holiday. Netzke requested approval from the boards to add this date as a paid holiday for both Area II and RCRCA. Discussion followed with the commissioners confirming that holiday status. **Area II** – Motion by Maatz, seconded by Gunnink, to approve Juneteenth (June 19) as a paid holiday for Area II staff. Motion carried unanimously. **RCRCA** – Motion by Wakefield, seconded by Posthuma, to approve Juneteenth (June 19) as a paid holiday for RCRCA staff. Motion carried unanimously.

2023 Canoe Trips: Netzke added that RCRCA staff are starting to plan for canoe trips on the Redwood and Cottonwood Rivers now that the dredging is complete, and the Essig launch site has been repaired. Wohnoutka will check the Essig site and its condition. The trips will be the last week of June as Netzke is planning to be on vacation the third week of June.

ADJOURNMENT.

With no other business, Chairman Johnson and Chairman Anderson adjourned the meeting at 10:21 AM.

The next meeting will be on May 4, 2023 at the Lyon County Government Center, Marshall, MN – 9 AM.

UPCOMING MEETINGS.

May Board Meeting	Thursday, May 4, 2023	Lyon County Government Center
June Board Meeting	Thursday, June 1, 2023	Redwood County Learning Center
July Board Meeting	Thursday, July 6, 2023	Lyon County Government Center

Larry Anderson, Area II Chairman

Date