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**Minutes of the Meeting of
Kittson Soil & Water Conservation District Board of Supervisors
Held on Wednesday April 12th, 2023, at 8:00 AM at the
Kittson County Courthouse.**

The Board of Supervisors of the Kittson Soil and Water Conservation District held its regular scheduled meeting on Wednesday April 12th, 2023, at 8:00 AM at the Kittson County Courthouse. Members present included: Chairman CJ Peterson, Vice Chairman Andrew Muir and Treasurer Joe Wilebski and Secretary Carey Mortenson. Absent was Public Relations Sam Anderson.

Other's present were District Manager Jamie Osowski, District Technician Jeremy Benson, and Matt Fischer; BWSR Board Conservationist.

The minutes from the March 1st, 2023, board meeting was approved upon motion by Muir and seconded by Wilebski and unanimous vote of supervisors.

Jamie presented the February and March 2023 financials to the board. Upon discussion, a motion was made by Anderson and seconded by Mortenson and unanimous vote of supervisors.

Addition of New Business: Jamie spoke to the board on the addition of adding a closed session to the agenda pursuant to attorney- client privilege to discuss pending litigation. Motion was made by Muir and seconded by Wilebski and unanimous vote of supervisors to approve the addition to new business.

New Business:

Closed Session with lawyer: The Minnesota Open Meeting Law, Minnesota Statutes Section 13D.05, subdivision 3(b), allows the Kittson Soil and Water Conservation District ("SWCD") Board to close a meeting to engage in attorney-client privileged discussions. The Board seeks to meet with its attorney to obtain confidential legal advice related to the litigation of *Brazier v. Minnesota Department of Natural Resources and Kittson Soil and Water Conservation District* (Case A22-1648). During the closed meeting, the Board will discuss with its attorney the claims made, the SWCD's defenses to the same, legal strategy, and settlement discussions. There is a need for absolute confidentiality because the SWCD's position would be compromised if such discussions took place in public and could be overheard by adverse parties. It is in the SWCD's best interest for the Board to obtain legal advice in a confidential setting to maintain the attorney-client privilege. Chairman Peterson entertained a motion to close the meeting pursuant to the attorney-client privilege for the reasons that were have stated. Motion was made by Wilebski and seconded by Muir and unanimous vote from board members to close the meeting. The session was then opened, and no formal action was taken.

WCA County Road 10: Jeremy updated the board on the County Road 10 project with WCA and the county. He stated that at this time there is nothing for the board to approve as the TEP is going to be meeting with the County Engineer this afternoon to discuss the project further.

Cover Crop contract WBIF KWBF22-29/30: Jeremy discussed the question that arose when working with a landowner that was looking at using 2 different entities for contracts with the WBIF funds. Following discussion, a motion was made by Muir and seconded by Anderson and unanimous vote from board to put in policy that number of entity contracts are based per social security numbers for all contracts.

District Tech position: Jamie discussed the status of the job opening, she reported that no other applications have been received and was wondering if the board would like her to continue advertising for either of the positions at this time. The board stated they would like to see the part time position advertised for 2 more weeks in the Enterprise and North Star News and put the full-time position back on social media and the website.

Staff Reports:

Matt Fischer was in attendance and gave an update on the legislative session and gave an update on Buffer Compliance around the state. Next he gave each board member a copy of the snapshot Kittson SWCD was recognized in and spoke on the events that Heather presented at and recognized the great work she had been doing.

Bonnie was at an all NRCS staff meeting in Brainerd and Jamie gave the NRCS update. She updated that the NRCS staff is busy working on CSP and has customer interest in both renewals and classic. They have also been working on EQIP applications for 2 customers. They have been working on screening eligibilities for the new signup for continuous CRP and new guidance that have come out of the General CRP Signup.

Heather is on maternity leave. She had a baby girl named Evelyn Bell on March 18th, 2023.

Jeremy gave his technician report, he reported that he has been working with Cory Wallenberg on his project using the WBIF funds. He reported that TRWD has agreed to put in 12.5% to the project cost and TRWD also approved the project permit. The TSA will be doing the stake outs for this project. Jeremy reported that he has been working on getting his MPARS account working so he can get these permits completed for all DNR protected water projects. He spoke to the board that he is meeting with Andrea from the county highway department to discuss cooperative agreements for County projects and discuss the billable rates they use to charge the JPB. Next Jeremy spoke to the board that he was notified that he had misread the policy for the forest management plans with the TRP 1W1P, he had written the contracts to receive 100% cost share on the plan writing when really it was only 75%. Following discussion on these contracts, the board motioned to kick the 25% cost share in from Local Capacity funds. A motion was made by Muir and seconded by Wilebski and unanimous vote of supervisors to approve the 25% contribution to the 3 already signed contracts. Jeremy next gave the board an update on the projects that he is working on with the WBIF projects that he is busy coordinating. He stated that he has 6 projects that he is working with the TSA on or waiting for the landowner to let him know on the option they want to move ahead with. Jeremy discussed the next round of FY 24 WBIF funding with the board, following discussion motion was made by Muir and seconded by Mortenson and unanimous vote by supervisors to approve the Kittson SWCD requests from the FY 24 WBIF funding. Next Jeremy gave a WCA update, he stated that he is working on Scott Nelson's ditch drainage in McKinley Township, he stated that he helped him fill out his permit. Jeremy reported that he has been working on lining up the tree shipments from the nurseries and lining up the large shipment we share with Pennington and Roseau County, he stated that he has been revising some wildlife tree plantings. Next Jeremy discussed an invitation to join the MN SWCD Forestry Association, following discussion and the benefits of joining the association, motion was made by Wilebski and seconded by Muir and unanimously by board members to join the association for \$60. Jeremy gave an update on the Soil Demo project and stated that he is working on getting the dust collectors set up, next he spoke to the board on a proposal Heather received for the FFAR and AgMission strip till and cover crops in sugarbeets climate resilience project that is being head by NDSU Professors, at this time Jeremy stated that he didn't think our staff would have time to handle another project similar to the demo we are already doing. Following discussion on this project, a motion was made by Muir and seconded by Mortenson and unanimous vote of supervisors to not sign an agreement to participate in this grant. Jeremy gave a short Buffer update and stated that he will work to have contact with the 1 non-compliant landowner with the Buffer Law soon.

Jamie gave her report, she reported an update on the SWCD Aid funding that board members went to the capital to discuss with legislation. She stated that she spoke with Representative John Burkel to advocate for the \$22 million requested, she stated that she had the support Burkel and he was going to work to advocate the committee to support it as well. The last known update that was received from the MASWCD was that they decreased the budget line item to \$16 Million. They hope at the end of April to have the status of the final bill from the House. Next Jamie updated the board on the office addition, she stated that she received an update from the county administrator about the next steps they are taking in this addition into the boiler room. He stated that he has Johnson Controls lined up to evaluate the boiler room and what can be done to make this room functional for all the controls for the courthouse. Brian is hoping to have this information for us by our May board meeting. Jamie gave an update on the upcoming meetings for the office staff and the board.

Joe Wilebski asked the staff to leave the office to have a meeting with the board. The staff was called back to the meeting and upon motion by Wilebski and seconded by Muir and unanimously by board members, the staff will receive \$2 raises at the beginning of the next pay period.

The next board meeting will be held on Wednesday May 10th, 2023, at 8 AM at the Kittson County Courthouse.


Secretary Carey Mortenson

5-3-23
Date