TO D D CO U N TY SW CD B O A R D MEETI NG AGENDA

There will be a meeting of the Todd Soil and Water Conservation District Board of Supervisors on Thursday, March 9, 2017 beginning at 8:30 a.m. The meeting will take place at the Todd County Historic Courthouse (Prairie Conference Room), 215 1st Ave South, Long Prairie, MN 56347.

Call to Order Kenny Pesta
Pledge of Allegiance
Act on Approving Agenda
Secretary’s Report Norman Krause
Treasurer’s Report Tom Williamson
Oath of Office Leland Buchholz

1. Decisions Needed
   1.1. Approve Soil and Water staff direct billing rates—Effective 1st pay period in 2017 Tim
   1.2. Approve Todd SWCD Master JPA agreement (RIM Program) Tim
   1.3. Approve encumbering FY16 State Cost share funds in the amount of $578.82, contact #5-16 & FY17 State Cost share funds in the amount of $299.24, contact #3-17 for Charles Moberg for the field windbreak practice for a total of $878.06 Tim
   1.4. Approve encumbering FY17 State Cost share funds in the amount of $197.50, contract #4-17 for Norman Krause for the well sealing practice Tim
   1.5. Approve encumbering FY16 Local Capacity funds in the amount of $11,073.75 contract #1-16LC for Steven Katterhagen for Water and Control Sediment Basin for Feedlot Runoff Control practice Tim
   1.6. Approve encumbering FY17 State Cost Share funds and FY16 Local Capacity funds for Rinde Tim
   1.7. Approve board members attending AREA II Meeting on Thursday, April 6, 2017-Litchfield Tim
   1.8. Approve sending a thank you to Todd Wadena Electrical Co-op Operation Round-Up Shannon

2. Discussion
   2.1. Discuss upcoming Feedlot Meeting Deja
   2.2. Discuss Joint Meeting with Todd County Commissioners Tim
   2.3. MDA Todd County private well testing results (9 townships) Shannon
   2.4. Discuss Nitrogen Fertilizer Rule Shannon
   2.5. Discuss logo jackets Tim

3. Reports
   3.1. Commissioner Report
   3.2. Staff Reports
   3.3. Pheasants Forever Report
   3.4. NRCS Report

4. Informational
   4.1. Letter that was sent to County Attorney regarding parcel #11-0043800 (approved at January’s meeting) Tim
   4.2. Client Gateway Overview Russell

Adjourn
The next regular SWCD board meeting will be April 13, 2017 beginning at 8:30 a.m. at the Historic Courthouse, (Prairie Conference Room), 215 1st Ave South, Long Prairie, MN 56347.

To Meet the Public’s Needs by Protecting the Land and Safeguarding the Water
MINUTES FROM THE JANUARY 12, 2017 REGULAR BOARD MEETING

Chairman Pesta called the Thursday, January 12, 2017 meeting to order at 8:30 a.m.

The meeting was held at the Historic Courthouse, 215 1st Ave South, Long Prairie, MN 56347. Board members present were: Kenny Pesta, Dale Katterhagen and Tom Williamson Others present were: Tim Stieber, Division Director, Deja Anton, Feedlot Advisor, Shannon Wettstein, Water Planner, Danielle Kuperus, Conservation Technician, Lew Noska, Conservation Technician, Sarah Katterhagen, Program Coordinator, Sabin Adams, Pheasants Forever, Russell Kleinschmidt, NRCS, Gary Kneisl, County Commissioner and Hagen Gamradt, Volunteer.

Others Absent: Krause and Buchholz.

The Pledge of Allegiance was recited.

Pesta asked if there were any additions to the agenda. Katterhagen made a motion, seconded by Williamson to accept the agenda for the regular January 12, 2017 with the additions of items 1.12-1.15., for the Todd Soil and Water Board meeting. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Pesta read Oath of Office.

Introductions.

Pesta asked if there were any additions or corrections to the minutes from the December 8, 2016 regular board meeting. Katterhagen made a motion, seconded by Williamson to approve the minutes as distributed from the December 8, 2016 regular board meeting. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Stieber presented the program summary to the board. Katterhagen made a motion, seconded by Williamson to accept the District’s receipts in the amount of $135,765.45 and total disbursements in the amount of $110,034.62 for the month of December.

Discussion: Stieber added wages were compensated back to the County. S. Katterhagen added she included January 1-December 31, 2016 activity log in the meeting’s handouts.

Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Williamson made a motion, seconded by Katterhagen to approve Staples World as the 2017 official newspaper for Todd County Soil and Water Conservation District. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.
Williamson made a motion, seconded by Katterhagen to approve the 2016 Annual Report. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Discussion: Anton received the Tina Rosenstein award.

Katterhagen made a motion, seconded by Williamson to approve the 2017 Annual Plan of Work. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Katterhagen made a motion, seconded by Williamson to keep the following the appointments the same as 2016 appointments:

- Liaison Committee: Leland Buchholz and Norm Krause
- Planning Commission Liaison: Dale Katterhagen
- Board of Adjustment Liaison: Dale Katterhagen
- WCTSA Committee: Kenny Pesta, Alternate: Tom Williamson
- Water Plan Committee: Dale Katterhagen
- Local Work Group: Kenny Pesta

Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Williamson made a motion, seconded by Katterhagen to approve the 2017 District Fee Schedule. Discussion: No changes from 2016 fees. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Katterhagen made a motion, seconded by Williamson to approve payment to MCIT in the amount of $1,866.00 for work comp and personal coverage for the Supervisors. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Williamson made a motion, seconded by Katterhagen to approve payment of MASWCD 2016-2017 dues in the amount of $3,112.06. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Williamson made a motion, seconded by Katterhagen to approve payment to Sellnow Law Office in the amount of $889.00 for the Lester RIM easement. Discussion: Stieber added this amount is reimbursable. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Discussion: Stieber noted there is a Planning and Zoning violation on Big Birch Lake. Landowner destroyed the peninsula and Stieber also passed around photos from the Planning and Zoning file. Stieber read the proposed letter for the County Attorney’s office. Katterhagen made a motion, seconded by Williamson to approve submitting a letter to the County Attorney’s office related to the Elliott shoreland case. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Katterhagen made a motion, seconded by Williamson to recommend to Todd County Commissioners that the County elects to do buffer jurisdiction and enforcement. Discussion: Stieber will bring recommendation to the County Commissioners. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.
Katterhagen made a motion, seconded by Williamson to approve amending resolution #20150108-4- Establishing policy authorization staff to sign documents to read as follows: [Resolution Tracking #:20170112-1]

WHEREAS, District Boards may delegate signing contracts and supporting program documents to District staff.

BE IT FURTHER RESOLVED, Division Director is authorized to apply for grants, sign grant agreements, payment vouchers, cost share payment forms, and RIM easement documents

BE IT FURTHER RESOLVED, if the Division Director isn’t available to sign the documents, the Program Coordinator is authorized to sign the same documents listed above.

Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.

Katterhagen made a motion, seconded by Williamson to approve FY2017 CWF Local Capacity Service grant agreement. Affirmative: Pesta, Katterhagen and Williamson. Motion Carried.


Pesta recessed the meeting at 9:28 a.m.
Pesta reconvened the meeting at 9:33 a.m.

OPERATION ROUNDUP GRANT APPLICATION: Through the Todd-Wadena Electric Cooperative Community Trust, Todd Soil and Water Conservation District will be applying for funds to expand Enviro Fest. Looking for funds to be able to purchase Soil Station supplies.

ANNUAL FEEDLOT MEETING UPDATE: Anton reviewed proposed topics for the Feedlot Meeting. The meeting will be held on Thursday, March 16, 2017 at Central Lakes College in Staples, and the buffet will be catered by Ted and Gen’s. Anton has sent out donation requests to the banks, livestock board and has sent a request to the MACFO board.

TECHNICAL TRAINING AND CERTIFICATION PROGRAM SCHEDULE: Anton has been selected to serve on the technical training team. A meeting will be coming up in February.

RCPP FUNDING AVAILABLE FOR PRODUCERS IN VILLARD, FAWN LAKE AND TURTLE CREEK: Stieber reported those funds are now available for producers to apply for through EQIP.

DISCUSS RIM EASEMENT SIGNUPS AND APPROVED CONTRACTS: Stieber reported two contracts for Lester and Seykora are ready to be signed and are moving forward.

Stieber recognized Adams on all his effort for getting RIM contracts.

DISCUSS JOINT MEETING WITH TODD COUNTY COMMISSIONERS: Stieber reviewed the following as topics for the joint meeting: Annual Plan of Work, Annual Report and buffer discussion. He is thinking the
meeting will be on February 7th at 9:00 a.m., but will confirm with the Commissioners and will let the board know.

DISCUSS SOIL AND WATER VOLUNTEER: Hagen Gamradt has been working on aerial review of feedlots and identify sites that are unregistered and sites that have unregistered pit. In the past he has interned at Crow Wing SWCD.

DISCUSS CUSTOMER DATABASE: The database will allow staff to store data on landowners.

COMMISSIONER REPORT: Neumann reported the County is hiring a County Coordinator and he has been attending SRWD meetings.

STAFF REPORTS: (See attachments). Anton reported she participated in education event talking about Christmas trees. Jennie-O is putting a new barns in Bertha Township; due to the number of animal units MPCA is responsible for the site. Wettstein noted the Township Nitrate Testing results have been delayed to March. Kuperus noted Twin Eagle Dairy was the 300th Farm certified through the MN Ag Water Certification program. S. Katterhagen reported tree sales have been good. Noska introduced himself.

PHEASANTS FOREVER REPORT: (See attachment). Adams reported that he has been invited to attend the MDA Palmer Amaranth meeting.

NRCS REPORT: (See attachment). Kleinschmidt reported EQIP deadlines are approaching and working on payments. Due to backlog, some payments have been delayed.

2017 IRS MILEAGE RATE: The new rate for 2017 is .535/mile.

AVERAGE COST FOR SOIL AND WATER BOARD MEETING IN 2016: See handout.

MASWCD LEGISLATIVE BRIEFING AND DAY AT THE CAPITOL: The legislative briefing and day at the capitol is set for March 20 & 21, 2017.

ENVIRONMENTAL STATEMENT IMPACT LETTER: Supervisors received a copy of the letter.

Chairman Pesta adjourned the meeting at 11:15 a.m.

Todd County Soil and Water Conservation District board of Supervisors and Todd County Commissioners will be having a joint meeting in February. The date is to be determined.

The next meeting of the Todd SWCD Board of Supervisors will be held on March 9, 2017 beginning at 8:30 a.m. at the Todd County Historic Courthouse (Prairie Conference room), Long Prairie, MN 56347.

Sarah Katterhagen, Minute Preparer

Norman Krause, Secretary

Date

Date
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<tr>
<th>Staff Name</th>
<th>Position</th>
<th>2017 Wage Hourly Wage</th>
<th>Annual Salary</th>
<th>2017 Billable Rate</th>
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**Next Steps:**

The SWCD has received a Master Joint Powers Agreement (MJPA) via email from BWSR Easement Staff. Next steps for the SWCD are to:

1. Print out MJPA
   
   *1-sided on letter size paper*

2. Bring to your SWCD Board for action and signature under **CONTRACTOR (_______ SWCD)**
   
   *Note that Page 5 is the only place where signature is needed; other documents after page 5 are Exhibits, for your reference*

3. Mail this original MJPA document to:
   
   **BWSR Easements**
   
   **444 Pine Street, Suite 130**
   
   **St. Paul, MN 55155**

BWSR will receive the signed MJPA, obtain required State signatures, and email the SWCD an executed copy for your file (sent to the email address SWCD Staff had listed on #4 of the SWCD Information Form).

**Future Steps:**

Along with a copy of the executed MJPA, BWSR will email the SWCD its first Work Order. This Work Order will be for Easement Delivery (view the MJPA for a listing of tasks). A similar “Next Steps” document will be included with that email.
This Master Joint Powers Agreement (MJPA) is between the State of Minnesota (“State”), acting through its Board of Water and Soil Resources (BWSR) and Todd Soil and Water Conservation District (“SWCD”), 215 1st Avenue South, Suite 104, Long Prairie, MN 56347.

Recitals
1. Under Minnesota Statute§ 15.061 and § 471.59, subdivision 10, the State is empowered to engage such assistance as deemed necessary.
2. The State is in need of assistance at the local level to effectively and accurately to landowners to implement practices that conserve water and soil. Conservation measures on private lands will benefit the public by reducing erosion, sedimentation, siltation, pollution.
3. Per Rule 8400.3000 through 8400.3930 the State is directed to work with SWCDs to implement the RIM Reserve Program.
4. The SWCD represents that it is duly qualified and agrees to perform all services described in this MJPA and performed under a Work Order Contract to the satisfaction of the State.

Master Joint Powers Agreement

1 Term of Master Agreement
1.1 Effective Date: February 1, 2017, or the date the State obtains all required signatures under Minnesota Statute§ 16C.05, subdivision 2, whichever is later.

The SWCD must not accept work under this MJPA until it is fully executed and the SWCD has been notified by the State’s Authorized Representative that it may begin accepting Work Order Contracts.

1.2 Work Order Contracts. The term of work for Work Order Contracts issued under this MJPA may not extend beyond the expiration date of this MJPA.

1.3 Expiration Date: January 31, 2022.


2 Scope of Work
The SWCD, who is not a state employee, may be requested to perform any of the following services under a Work Order Contract:

SWCD duties related to easement delivery include:

Easement Delivery
- Market the programs.
- Attend training sessions.
- Assist landowners in completing applications for funding of easement.
- Conduct screening committee meetings (when applicable).
- Perform on-site investigations and surveys.
- Perform courthouse searches (when required).
- Conduct regularly scheduled inspections of completed easements. Report on findings, and perform corrective actions and associated enforcement as described in program guidance.

SWCD duties related to acquisition include:

Phase 1: Funded application through title clearing
- Obtain landowner signatures on the Reinvest in Minnesota (RIM) Agreement for Conservation Easement and forward to the State.
- Assemble Agreement Package Information and send to BWSR.
o Order legal boundary survey, if necessary.
o Coordinate with landowner to ensure delivery of updated abstracts to the title agent.
o Hire, direct and pay for services provided by title agent.
o Receive and review title commitment and associated documents.
o Coordinate with landowner to ensure objectionable exceptions appearing on the title commitment are cleared to the satisfaction of the State.

Phase 2: Title clearing through easement recording
o Obtain landowner signatures on the RIM Conservation Easement.
o Deliver signed original easement to the title agent, provide instruction to title agent regarding gap check and recording.
o Receive and review title policies from title agent.
o Pay title agents and submit documentation to the State for reimbursement.
o Install boundary posts and signs.

Phase 3: Preparation and implementation of conservation plan
o Field inventory and evaluation.
o Develop conservation plan with landowner.
o Develop seeding and maintenance plan.
o Reference wetland construction plan when appropriate.
o Plan implementation assistance to landowners.
o Complete and submit applicable forms for payment.
o Provide plan implementation assistance to landowner.
o Field inspections as necessary.

SWCD duties related to technical assistance with wetland restorations include:

Plan Development
o Perform topo survey/site assessment for simple project design
  OR
o Assist in topo survey/site assessment for complex projects

Construction Implementation
o staking/layout
o construction oversight
o final quantity checks
o as-built plans

The SWCD understands that only the receipt of a fully executed Work Order Contract authorizes the SWCD to begin work under this MJPA. Any and all effort, expenses, or actions taken before the Work Order Contract is fully executed is not authorized under Minnesota Statutes and is undertaken at the sole responsibility and expense of the SWCD. A sample Work Order Contract is attached and incorporated into this MJPA as Exhibit A.

The SWCD understands that this MJPA is not a guarantee of a Work Order Contract. The State has determined that it may have need for the services under this MJPA, but does not commit to spending any money with the SWCD.

3 Time
The SWCD must comply with all the time requirements described in Work Order Contract. In the performance of Work Order Contract, time is of the essence.
4 Consideration and Payment

4.1 Consideration. The total of all Work Order Contracts will not exceed $17,000,000.00. The State will pay for all services satisfactorily performed by the SWCD for all Work Order Contracts issued under this MJPA. The total compensation for an Individual Work Order Contract will not exceed $100,000.

Easement Delivery – per easement, paid annually $ 50

<table>
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<th>Phase</th>
<th>Amount</th>
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Technical Assistance –
- Restoration Plan Development 500
- Construction Implementation – Extensive role; simple project 1,500
- Construction Implementation – Extensive role; complex project 3,000

Reimbursable Costs – Title insurance costs associated with preparing and examining the title commitment, recording fees, and issuance of final policy and associated premium are reimbursable upon the State’s receipt and approval of the recorded RIM Conservation Easement and the final title insurance policy. Postage for mailing easement related documents is also reimbursable. The SWCD will submit for reimbursement using guidance and forms available on the Board of Water and Soil Resources (BWSR) website.

Payment for Easement Delivery will be calculated by the State and paid annually; no reimbursement request is necessary for this payment.

Payment requests for Phases 1 through 3 may not be submitted until the easement acquisition is complete, or the easement cancels. Requests will be submitted during the months of February, May, August and November. Reimbursement requests for costs including but not limited to title insurance obtained on behalf of the State, and signs and posts may not be submitted until the easement acquisition is complete. Reimbursement requests for Technical Assistance may be made upon delivery and acceptance of the conservation plan and/or construction implementation.

4.2 Payment

A) Invoices: All services provided by the SWCD under a Work Order Contract must be performed to the State’s satisfaction, as determined at the sole discretion of the State’s Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. SWCDs will request reimbursement for work completed, using a BWSR developed invoice available on the BWSR website.

The SWCD will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

5 Authorized Representatives and Project Managers

The State’s Authorized Representative for this master contract is William L. Penning, Conservation Easement Section Manager, Phone: 651-539-2567 or his/her successor, and has the responsibility to monitor the SWCD’s performance.

The State’s Project Manager will be identified in each Work Order Contract.

The SWCD’s Authorized Representative is Tim Stieber, Division Director, 215 1st Avenue South, Suite 104, Long Prairie, MN 56347, Phone: 320-732-2644. If the SWCD’s Authorized Representative changes at any time during this MJPA, the SWCD must immediately notify the State.

The SWCD’s Project Manager will be identified in each Work Order Contract.
Assignment, Amendments, Waiver, and Contract Complete

6.1 **Assignment.** The SWCD may neither assign nor transfer any rights or obligations under this MJPA or any Work Order Contract without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this MJPA, or their successors in office.

6.2 **Amendments.** Any amendment to this MJPA or any Work Order Contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.

6.3 **Waiver.** If the State fails to enforce any provision of this master agreement or any Work Order Contract, that failure does not waive the provision or its right to enforce it.

6.4 **Contract Complete.** This MJPA and any Work Order Contract contain all negotiations and agreements between the State and the SWCD. No other understanding regarding this MJPA or Work Order Contract, whether written or oral, may be used to bind either party.

Indemnification

In the performance of this MJPA by SWCD, or SWCD’s agents or employees, the SWCD must indemnify, save, and hold harmless the State, its agents, and employees, from any claims or causes of action, including attorney’s fees incurred by the state, to the extent caused by SWCD’s:

1) Intentional, willful, or negligent acts or omissions; or
2) Actions that give rise to strict liability; or
3) Breach of contract or warranty.

The indemnification obligations of this section do not apply in the event the claim or cause of action is the result of the State’s sole negligence. This clause will not be construed to bar any legal remedies the SWCD may have for the State’s failure to fulfill its obligation under this MJPA.

State Audits

Under Minnesota Statute § 16C.05, subdivision 5, the SWCD’s books, records, documents, and accounting procedures and practices relevant to any Work Order Contract are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this MJPA.

Government Data Practices

The SWCD and State must comply with the Minnesota Government Data Practices Act, Minnesota Statute Ch. 13, as it applies to all data provided by the State under any Work Order Contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the SWCD under the Work Order Contract. The civil remedies of Minnesota Statute § 13.08 apply to the release of the data referred to in this clause by either the SWCD or the State.

If the SWCD receives a request to release the data referred to in this Clause, the SWCD must immediately notify the State. The State will give the SWCD instructions concerning the release of the data to the requesting party before the data is released.

Governing Law, Jurisdiction, and Venue

Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.
11 Termination

11.1 Termination by the State. The State or Commissioner of Administration may cancel this MJPA and any Work Order Contract at any time, with or without cause, upon 30 days’ written notice to the SWCD. Upon termination, the SWCD will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

11.2 Termination for Insufficient Funding. The State may immediately terminate this MJPA and any Work Order Contract if it does not obtain funding from the Minnesota legislature or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the SWCD. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the SWCD will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the MJPA or Work Order Contract is terminated because of the decision of the Minnesota legislature or other funding source, not to appropriate funds. The State must provide the SWCD notice of the lack of funding within a reasonable time of the State’s receiving that notice.

12 E-Verify Certification (In accordance with Minn. Stat. §16C.075)

For services valued in excess of $50,000, SWCD certifies that as of the date of services performed on behalf of the State, SWCD will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the State. SWCD is responsible for collecting all SWCD certifications and may do so utilizing the E-Verify SWCD Certification Form available at http://www.mmd.admin.state.mn.us/doc/EverifySubCertForm.doc. All SWCD certifications must be kept on file with SWCD and made available to the State upon request.

1. CONTRACTOR (TODD SWCD)
   The Contractor certifies that the appropriate person(s) have executed the Contract on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.

   Print name: _____________________________
   Signature: ______________________________
   Title: ___________________________ Date: _____________

2. STATE AGENCY
   With delegated authority

   Print name: _____________________________
   Signature: ______________________________
   Title: ___________________________ Date: _____________

3. COMMISSIONER OF ADMINISTRATION
   As delegated to Materials Management Division

   Print name: _____________________________
   Signature: ______________________________
   Title: ___________________________ Date: _____________
Exhibit A

STATE OF MINNESOTA
PROFESSIONAL AND TECHNICAL SERVICES
WORK ORDER CONTRACT

This Work Order Contract is between the State of Minnesota, acting through its Board of Water and Soil Resources (BWSR a.k.a. "State") and ________   ("SWCD"). This Work Order Contract is issued under the authority of Master Joint Powers Agreement (MJPA) T-Number _______, SWIFT Number _______, and is subject to all provisions of the MJPA which is incorporated by reference.

1 Term of Contract

1.1 Effective date: February 1, 2017, or the date the State obtains all required signatures under Minnesota Statute§ 16C.05, subdivision 2, whichever is later.

The SWCD must not begin work under this Work Order Contract until it is fully executed and the SWCD has been notified by the State’s Authorized Representative to begin the work.

1.2 Expiration date: January 31, 2022, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 SWCD’s Duties

Easement Delivery

Market the programs. Attend training sessions. Assist landowners in completing applications for funding of easement. Conduct screening committee meetings (when applicable). Perform on-site investigations and surveys. Perform courthouse searches (when required). Conduct regularly scheduled inspections of completed easements. Report on findings, and perform corrective actions and associated enforcement as described in program guidance.

Phase 1: Funded application through title clearing

Obtain landowner signatures on the Reinvest in Minnesota (RIM) Agreement for Conservation Easement and forward to the State. Assemble Agreement Package Information and send to BWSR. Order legal boundary survey, if necessary. Coordinate with landowner to ensure delivery of updated abstracts to the title agent. Hire, direct and pay for services provided by title agent. Receive and review title commitment and associated documents. Coordinate with landowner to ensure objectionable exceptions appearing on the title commitment are cleared to the satisfaction of the State.

Phase 2: Title clearing through easement recording

Obtain landowner signatures on the RIM Conservation Easement. Deliver signed original easement to the title agent, provide instruction to title agent regarding gap check and recording. Receive and review title policies from title agent. Install boundary posts and signs.

Phase 3: Preparation and implementation of conservation plan

Field inventory and evaluation. Develop conservation plan with landowner. Develop seeding and maintenance plan. Reference wetland construction plan when appropriate. Plan implementation assistance to landowners. Complete and submit applicable forms for payment. Provide plan implementation assistance to landowner. Field inspections as necessary.

Plan Development for Wetland Restorations

Perform topo survey/site assessment for simple project design OR Assist in topo survey/site assessment for complex projects.

Construction Implementation for Wetland Restorations

3 Consideration and Payment

3.1 Consideration. The State will pay for all services performed by the SWCD under this Work Order Contract as follows:
   
   (A) Compensation. The SWCD will be paid up to $100,000.00.

   (B) Total Obligation. The total obligation of the State for all compensation and reimbursements to the SWCD under this Work Order Contract will not exceed $100,000.00.

3.2 Invoices. The SWCD will prepare and submit invoices for payment using the State’s invoice template (Exhibit B, available on BWSR’s website) for the services actually performed. The State will promptly pay the SWCD upon receipt and approval by the State’s Authorized Representative. Invoices will be accepted only during the months of February, May, August and November of each year during the life of the contract.

4 Project Managers

The State’s Project Manager is William L. Penning at 651-539-2567. The State’s Authorized Representative will certify acceptance on each invoice submitted for payment.

The SWCD’s Project Manager [ ], or his/her assign. If the SWCD’s Project Manager changes at any time during this Work Order Contract, the SWCD must immediately notify the State.

5 E-Verify Certification (In accordance with Minn. Stat. §16C.075)

For services valued in excess of $50,000, SWCD certifies that as of the date of services performed on behalf of the State, SWCD will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the State. SWCD is responsible for collecting all SWCD certifications and may do so utilizing the E-Verify SWCD Certification Form available at http://www.mmd.admin.state.mn.us/doc/EverifySubCertForm.doc. All SWCD certifications must be kept on file with SWCD and made available to the State upon request.

SIGNATURES AS REQUIRED BY THE STATE.

1. STATE ENCUMBRANCE VERIFICATION

   Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.03.

   Signed: ____________________________
   
   Date: ____________________________
   
   CFMS Contract No. A-____________________

2. CONTRACTOR

   The Contractor certifies that the appropriate person(s)
   have executed the contract on behalf of the Contractor as
   required by applicable articles, bylaws, resolutions, or ordinances.

   By: ____________________________
   
   Title: ____________________________
   
   Date: ____________________________

3. STATE AGENCY

   By: ____________________________
   
   (with delegated authority)
   
   Title: ____________________________
   
   Date: ____________________________
## INVOICE

**RIM/CREP EASEMENT DELIVERY SERVICES**

**REIMBURSABLE RIM/CREP EXPENSES AND WETLAND RESTORATION TECH ASSISTANCE**

### Part A -- Easement Delivery Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Itemized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter easement number(s) here or attach a list labeled 'Part A'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easement #(s)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part B -- Easement Acquisition Services

<table>
<thead>
<tr>
<th>Phase</th>
<th>Amount</th>
<th>Itemized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Funded application through title clearing</td>
<td>$1,000</td>
<td></td>
</tr>
<tr>
<td>Phase 2: Title clearing through easement recording</td>
<td>$ 500</td>
<td></td>
</tr>
<tr>
<td>Phase 3: Preparation and implementation of conservation plan</td>
<td>$ 500</td>
<td></td>
</tr>
</tbody>
</table>

Enter easement number(s) here or attach a list labeled 'Part B'

Easement #(s) [Click here to enter text](#)

### Part C - Technical Assistance

#### Restoration Plan Development

- SWCD performs topo survey/site assessment – simple project $1,500 [ ]
- SWCD assists in topo survey/site assessment – complex project [ ]

#### Construction Implementation

(staking/layout, oversight, inspection, final check, as-built plan)

- SWCD provides extensive role in simple project $1,500 [ ]
- SWCD assists project manager in complex project [ ]

- SWCD plays extensive role in complex project $3,000 [ ]

Enter easement number(s) here or attach a list labeled 'Part C'

Easement #(s) [Click here to enter text](#)

---

SWCD Representative

Date

BWSR Engineering Approval

Date

BWSR Easement Section Approval

Date
DATE: March 9, 2017

Todd-Wadena Electrical Cooperative
550 Ash Avenue NE
P.O. Box 431
Wadena, MN 56482

Dear John,

On behalf of the Todd County Soil and Water Conservation District we would like to thank the Todd-Wadena Electrical Cooperative and their members for both the opportunity to apply for the Operation Round-Up grant and for awarding us the funding. The award of $1,500 has already been matched 1:1 by Todd County bringing the full amount available for the projects to $3,000. The money will be is looking to add three additional “Science Museum” quality learning stations at our annual Enviro-Fest.

Our staff will be sure to provide a report, receipts and photos of the materials after the September 21st Enviro-Fest.

Sincerely,

Kenny Pesta
Todd SWCD Chairman
TODD COUNTY BOARD OF COMMISSIONERS

And

TODD COUNTY SWCD SUPERVISORS

Minutes of the Joint Meeting of the Todd County Board of Commissioners and Todd County SWCD Supervisors held on February 7, 2017

Call to Order

The Todd County Board of Commissioners and Todd County SWCD Board of Supervisors met in the Commissioner's Board Room in the City of Long Prairie, MN on the 7th day of February, 2017 at 9:50 A.M. Chairperson Erickson and Chairperson Pesta called the meeting to order at 9:50 with all members present with the exception of SWCD Supervisor Norman Krause. The meeting was opened with the Pledge of Allegiance.

Approval of Agenda

On motion by Williamson and second by Buchholz, the following motion was introduced and adopted by unanimous vote: To approve the agenda as presented.

On motion by Kneisl and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the agenda as presented.

Todd County SWCD Annual Report 2016

Tim Stieber, SWCD Director reported on the 2016 Annual Report and held discussion.

Todd County SWCD Work Plan 2017

Tim Stieber, SWCD Director reported on the 2017 Work Plan and held discussion.

Wetlands Conservation Act Policy

On motion by Buchholz and second by Katterhagen, the following resolution was introduced and adopted by unanimous vote:

TODD COUNTY WETLAND MANAGEMENT POLICY

Full document available for inspection in the SWCD office.

On motion by Kneisl and second by Neumann, the following resolution was introduced and adopted by unanimous vote:

TODD COUNTY WETLAND MANAGEMENT POLICY

Full document available for inspection in the SWCD office.

One Watershed One Plan Process

On motion by Katterhagen and second by Buchholz, the following resolution was introduced and adopted by unanimous vote:

RESOLUTION TO SUPPORT THE REDEYE RIVER WATERSHED AND SAUK RIVER WATERSHED
ONE WATERSHED, ONE PLAN PROJECTS
WHEREAS, the Minnesota Board of Soil and Water Resources has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan, consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and

WHEREAS, Minnesota Statutes, Chapter 103D.401, Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a watershed management plan; and

WHEREAS, Minnesota Statutes, Chapter 103C.331, subdivision 11, Comprehensive Plan, authorizes Minnesota Soil and Water Conservation Districts to develop and implement a comprehensive plan; and

WHEREAS, the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and the Sauk River Watershed, have interest in developing comprehensive watershed management plans for these areas.

NOW, THEREFORE, BE IT RESOLVED, that Todd SWCD recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and

BE IT FURTHER RESOLVED that Todd SWCD welcomes the opportunity to collaborate with the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and Sauk River Watershed for watershed-scale planning efforts in the future; and

BE IT FURTHER RESOLVED that the Todd SWCD supports an application to the Board of Water and Soil Resources for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and Sauk River Watershed, to collaborate on this effort, pending selection as a recipient of a planning grant.

On motion by Kneisl and second by Kircher, the following resolution was introduced and adopted by unanimous vote:

RESOLUTION TO SUPPORT THE REDEYE RIVER WATERSHED AND SAUK RIVER WATERSHED ONE WATERSHED, ONE PLAN PROJECTS

WHEREAS, the Minnesota Board of Soil and Water Resources has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan, consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and

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WHEREAS, the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and the Sauk River Watershed have interest in developing comprehensive watershed management plans for these areas.
management plans for these areas. NOW, THEREFORE, BE IT RESOLVED, that Todd County recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and BE IT FURTHER RESOLVED that Todd County welcomes the opportunity to collaborate with the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and Sauk River Watershed for watershed-scale planning efforts in the future; and BE IT FURTHER RESOLVED that the Todd County supports an application to the Board of Water and Soil Resources for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties, soil and water conservation districts, and watershed districts within the Redeye River Watershed and Sauk River Watershed, to collaborate on this effort, pending selection as a recipient of a planning grant.

**Buffer Jurisdiction and Enforcement**

Tim Stieber, SWCD Director gave an update of SWCD recommendations for buffer jurisdiction and enforcement and held discussion.

**Adjourn**

The meeting was adjourned by Chairperson Pesta and Chairperson Erickson at 10:30 a.m.

On a motion by Kircher and second by Neumann, the preceding minutes of the County Board meeting held February 7, 2017 were duly approved by unanimous vote at the Todd County Board of Commissioners at the Regular Board Meeting held on February 21, 2017.

Witness my hand and seal:

Rodney Erickson, County Board Chairperson

Denise Gaida, Todd County Auditor-Treasurer
Todd County: Overview of Nitrate Levels in Private Wells (2016)

The Minnesota Department of Agriculture (MDA) determines current nitrate-nitrogen concentrations in private wells, on a township scale, through the Township Testing Program. The MDA has identified townships throughout the state that are vulnerable to groundwater contamination and have significant row crop production. The MDA plans to offer nitrate testing to 70,000 private well owners in over 300 townships by 2019.

Each selected township is offered testing in two steps, the “initial” sampling and the “follow-up” sampling. In the initial sampling, all township homeowners using private wells are sent a nitrate test kit. If nitrate is detected in their initial sample, the homeowner is offered a follow-up nitrate test, pesticide test and well site visit. Trained MDA staff visit willing homeowners to resample the well and then conduct a site assessment. The assessment helps to identify possible non-fertilizer sources of nitrate and to see the condition of the well. A well with construction problems may be more susceptible to contamination.

The MDA and the Todd Soil and Water Conservation District worked together to select townships and implement the nitrate testing project. The following townships were selected: Burleene, Burnhamville, Gordon, Hartford, Kandota, Round Prairie, Stowe Prairie, Ward, and West Union. The initial sampling in Todd County started in 2016 and follow-up sampling is scheduled for 2017.

Results

The initial well dataset contains all wells tested (797) regardless of well construction issues and sources of nitrate. The Health Standard for nitrate-N in drinking water is 10 mg/L. The results from the initial well dataset are summarized in the table and map below.

Table: Todd County Initial Well Dataset Results, 2016.

<table>
<thead>
<tr>
<th>Township</th>
<th>Number of Wells Tested</th>
<th>Min</th>
<th>Max</th>
<th>Mean</th>
<th>Median</th>
<th>Percent of Wells ≥10 mg/L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burleene</td>
<td>56</td>
<td>&lt;0.05</td>
<td>8.3</td>
<td>0.5</td>
<td>&lt;0.05</td>
<td>0.0%</td>
</tr>
<tr>
<td>Burnhamville</td>
<td>175</td>
<td>&lt;0.05</td>
<td>35.4</td>
<td>2.3</td>
<td>&lt;0.05</td>
<td>8.0%</td>
</tr>
<tr>
<td>Gordon</td>
<td>116</td>
<td>&lt;0.05</td>
<td>23.2</td>
<td>0.5</td>
<td>&lt;0.05</td>
<td>2.6%</td>
</tr>
<tr>
<td>Hartford</td>
<td>82</td>
<td>&lt;0.05</td>
<td>23.0</td>
<td>1.5</td>
<td>&lt;0.05</td>
<td>8.5%</td>
</tr>
<tr>
<td>Kandota</td>
<td>121</td>
<td>&lt;0.05</td>
<td>13.0</td>
<td>0.5</td>
<td>&lt;0.05</td>
<td>0.8%</td>
</tr>
<tr>
<td>Round Prairie</td>
<td>87</td>
<td>&lt;0.05</td>
<td>24.2</td>
<td>1.5</td>
<td>&lt;0.05</td>
<td>5.7%</td>
</tr>
<tr>
<td>Stowe Prairie</td>
<td>50</td>
<td>&lt;0.05</td>
<td>12.9</td>
<td>0.8</td>
<td>&lt;0.05</td>
<td>4.0%</td>
</tr>
<tr>
<td>Ward</td>
<td>76</td>
<td>&lt;0.05</td>
<td>33.2</td>
<td>2.1</td>
<td>&lt;0.05</td>
<td>7.9%</td>
</tr>
<tr>
<td>West Union</td>
<td>34</td>
<td>&lt;0.05</td>
<td>42.9</td>
<td>2.7</td>
<td>&lt;0.05</td>
<td>5.9%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>797</strong></td>
<td><strong>&lt;0.05</strong></td>
<td><strong>42.9</strong></td>
<td><strong>1.4</strong></td>
<td><strong>&lt;0.05</strong></td>
<td><strong>5.0%</strong></td>
</tr>
</tbody>
</table>

*All well types included

Published January 2017
Next Steps

Once the follow-up sampling is completed, the MDA conducts an analysis of the results and prepares a final report for each county (visit [www.mda.state.mn.us/townshiptesting](http://www.mda.state.mn.us/townshiptesting)). The Todd County Final Report will be available in 2018.

The MDA uses the final results to determine if additional action is needed, as described in the Minnesota Nitrogen Fertilizer Management Plan (NFMP). Find more information about the NFMP on the MDA website at [www.mda.state.mn.us/nfmp](http://www.mda.state.mn.us/nfmp).

Funding Acknowledgement

Funding for this project is provided by the Clean Water, Land and Legacy Amendment

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In accordance with the Americans with Disabilities Act, this information is available in alternative forms of communication upon request by calling 651-201-6000. TTY users can call the Minnesota Relay Service at 711. The MDA is an equal opportunity employer and provider.
The Minnesota Department of Agriculture (MDA) is proposing a new rule for nitrogen fertilizer use in areas of the state vulnerable to groundwater contamination. The purpose of the proposed Nitrogen Fertilizer Rule is to minimize potential sources of nitrate pollution, reduce nitrate contamination in groundwater and protect our drinking water. The new rule will be based on guidance outlined in the Nitrogen Fertilizer Management Plan (NFMP). There will be opportunities for public input throughout the process. Development of the rule is underway and the rule will become effective after it is adopted.

**Vulnerable Groundwater Areas**

- The use of nitrogen fertilizer in vulnerable groundwater areas will be restricted in the fall and on frozen soils.
- The proposed rule will be based on the nitrogen BMPs developed by the University of Minnesota.
- Restrictions will vary for different regions and soil types.
- Exceptions will be considered based on crop and BMP region.

Vulnerable groundwater areas will be defined through the rulemaking process. The map below shows where the proposed rule may apply.

**Vulnerable Aquifers and Nitrogen Best Management Practices (BMP) Regions**

Areas in pink are considered the most vulnerable to groundwater contamination.

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**Minnesota Department of Agriculture contact:**

Larry Gunderson  
651-201-6168  
larry.gunderson@state.mn.us  

November 2016
Mitigation Levels

The Proposed Nitrogen Fertilizer rule will contain four mitigation levels. Levels will be determined by:
1. Current nitrate levels in groundwater;
2. Nitrogen BMP Adoption

- Level 1: Voluntary
- Level 2: Voluntary
- Level 3: Regulatory Commissioner’s Order
  - 3 year BMP adoption period
- Level 4: Regulatory Commissioner’s Order
  - BMPs NOT Adopted

- All areas identified with nitrate contaminated groundwater will begin in a voluntary level;
- A local advisory team will advise the MDA regarding appropriate response activities for the area and to support implementation of these activities;
- If the BMPs are adopted it is unlikely additional regulations will be required;
- If nitrate concentrations are unacceptable and farmers do not adopt the BMPs, the MDA may move into the regulatory levels; and
- The proposed rule will include a list of site specific management practices that may be required if areas progress to a regulatory level of the NFMP.

Opportunities for Public Involvement in the Rule Making Process

Notice Published
Request for comments published in the State Register. This is the first opportunity for public comment and occurs very early in the rule making process.

Minnesota Department of Agriculture develops rule and Statement of Need and Reasonableness (SONAR)

Notice of Intent to Adopt Rule published in State Register. This is a formal opportunity for public comment

Adopt without a Public Hearing (<25 requests, no public hearing)
Adopt with a Public Hearing (>25 requests, public hearing held)

Publish Final Adoption of Rule


Note that the above timeline simply highlights the opportunity for public participation. The full rulemaking process includes review by the governor and other administrative state agencies. A more detailed timeline is available on the Nitrogen Fertilizer Rule Website. www.mda.state.mn.us/nfr.

In accordance with the Americans with Disabilities Act, this information is available in alternative forms of communication upon request by calling 651-201-6000. TTY users can call the Minnesota Relay Service at 711. The MDA is an equal opportunity employer and provider.
January and February 2017 Staff Report

Tim Stieber, Division Director

Meetings & Coordination
• Participated in SWCD staff meetings as needed – generally 1X per week.
• Prepared for and presented at 3 BOC meetings with action forms and associated follow up.
• Prepared for and participated in a SWCD board meeting.
• Prepared for and presented at a Joint BOC / SWCD meeting in February.
• Participated in TEP meetings Jan. and Feb. and worked with Lew on follow-up.
• Attended livestock advisory meeting and an MDA livestock planning meeting in Little Falls.
• Met with Sauk River Watershed District and cooperators within Redeye Watershed regarding Todd County participation in a one watershed one plan grant application.

Operations
• Worked with Sarah on developing work hours / reporting sheets to be used for 2017.
• Attended a BWSR grant management training with Sarah in Brainerd.
• Worked on WCA cases with other staff, visited with landowners at the office, assisted with applications and prepared notices of decision. Adopted and distributed the new WCA Policy.
• Attended 2 Department Head meetings.
• Acquired a new vehicle for staff use.
• Presented on radio in January and February.

Field Projects and Activities
• Went into field with Deja to visit manure violation sites and Lew to WCA application sites.
• Worked to complete all e-link reporting by the end of January.

Planning & Zoning
• Finalized Planning and Zoning Ordinance changes that have been in the works for 3 months.
• Organized 2 PZ staff meeting
• Worked with multiple landowners on land use cases and applications.
• Implemented a new Environmental Review Sheet for shoreland BOA applications.
• Prepared materials, presentations, and follow-up for cases for 2 Planning Commission and 2 Board of Adjustment meetings.

Staff Management
• Completed staff evaluations, one-on-one discussions, and follow-up.
• Set 3 month goals for WCA Coordinator.
• Met with staff one-on-one as needed during the past 2 months.

Signatures
• Signed vouchers for SWCD and P&Z Expenses during the month.
• Signed WCA decisions for the month.
• Signed Planning and Zoning permits and decisions.
Feedlot Staff Report for- January 5, 2017- March 1, 2017

Site visits (8* total as of March 1, 2016):
- **Meiners**: Initial Review of Engineer Plans – Conservation Delivery
- **Panek**: Producer initiated site visit, facility assessment, WCTSA request form
- **Buders Stockyard**: Site visit
- **JR B Heifers**: Site visit
- **Decker**: Land application inspection
- **Lines**: Land application inspection
- **Twardowski**: compliance inspection for registration purposes
- **Stelling Land and Cattle**: permitting/ registration visit

In office producer assistance meetings: *(Total of 10)*
- **Kraemer**: (2/3) 3.5 hrs. and (2/24) 1.5 hrs
- **Meiners**: (2/7) 1.5 hrs.
- **Henrich**: (2/7) 1.5 hrs.
- **Julig**: (2/7) 1.5 hrs.
- **Katterhagen**: (2.7) 1.5 hrs.
- **Twardowski, C.**: (2/22) .5 hrs.
- **Twardowski, J.**: (2/22) 2.5 hrs.
- **Hauers**: (2/28) 1.5 hrs.
- **Panek**: (2/28) 1.5 hrs.
- **Bocks**: (2/28) 1.5 hrs.

Producer/Citizen Assistance (Feedlot Related): *(79 to March 1, 2017)*

Complaints (1)
- **Land Application Setbacks/ over application - Substantiated**
- **Stocking Limitations - Partially substantiated**
- **Road Conditions - Unsubstantiated**
- **Direct application into a wetland - Unsubstantiated**

Meetings/ Trainings: SWCD Staff Meetings (1/9; 1/17; 1/20; 1/23; 2/6; 2/21); Division Meeting (1/14; 2/13); Livestock Advisory Meeting (2/8); MACFO/FeMAT meeting (2/16); SWCD/NRCS Combo Meeting (2/1); 319 Grant Meeting (1/5); Feedlot Venue/ Technology Meeting @ CLC (2/3); Volunteer Meeting w/ GIS and Hagan for Feedlot survey (1/9); Certified Ag Waste training (1/25); MDA Statewide Exercise Statewide planning Meeting (2/2); Area Technical Training Team (2/22); GIS Feedlot Layer Meeting (2/13); BOA Meeting (2/2); Osakis Watershed Stakeholder Meeting (1/18 & 3/2); Employee Evaluation Meeting (2/9)

Other: 53 hours TEMPO entry (11 hrs. registrations & 42 hrs. data entry); Tree Sales; GIS Sales; Two Articles; Open Mic Radio; Feedlot Meeting Planning and Prep; End of Year Reporting for MPCA (13.5 hrs.); MPCA discrepancy list for reporting purposes (16 hrs.); MPCA Financial Reporting (2 hrs.); Jennie –O FGA South County CSF Permit; 319 grant Research (11 hrs.); Rinde Bid Packets (10 packets total); assisted with elink reporting; Sauk Lake- owner assistance research- property inquiry for purchase; RCPP inquiry letter; Agrevolutions Plastics collaboration; SWCD Reporting 2 hrs.

Submitted by Déjà C. Anton- SWCD Livestock Advisor, CFO —March 1, 2017

To Meet the Public’s Needs by Protecting the Land and Safeguarding the Water
Meetings & Training
- Weekly Staff Meetings
- Monthly Division Meetings
- NRCS & SWCD Meeting
- Board Meeting
- Stalk Nitrate Testing Meeting
- Osakis Meeting with SRWD
- Stearns County Contractor Meeting
- Forest Management for Drinking Water – Camp Ripley
- RCPP – Camp Ripley

Technical Assistance Provided
- Charles Moberg – Tree plan
- Byron Cook – Tree plan
- Buffers at counter

Buffers
- Analyzing data and compliance
- Working with landowners to identify buffer needs
- Working in BWSR’s BuffCAT (Buffer Compliance and Tracking Tool)
- Site visits – 0
- Working with Shannon on identifying “Other Waters”
- Scheduling site visits to flag buffer areas

MAWQCP
- 10 applications being processed
- 1 producer certified – Shawn Jordahl
- Site visit/meetings – 3

Feedlots
- Assisting Deja with feedlot meeting donations and prep work

Cost Share

**Potential Project Site Visits**
- Ag Waste – 1
- Stream Erosion – 2

Events/Outreach
- None
STAFF REPORT FOR SHANNON WETTSTEIN

Board Meeting, March 2017

Training
- Stearns County Shoreline Contractor Meeting, College of St. Benedict 1/19/17
- Mississippi Brainerd and Sartell Watershed Cohort 1/11/17 & 2/8-2/9/17
- Staff Annual Review

Projects
- Current/Recently Completed Projects
  - None
- Upcoming projects for approval
  - None
- Visited Cost Share Spot Checks
  - None
- Provided Technical Assistance
  - Wolters/Sinnen (Big Swan)
  - Troska (Osakis)
  - Joe Godette (Long Prairie River)
  - Schreckengaust & Pearson (Big Lake)
  - Met with landowners and Ross & Luke: Wolters, City of Swanville, Fletchers & Westerberg
- Potential projects for Shore Land / River Restoration / Erosion
  - None
- Aquatic Invasive Species (AIS)
  - RFP Released for Watercraft Inspections, Control and Landing Cost Share Projects
  - Signs for Signage Inventory received from DNR
  - Attended DNR Watercraft Inspection summary meeting
- RIM/WRP
  - Payouts made to landowners
- Township Testing Program
  - Initial Results Presented- see handout
  - Planning for follow-up outreach and staff training
- Mississippi River Brainerd Watershed
  - SWAG sampling complete for 2016, will start again in May 2017
  - Attended “Cohort” Training
- Outreach
  - Planning and Zoning Commission Members
  - City of Hewitt City Council Meeting
  - Feedlot Donation Requests (Danielle)
  - Ag Plastic sign-ups with local producers
- Meetings
  - Weekly Staff Meetings
  - Long Prairie Well Head Protection Planning Meeting
  - One Watershed One Plan Meeting for Redeye River Watershed (Gary Kneisl and Tim Stieber also present)
  - One Watershed One Plan Meeting for Sauk River Watershed (Tim Stieber also present)
  - County Annual Permit Meeting – Bridge Projects
  - Other Waters Discussion with GIS
  - SWCD Database Discussion with Nate Hylla from Stearns County
  - GIS Special Project with Volunteer – Mapping Pits, Historic Farms and Feedlot Locations
- Funding
  - 319 PCA – Osakis Lake Watershed
  - Todd Wadena Electrical Co-op Operation Round-Up - $1,500 awarded for Enviro-Fest
Reporting Dates: January-February 2017

**Trainings attended:** WIA Webinar

**Upcoming trainings to attend:** September, Wetland Delineation

**WCA:**

New Applications received:
- Lance Grewe – Stowe Prairie Twp.
- Michael Martin – Burleene Twp.
- Roger Triebenbach – Leslie Twp.

Notice of Decisions:
- Lance Grewe – Stowe Prairie Twp.
- James Nathe – West Union Twp.
- Michael Martin – Burleene Twp.

Ongoing cases and Violations:
- Mose Miller – Eagle Valley Twp.
- Olaf Dahlgren C/O Josh Discher – Germania Twp.
- Eric Denny – Reynolds Twp.
- Dennis Thiel – Germania Twp.

Other:
- Randy Pekula – Little Elk Twp.
- Mark Parteka – Ward Twp.
- Battle Point Park – Gordon Twp.

Customer outreach:
- 11 Site visits
- 20 Phone calls, office visits, etc.

**SWCD:**
- Walk-In-Access with MNDNR
- Irrigation Plan – Mark Tiede

**County:** Security trainings
Financial/Administrative:
- Year-end of reporting – Working with Tim on clarifying roles in reporting. I recommend keeping it consistent.
- Submitted staff evaluation. Had staff evaluation with Tim.
- Completed financial summaries for grants
- Continued to add parcels landowner files (transition)
- Manage Tree Sale Program
- Submitted 2016 Precipitation Data report
- Provide recommendations for staff time cards
- Computed billable rates for 2017. (Modified rates include: 2017 Hourly wage + benefits, previous year’s Annual Leave, sick leave). Reviewed and approved by Tim
- Met with 3 producers about AgBMP Loan applications

Feedlot Program:
- Assisted in feedlot registrations
- Provided financial summary to Tim to report on Feedlot program; provided comments on his report.
- Assisted Deja with postcard mailings for Feedlot Meeting

Funding:
- Mailed out 16 letters to landowners in the Long Prairie River Watershed about current funding for pit closures

Meetings/Trainings:
- Attended AgBMP Loan training in St. Cloud.
- Met with Stearns SWCD, Shannon, MIS on database program for SWCD
- Attended weekly staff meetings
- Meet daily with Tim

Upcoming Meeting/Trainings:
- Feedlot Meeting-Registration Table

County Programs:
- AIS: No Report
- P&Z: Deposits. Provided input on their receipting reporting.
- GIS: Created receipting procedure. (new process.)

AIS Program:
- Reviewed proposed budget with Shannon

Upcoming Events:
- Feedlot Meeting: Thursday, March 16, 2017
- Contractor Meeting: Wednesday, March 22, 2017
• Attended WIA training with Lew. Have numerous LO’s interested.
• Attended RIM Rice board update meeting in Brainerd. More funding in Phase IV still available. Seeking more applications.
• Attended a CREP training webinar. Much more to come.
• Attended Pheasant Fest in Minneapolis 17-19th. Talked to 30+ land owners ranging from Wisconsin to Washington to Texas. Had six Todd County landowners stop at booth. Two have followed up so far with potential projects.
• Signed agreement for RIM Rice application. Still have to do title insurance work. Blake Dirks–Little Fish Trap Lake.
• Signed seven CRP contracts for 219 acres.
We have completed the EQIP plans and are awaiting state decisions on funding for contract. We should know by early April. We have $2,577,971 in requests with 40 applications. Of the original applications 18 cancelled or were not eligible; many due to not getting timely program and payment rate information.

We are finishing the last few CSP payments. For 2017 we received 12 applications and will be working on completing the inventory and ranking in March and April. Contracts won’t be obligated until June.

Currently, we are starting to catch up on past workload and backlog. A large amount of my time is spent doing administrative duties since we have been unable to hire another person to fill Cariss Benning’s vacant position. We haven’t heard much on the new contract agreement or when it will be finalized and a contractor selected.

We still have been managing to keep moving forward on workload and to meet major deadlines. However, we are still behind but catching up as mentioned above. We continue to have a decline in our ability to provide timely and good customer service, but are doing our best. We continue to work extra hours where we can. Jennifer Sweeney is now the acting ASTC(FO), my supervisor currently and into the foreseeable future at this point for both Area 1 and 2; now referred to as the Northwest Area.
January 12, 2017

Chuck Rasmussen
Todd County Attorney
221 1st Avenue South, Suite 400
Long Prairie, MN 56347

Dear Mr. Rasmussen:

The Todd Soil and Water Conservation District Board has become aware of the extensive shoreland violation that took place on Big Birch Lake – that on parcel #11-0043800 – on the property of Blake Elliott. It is our understanding that this violation is one of the largest that staff have ever witnessed.

All lakes in Todd County are important and extensive efforts have been made to protect them through voluntary and regulatory efforts. The amount of tax revenue generated from the clean lakes in Todd County is important for county operations. Lake health and water quality are placed in high value by our residents. The violation on Big Birch Lake is a direct threat to Big Birch Lake but it is also dishonors the many residents and many years of effort to clean-up and keep our lakes in good shape.

The Todd SWCD Board encourages your office to work diligently to bring the case against Mr. Elliott to full resolution with the end result being restoration of the peninsula to a stable and planted condition. Many members of the public have contacted the SWCD office asking why this case has not been resolved. The public is watching and this one case will have ramifications as we move forward.

Again, the board would like full and complete prosecution of the case against Mr. Elliott with the result being complete restoration of the degraded peninsula in Big Birch Lake.

Respectfully Submitted,

Kenny Pesta
Board Chair

To Meet the Public's Needs by Protecting the Land and Safeguarding the Water