

*Helping Producers Implement
Best Management Practices
For Conservation Purposes in
Kittson County*



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**Minutes of the Meeting of
Kittson Soil & Water Conservation District Board of Supervisors
Held on Wednesday June 14th, 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 June 14th, 2023, at 8:00 AM at the Kittson County Courthouse. Members present included: Chairman CJ Peterson, Vice Chairman Andrew Muir and Treasurer Joe Wilebski, Secretary Carey Mortenson and Public Relations Sam Anderson.

Other's present were District Manager Jamie Osowski, District Technician Jeremy Benson and District Conservationist Bonnie Hasbrouck.

WCA Wagon Wheel Ridge with County Attorney: The Kittson SWCD invited members of the Kittson County Commissioners, County Administrator Brian Buhmann and County Attorney Robert Albrecht to the meeting to catch them up on the Wagon Wheel Ridge WCA issues. Jeremy Benson gave the group a brief update on the case up to the point of where the process sits with the appeal. This led to discussion on the next steps toward enforcement of the restoration order. Discussion was had by County Attorney Albrecht on how this lawsuit is a civil matter and he did not feel comfortable providing any legal advice at this time due to the Kittson SWCD already having representation. Jeremy reiterated that we are not seeking legal advice on the current lawsuit but trying to get the County board and attorney up to speed on the case and what the next steps will be. Discussion was had that the County attorney's firm felt like there might be a conflict of interest due to the firm having advertisement signs in support of the events held at Wagon Wheel Ridge where the violation occurred. Some members of the Kittson SWCD Board stated that they have signs advertising and support the event but also understand that everyone needs to follow these laws. Jeremy stated that regardless of supporting the events at Wagon Wheel Ridge, rule 842.0900 subp. 7. **Misdemeanor:** A violation of an order issued under this part is a misdemeanor and must be

prosecuted by the county attorney where the wetland is located, or the illegal activity occurred. County Attorney Albrecht stated that fines for a misdemeanor can range from \$300 to \$3,000 and that is toothpicks compared to administrative fees that could be recouped if not prosecuted. Members of the Kittson SWCD agreed that the fines may be insignificant in this matter but the principle is that we need to follow through enforcement, otherwise it would set a precedent moving forward to all residents, landowners and businesses in Kittson County that they do not need to follow the procedures laid out in the Wetland Conservation Act (WCA). Through this process, it was made aware that other county ordinances have not been enforced upon at Wagon Wheel Ridge. Why would this business get to fly under the radar on receiving the proper permits, while others have had cease and desist orders, penalties and other enforcement measures brought upon them for similar violations. County attorney Albrecht stated that it is best to wait for the Court of Appeals to make their decision before perusing enforcement matters on the order. Members from the Kittson SWCD stated they agree but wanted to get Kittson County caught up to speed well before the deadlines approach. The Kittson SWCD board thanked County Attorney Albrecht for visiting with them on this and hope that he will follow through with the enforcement procedure as the Kittson SWCD office has put 4 years' worth of work into this violation.

The minutes from the May 3rd, 2023, board meeting was approved upon motion by Wilebski and seconded by Muir and unanimous vote of supervisors.

Jamie presented the April and May 2023 financials to the board. Upon discussion, a motion was made by Mortenson and seconded by Muir and unanimous vote of supervisors.

New Business:

District Outreach Position: Sky Olsonawski accepted the position of District Outreach Specialist and will begin employment on Monday July 10th.

District Tech position: Jamie discussed the status of the job opening, she reported that no other applications have been received and was wondering if we should attempt advertising the position on the Red River Farm Network. The board said at this point it won't hurt to try advertising wherever we can.

Soil Health Demo Contract Cancellation: At a site check on May 26th, it was verified that Justin Osowski was deficient in the operation and maintenance of the plan with the strip till and conservation tillage demo project. With this being determined contract numbers SH22-03 and GMBC22-03 need to be terminated and all payments received by the land occupier need to be repaid at the rate of 100%. The contract termination amount will be \$6,495.00, motion to accept this contract cancellation was made by Wilebski and seconded by Mortenson and unanimous vote of supervisors.

Juneteenth: Kittson County instated Juneteenth as a county holiday by resolution at the last County Board meeting, since we follow the county holiday schedule the staff wanted to make sure that this change would pertain to the office as well since the whole courthouse will be closed now. The Board told the staff to continue to follow any holiday changes made by the county.

Staff Reports:


Bonnie gave the NRCS Update reporting that they have been busy with their CSP and EQIP applications and taking appointments for the next round of funding for EQIP. They have also been getting a lot of calls on CRP including questions on the weed infestation of Kochia.

Jeremy gave his technician report, he reported that he had a landowner on the Marshall and Kittson line that would like to enroll in the NSLM program but the land he wants to put cover crops on a piece that is outside the planning zone. The board asked if we could see if he would have another piece he could use for this in the planning zone so it would help us meet our goal in the end. Next Jeremy spoke to the board on the Matt Denult project and the plan was for a 36" culvert but the Two Rivers Watershed District approved the permit on the stipulation that the 36" culvert be reduced to a 30" culvert, the plan will need to be changed by the TSA engineering staff. Along with that project, the TSA is also working on 8 potential projects with staff. Jeremy reported that he is working on a lot of site checks and payment voucher work for these WBIF projects. Next, he reported on WCA, he stated that the Lake Bronson Dam application was reviewed, and they performed a site visit and found that extra delineation will be needed. He reported that he had a TEP meeting on the Karlstad Airport and extended the decision-making plans by 60 days, the TEP is looking into revising the plan or adding a wetland monitoring plan. There was an emergency WCA permit issued for the train derailment near Lancaster and he reported that he received the Klondike application and the TEP will be meeting on June 23rd to review the application further. Next Jeremy reported on Buffers, he stated that we are still waiting on one landowner to rent the drill to get his Buffer established and he is waiting on the final redline for a SWI project in Deerwood 18 through Buffer Riparian aid funds. Jeremy reported that we still have 3 tree plantings left and talked to the board on purchasing a trailer for our tree planter so we can easily transport and take the tree planter off the tractor and looking into a different auto steer for the tractor since the light bar is not very helpful when it comes to tree plantings. The board asked Jeremy to look into pricing on these items. Jeremy reported that we have nearly 100 acres on the Truax drill and most of them are in the western part of the county. He stated that we have had little to no inquiries on the spraying and mowing services, we need to keep the mower for the moose point property, but the board told him to put the sprayer on bids along with the older four-wheeler. Next Jeremy asked the board on allowing producers to get cost share from the Working Lands program to replace deteriorating permanent fence that is in cropland. The board did not see that being an issue if it is ok with BWSR.

Jamie gave her report, she stated that now since Heather is gone, she was asked by the MPCA if we would like to get someone signed up for the Horizons which is the reporting program, the process is very complicated and many steps, the board asked Jamie to wait on this process and work with the MPCA on any reporting that is needed. Next Jamie reported that the Legislative session and stated that the SWCD AID will be established in state statute at \$15 million per year for aids payable in 2023 and 2024 and \$12 million per year for the aids payable in 2025 and after, this is lower then we were asking for, but it will be helpful in the long run to have consistent funding and this funding will not require the in depth work plans and reporting that was needed from BWSR. The payments will go out in 2 installments in July and December and each SWCD will need to establish by resolution annual guidelines for using the payments and post them to the SWCD's

website. There will be more information on this in the coming weeks. Next Jamie reported that Wauban, a school in Area 1 won the Minnesota State Envirothon in May, our funds from our area event are low so Jamie asked the board if the district would donate funds to the school to attend the National Envirothon in New Brunswick, Canada. Upon motion by Muir and seconded by Wilebski and unanimously by board, the Kittson SWCD will donate \$500 to the Area 1 Envirothon for the team to travel to the competition.

The next board meeting will be held on Wednesday July 12th, 2023, at 8 AM at the Kittson County Courthouse.


Secretary Carey Mortenson

7-12-23
Date