

TURTLE CREEK WATERSHED DISTRICT

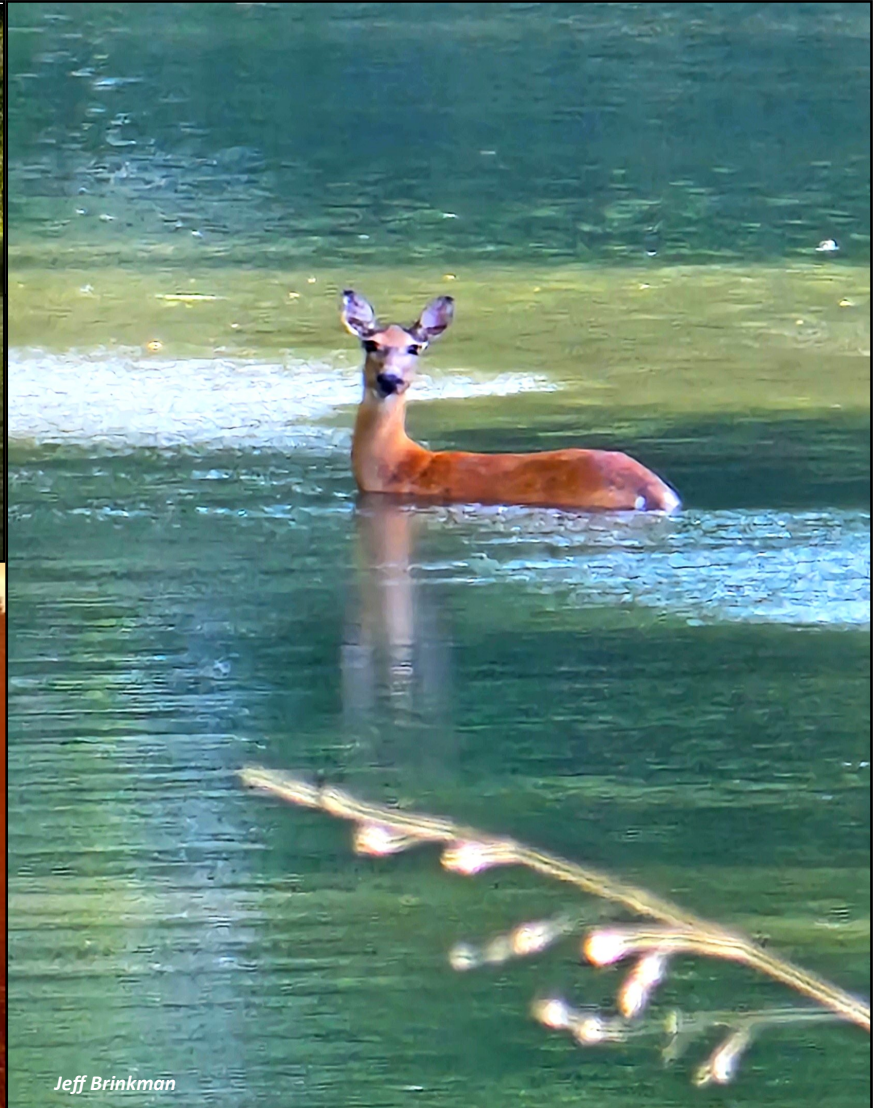
2023 ANNUAL REPORT



Leah Ferch



Isaac White



Jeff Brinkman



2023 Board of Managers

(Left to right)

James Fett
Administrator

Michelle O'Connor
Chair

Jeff Ravenhorst
Manager

Nancy Finley
Recording Secretary

Jon Erichson
Treasurer

Pete Van Erkel
Secretary

Dave Vanderploeg
Vice President

Turtle Creek Watershed District

1408 21st Ave NW, Ste. #2

Austin, MN 55912

(507) 434-2603, ext. 5

www.turtlecreekwd.org

Turtle Creek Watershed District

Established:	November 14 th , 1968	
Mailing Address	1408 21st Ave NW Suite 2 Austin, Mn. 55912	
Meeting Date:	3 rd Tuesday of each month 5:00 PM City of Hollandale and Riceland Township Government Center Hollandale, Mn. 56045	
Attorney:	John Kolb—Rinke-Noonan 1015 W. St. Germain St. Suite 300 PO Box 1497 St. Cloud, Mn. 56302 320-251-6700 email: johnkolb@rinkenoonan.com	
Recording Secretary	Nancy K. Finley 24701 515 th Ave Austin, Mn. 55912 507-438-4473 email: nancykfinley@gmail.com	
Terms:	3 years	
Michelle O'Connor	28933 872nd Ave Austin, Mn. 55912 507-438-1939 email: shellanno@icloud.com	Freeborn 11-13-24
Jeff Ravenhorst	82329 290th St. Hollandale, Mn 56045 507-383-6428 email: jeffRaven@hotmail.com	Freeborn 11-13-26
Jon Erichson	911 18th St. SW Austin, Mn. 55912 507-438-2339 email: jerichson@harter.net	Mower 11-13-25
Dave Vanderploeg	28674 810th Ave Hollandale, Mn. 56045 507-383-4981 email: daveandkarenavp@gmail.com	Freeborn 11-13-25
Peter H. VanErkel	503 Hague Ave South Hollandale, Mn. 56045 507-383-3079 email: phvanerk@gmail.com	Freeborn 11-13-26

The following Officers for 2024 were elected:

Chairperson	Michelle O'Connor
Vice Chairman	Dave Vanderploeg
Treasurer	Jon Erichson
Secretary	Peter Van Erkel
Manager	Jeff Ravenhorst

*Turtle Creek Watershed District Advisory Committee
elected March 2021:*

Allan Ravenhorst	Hollandale, Mn.	56045	507-383-6893
Brad Edwards	Hollandale, Mn	56045	507-383-9445
Dean Reed	Hollandale, Mn.	56045	507-402-0403
Mike DenHerder	Hollandale, Mn	56045	507-383-1078
Arlen Schamber	Austin Mn	55912	507-993-3985

The Turtle Creek Watershed Board of Managers held 12 regular meetings during the 2023 year and provided Zoom access to those meetings. Also holding one workshop for goals for the year and accomplishments from the previous year.

The following were permit applications approved by the Managers during the year:

19 tiling applications, 2 Wetland applications, and 1 culvert replacement application.

The budget for 2023 was set as follows:

Attorney Fees (Rinke Noonan)	\$10,000.00
Recording Secretary /Expenses	\$ 7,200.00
Managers	\$ 8,500.00
Administrative Services (Mower SWCD)	\$ 18,500.00
Audit and Monthly Financial Services	\$ 6,500.00
Viewers Association and MAWD Dues	\$ 3,500.00
Insurance	\$ 2,200.00
Advertising and Postage	\$ 1,000.00
Rent	\$ 800.00
Water Monitoring and Water Plan	\$ 6000.00
Incentives, Cost Sharing, Conservation	\$ 22,900.00
Tree Removal	\$ 15,000.00
Beaver Tails	\$ 2,500.00
Clean Water Legacy	\$ 10,000.00
Total	\$ 114,000.00

In January 2023 Steve Penkava gave the following crop damage rate for the year:

Steve Penkava gave the following Crop damage rate report for 2023: It is the policy of Freeborn County to set a rate of pay for crop damages that may occur due to repair, improvement, or construction projects. This is done at the beginning of the year for the entire year.

The yield is determined by using a three-year average yield for Freeborn County from data received from the USDA. (National Agricultural Statistics Services)

The sale price is determined by using an average sale price for “new crop” corn and beans from three local elevators on December 27th 2022.

Corn damage rate 198.6 bushels @ \$5.58 = \$1,108 per acre

Bean damage rate 56.3 bushels @ \$113.39 = \$754 per acre

Freeborn County Crop Damage Rate for 2023 (Not planted)

It is the policy of Freeborn County to set a rate of pay for crop damage that may occur due to repair, improvement, or construction projects. This is done at the beginning of the year for the entire year.

In anticipation of an upcoming project the County may occasionally ask a landowner not to plant the area to be worked on. This gives the Contractor more time to complete projects and may also result in better quotes.

The rate of pay for not planted acres is \$660. Per acre. This rate is based off from an average annual rental rate of approximately \$375.

The first year the unplanted acres would have no yield

The second-year yield reduction would be approximately 50% because the soil has been disturbed.

The third-year yield reduction would be approximately 25% because the soil has been disturbed

The fourth year the yield should be back to normal.

These two documents have been signed by 3 Drainage Ditch Viewers and Pat Martinson Freeborn County Auditor-Treasurer. Jeff made a motion to accept these reports seconded by Jon and carried.

Also in January 2023 with Att’y Kurt Deter’s retirement John Kolb from Rinke Noonan will be the primary attorney for the District. After Managers discussion the Board requested James contact John with the Board’s options for legal assistance to be discussed when the full Board is available.

It is a requirement to meet each year with the Citizens Advisory Committee. James will contact the Committee to arrange the meeting before the regular Board meeting in March 2023 and invite those members to stay for the Board meeting. This will be confirmed at the February meeting.

James supplied maps and discussion of the MN Department of Health and MN Rural Water association in the process of designating a wetland protection area and drinking water supply management area for the City of Clarks Grove. James spoke with one of the leads on the project and found that it is a pretty standard procedure with no alarming conclusions.

Jeanine attended the meeting with the following Geneva Lake update:

Geneva Report: Lake levels are near normal with stop logs set at the full-service level. There was continuous flow over the dam in summer. A habitat survey was conducted in mid-July. The lake has been more turbid (green) this growing season due to suspended algae. The Secchi disk measurements averaged only 8 inches, which is well below our goal of >2.2 feet. Average water depth was about 3 feet. Total Phosphorous was 0.223 mg/liter.

Submersed plants were widespread. They were found on 96% of the 105 points surveyed. However, they were rated as only sparse on about 89% of the sample points. A reasonable diversity of species was found with good stands of wild celery (a particularly valuable food and cover plant) supported. Stands of cattails have continued to die-back and emergent cover is estimated to be less than 10% of the total basin area.

Wildlife use at the time of the survey was dominated by fish eating birds such as cormorants, pelicans and herons. I don't have any fish sampling data. Observations were that bullheads are common had a very good recruitment year. If carp are present at all it would appear numbers are low. Yellow perch are not uncommon, but northern pike have largely disappeared.

Jeanine would recommend lowering the lake in late winter and through summer 2023 to control less desirable fishes and to regenerate bulrushes and cattails.

At the February 2023 meeting Jon made a motion to accept and sign the Legal agreement confirming that the TCWD have read the agreement and understand its provisions and agree to abide by the legal services between the District and Rinke Noonan. Jon Erichson signed the Agreement and returned to James who will fax to the Rinke Noonan office. Thanks John Kolb and Welcome to TCWD Board.

Also, in February Nancy has sent out an invitation to the Citizens Advisory group regarding a meeting before the March Board meeting, as this is a requirement listed in MN Statute that we are required to have a meeting at least once a year as a Watershed District.

At 5:30 PM Pete made a motion to pause the regular meeting for the scheduled public hearing seconded by Dave and carried. Chairperson Michelle called the hearing to order and read the Welcome.

John Kolb explained the purpose of the Preliminary hearing for County Ditch 31 Improvement.

At this time Att'y Donnelly stated the Petitioners have concerns and questions at the time of the scheduled hearing and have a future meeting set up to discuss these concerns therefore Att'y Donnelly requested a Continuance hearing date be set.

Pete made a motion to recess the hearing and set the date of March 21st, 2023 at 5:30 PM at the Government Center in Hollandale Minnesota for a Continuance hearing seconded by Jon and carried.

Att'y Kolb verified that no further publications or notices were required if the date, time, and place was documented in the Minutes and Att'y Donnelly was present representing the Petitioners.

Pete made a motion to close the hearing seconded by Dave and carried.

James also reported the Minnesota Watersheds annual summer tour will be held in Albert Lea Minnesota June 20th—June 22nd 2023 and hosted by Shell Rock, Turtle Creek and Cedar River Watersheds. There will be a Welcome dinner on Tuesday June 20th, 2023 at Wedgewood Cove and a bus tour showing conservation projects across all 3 watershed districts on Wednesday June 21st 2023.

Jeanine planned on attending the meeting however due to weather conditions she forwarded Nancy this email to share with the Board:

Geneva Report: Lake levels are near normal, but a little high given the season, especially after recent heavy rain. Stop logs set at the full-service level with continuous flow over the dam. We plan to begin gradually lowering the lake soon (maintaining a close watch on runoff). The lake does not appear to have winterkilled and dissolved oxygen monitoring suggests good overwintering conditions for fish. The water is turbid (green) under the ice, suggesting algae and plant growth has been sustaining the oxygen levels.

Jeanine would recommend lowering the lake in late winter and through summer 2023 to control less desirable fishes and to regenerate bulrushes and cattails.

At the March 2023 meeting Chair Person Dave called the hearing to order and reconvened the continued preliminary hearing in the matter of the petitioned improvement of CD 31. The Board President called upon attorney Kolb to address the matter. Kolb reported to the Board the status of petitioners' work with the engineer to address plan revisions for the improvement and the

lack of revised plan. Kolb also reported to the Board of apparent disagreements among petitioners over whether to proceed with the petitioned improvement. Finally, Kolb addressed the discovery of an exceedance of costs beyond the petitioners' bond. Based on the exceedance of costs, Kolb explained, the Board is unable to take any action in the proceedings until the bond is increased. Kolb recommended an indefinite continuance of the proceedings and, following that action, if taken, the Board invite comments from petitioners and their attorney. Kolb further explained his understanding that a majority of the petitioners may request dismissal of the proceedings. Manager Jon asked Kolb the effect of dismissal and how costs would be recouped. Kolb responded by explaining his opinion of how the drainage code works to ensure costs are recovered by petitioners even when in excess of the bond. Kolb also explained options for recovering costs by assessment to petitioners' lands. Freeborn County Auditor-Treasurer, Pat Martinson, confirmed costs incurred to date exceed \$190K.

Motion by Jon, seconded by Pete to continue the hearing indefinitely and to notify petitioners of the requirement of an increased bond. Motion passed with managers (those present) voting in favor. Dave then recessed the continued hearing and reconvened the regular meeting, calling for comments from the petitioners and their attorney. Petitioners' attorney, Dan Donnelly, confirmed Kolb's description of the status of the proceedings and stated that he believed there would be a request for dismissal from a majority of the petitioners. Petitioner Chad Jerde commented on the likely filing of a request to dismiss the proceedings and asked that the Board work with petitioners on a plan to recover the costs as a tax assessment, noting that the costs are substantial. Jerde also commented on the lack of notice or knowledge of petitioners of the costs incurred to date. Kolb suggested that, if of value to the District in its watershed management activities, the Board could pay a portion of the costs of the engineering in order to reduce the overall liability of the petitioners. Upon dismissal, the engineering becomes the property of the petitioners and can be used to support a future petition for improvement, if any.

Jeanine Vorland attended the meeting and gave the following report on Geneva Lake:

Stop logs are presently set at full service level (all stop logs are in the dam). There is flow over the dam, but the lake has not come up much with snow melt to date. We are monitoring runoff and hope to start removing stop logs soon. I plan on lowering the lake through summer 2023 to regenerate bulrushes and cattails. The lake does not appear to have winterkilled and the water remains turbid with algae growth under the ice.

At the April 2023 meeting Att'y Kolb gave the Board an update regarding the current status of the CD#31 situation including what would happen if the Petitioners do not make a decision on the project or do nothing. After discussion Jon Erickson made a motion to direct Att'y Kolb to notify Att'y Dan Donnelly the Board will expect a decision by the May 16th 2023 at the regular Turtle Creek Board meeting or the TCWD Board will dismiss the Petition and call for cost conditions of the Petitioners. Motion seconded by Pete and carried.

Pat Martinson attended the meeting and provided a Bond summary to the Board of bond amounts vs expenses incurred on all public ditch projects within the TCWD.

James presented options to the Managers regarding Water Quality monitoring and ask if the Board would like CRWD to continue monitoring TCWD sites in conjunction with their monitoring run. After discussion including continuing each year, every other year, and the importance and usage of the information Pete made a motion to continue with the Water Monitoring seconded by Dave and carried.

Pete, aye, Dave, aye, Jeff, aye, Jon nay.

Also, in April 2023 the Summer Tour was discussed. Pete has generously offered to host a tour stop at his Maple Island wash plant on Wednesday June 21st, 2023 and will be giving two different presentations to two different groups through the day. The dinner will be held at Wedgewood Cove in Albert Lea, Mn on Tuesday June 20th at 5 P.M. James has not received reservation information yet at this time.

In May 2023 Jeanine Vorland attended the meeting for the Wetland permit application and also gave the following Geneva Lake Update:

Geneva update: Department of Resources staff began gradually removing stoplogs bringing the lake down to normal runoff levels. Recent rains caused lake levels to rebound to the higher levels we had earlier associated with snowmelt and rains in early spring. Stop logs are set at 6 inches below full service level at this time. The plan remains to lower the lake more aggressively as the growing season progresses in order to regenerate habitats.

Atty Kolb reminded the Board of their request from last month's meeting to direct Att'y Kolb to notify Att'y Donnelly of its proposed course of action. John emailed a letter titled "Timeline for Actions by Petitioners." This letter gave the petitioners until the May board meeting to either increase the bond or dismiss the project and determine how to cover costs.

In Att'y Donnelly's formal response it states the Petitioners have been in discussion regarding the Boards request however due to landowners' other obligations they have not been able to reach a conclusion. And request TCWD Board give an extension.

Att'y Kolb provided a spread sheet showing a list of all expenses incurred for the CD31 improvement to date totaling \$208,994.58. John, Steve Penkava and Pat Martinson have been working on determining what expenses should be paid by the maintenance/repair funds. Thus far, they have determined that at least \$31,581.75 or roughly 15% of the total CD31 improvement expenses could be paid by the maintenance/repair fund rather than the improvement fund. After discussion Pete made a motion to revisit this discussion at the June meeting seconded by Dave and carried. **Next meeting will be Tuesday June 27th 2023 at 5 P.M.**

Pete made a motion to accept John's recommendation, in summary the total project cost is \$208,994.58, John recommends a total of \$40,605.97 (\$31,581.75 + \$9,024.22) to be allocated to maintenance and inspection. Motion seconded by Dave and carried.

Att'y Kolb reported on the redetermination of benefits for J #24 identified 11 out letting ditches going into J. 24. The Freeborn County Auditor's office discovered that these ditches were not assessed properly for the repair fund. John is working with Freeborn County to correct the administrative error and assess and bill the out letting ditches correctly in the future.

James provided the Managers with handouts including maps and graphs from 2022 Water Monitoring sites. All four designed water monitoring sites began after the last board meeting and James discussed the data that CRWD collected. After discussion Dave made a motion to authorize James to establish spread sheets for annual data which TCWD would cover the cost, seconded by Pete and carried.

At the June 2023 meeting The Managers were provided with a series of email correspondence between Atty John Kolb, Att'y Dan Donnelly, and Att'y Dean Zimmerli. Mr. Zimmerli is an attorney with Gilsason & Hunter out of New Ulm that was hired by three of the CD#31 landowners who ask for advice and assistance in how to best address the costs and expenses of the petition in the event that the petition is dismissed.

Att'y Kolb updated the Managers regarding the email discussion.

Mr. Zimmerli shared with the Board that at this point, because he has been very recently retained, he has not had an opportunity to get up to speed on all the facts regarding this matter and requested the Managers postpone the formal action on this matter for another month until the July 2023 meeting.

Att'y Donnelly reported he had recently attended a meeting with the Petitioners. Both Att'y Kolb and Att'y Donnelly supported the request of Mr. Zimmerli to postpone the decision for the formal action.

After discussion ceased Jeff made a motion to postpone the formal decision until the July 2023 meeting seconded by Jon and carried.

The Ladlie/Viktora ditch crossing on J24 directly east of the Lake Geneva outlet was discussed. The current structure is failing and will soon be unable to support agricultural equipment. After discussion the Managers agreed precedence shows that in this situation the crossing should be treated as private and the replacement should be covered by the landowner. Att'y Kolb shared legal advice along with potential solutions for updated future policy to include partnership with a landowner.

James reports the tour went great. Pete did an awesome job with his presentation about the history of Turtle Creek including the conversion of wetlands to produce lands and the beginnings of the small village of Hollandale. Attendees were very impressed by the tour of his potato wash plant and storage facility. Jon personally thanked Pete from the Watershed Board.

In July 2023 Jon distributed the proposed Administrative Budget for 2024 in the amount of \$114,000.00, after discussion Pete made a motion to set the public hearing for the 2024 budget on Tuesday August 15th 2023 at 5:15 PM at the Government Center in Hollandale Minnesota. Dave seconded the motion. Nancy will publish the legal notice in the Austin Daily Herald—Mower Cty and Albert Lea Tribune—Freeborn Cty.

CD 31 Resolution was discussed. Both Att'y Donnelly and Att'y Zimmerli attended the meeting remotely. Zimmerly stated the Petitioners reached an agreement to dismiss the petition and to allocate the total costs of the project as a proportion of the acreage owned by each landowner. A copy of the agreement among the petitioners was provided to the board that showed the financial responsibility per each landowner. Att'y Zimmerli stated that over 90% of the landowners had signed this agreement. After discussion Pete made a motion for the Board to approve a preliminary resolution regarding the dismissal of proceedings that was drafted by Rinke Noonan. Final resolution will be sought for approval at the August Board meeting. In the meantime, Freeborn County will be double checking that all of the acreages and landowners' names in the agreement are

current and will determine the interest rates and repayment schedule for landowners. Dave seconded the motion and the motion carried.

The ditch viewers finished up their Redetermination of Benefits on CD J #30 and are prepared to set a hearing date. Pat Martinson needs about 6 weeks of lead time to send out letters and notices for the hearing. After discussion and agreement with Pat, Pete made a motion to set the hearing date for Tuesday Sept 19th at 5:15 PM. Pat will take care of publication for the hearing to be held at the Government Center in Hollandale Minnesota.

In August 2023 At 5:15 Dave made a motion to suspend the regular meeting for the Proposed Budget hearing seconded by Jeff and carried. Chairperson Michelle called the Hearing to order for the Proposed Budget hearing for the year of 2024. Nancy verified the publications in the Austin Daily Herald—Mower County and the Albert Lea Tribune—Freeborn County. James presented the proposed 2024 Administration Levy as you will find at the beginning of this report.

Hearing no public input Jeff offered the following resolution and moved for its adoption of the budget of \$114,000.00. Whereas, the Managers of the aforesaid district have had a hearing on its proposed budget for the year 2024, after publication hereof and having heard all persons interested therein, now therefore be it resolved that the budget herein before proposed and set forth in the published notice thereof, be and hereby is adopted for the year 2024. The motion was seconded by Dave and carried. Nancy will complete and forward copies to Freeborn and Mower County auditors.

Jeff made a motion to approve the final order dismissing improvement proceedings, allocating costs to petitioners and certifying the assessment of costs regarding CD#31. The final order is consistent with a preliminary agreement signed by over 90% of the petitioners. The preliminary distribution of costs was modified/verified by the Freeborn County Auditor-Treasurer and is listed as Exhibit A with the final order. Petitioners will be able to pay their costs up front, or have the balance assessed to their taxes with payment over 10 years with 3% interest. Dave seconded and the motion carried.

Att’y Kolb discussed options on how to handle the issue of cattle in Deer Creek on the Jones Property. John states there are several challenges including watering source and crossings, restrictions, and pollutant discharges from the livestock. After discussion regarding the removal of the fencing from the original project Att’y Kolb will do further research and bring a better solution to the next meeting.

In September 2023 at 5:15 P.M. Pete made a motion to suspend the regular Board meeting for the public hearing. Chairperson Michelle called the hearing to order as the Turtle Creek Watershed District Board of Managers acting as drainage authority under statutes chapter 103E for the redetermination of benefits of Freeborn Cty J30. Pat Martinson and Sandy Tomschin attended the hearing representing Freeborn County Audit-Treasure and verified the notice requirements from the Austin Daily Herald and Albert Lea Tribune. Viewer Mark Behrends gave the history of the area, and why the Drainage Authority ordered a redetermination of benefits. He then explained the meetings with landowners, how they proceed throughout the process using maps, LIDAR data and other information along with visual inspection of the watershed system. At this point the meeting would be opened for public comment, hearing none, the hearing was open to Managers discussion. Hearing no further discussion Pete made a motion the Viewers’ Report at Exhibit A are proper, reasonable and conform to the drainage code and moved to adopt the foregoing finds and order the redetermination of Benefits for J.30 seconded by Dave and carried. Upon vote, the Board chair declared the Resolution passed and the findings and order adopted dated this 19th day of September 2023. Pete made a motion to adjourn the hearing and return to the regular Board meeting seconded by Dave and carried.

With Steve’s absence James gave the B & W Control Specialist 2023 bid summary for tree and brush control for Main ditch 9.0 miles \$9,500.00 and Mud Creek 10.6 miles \$5,500.00 total of \$15,000. Pete made a motion to authorize Steve to oversee the brush control with B & W as they have done a good job in the past years for Turtle Creek seconded by Dave and carried.

With Steve’s absence James gave Steve’s update regarding the proposed repair levy for 2024. Each manager received a worksheet with levy options. After discussion Pete made a motion to Levy \$90,000. This motion died for lack of a second. Jon made a motion to levy \$125,000 seconded by Dave and carried. Jon, aye, Dave, aye, Pete Nay, Jeff absents. Motion carried. Nancy will forward copies to both Freeborn and Mower County auditors.

Cattle in the creek was again discussed at length, Att’y Kolb and James will work together to discuss possible options, James will check with Freeborn County to verify if they have a policy in place, possible cost share, or funding sources and report back to the Board in October as well as meet with the landowners in person.

The Board received an indirect request from a landowner, through the Board's engineer, regarding planting and maintenance of trees along and near the bank of Mud Creek (a public drainage system under the jurisdiction of the TCWD). The Board discussed the requirements of statutes chapter 103E regarding trees adjacent to the drainage system and obstruction of the drainage system obligation of inspection and maintenance. The right of way of the drainage system includes the area contemplated and included in the original establishment, and includes the area adjacent to the ditch that is reasonably necessary to complete statutorily required inspection and maintenance obligations. The Board's attorney advised it that it would be inconsistent with the drainage code to allow any landowners to intentionally plant and maintain trees adjacent to the ditch in a manner that impedes inspection or maintenance.

James provided photos of garbage and tires from Turtle Creek. A group of volunteers cleaned up a sizeable amount of garbage and tires from Turtle Creek stream bed, nearly 1000 pounds from a half mile in Southwest Austin. CRWD and Turtle Creek Watershed District worked with a group under our Adopt-A-River program with staff removing the pile and paying for its proper disposal. If interested in doing a river cleanup please contact CRWD Outreach coordinator Tim Ruzek at: tim@mowerdistrict.org

The issue of cattle being allowed to graze in Deer Creek was discussed once again at the October meeting. . James summarized his findings from meeting on site with the landowner along with the discussion with the landowners and renter. After lengthy discussion the Board decided to continue having James work with the landowners and renter to limit cattle access from Deer Creek and the 16.5 foot buffer from the top of each bank by installing a temporary fence and allowing cattle to cross at the two previously established crossing locations.

MAWD registration is available for the Managers that are able to attend. Jon made a motion to continue as in years past with the district authorizing 2 delegates and one alternate to represent Turtle Creek seconded by Jeff and carried. If interested please contact James for the dates, times and assistance with Registration.

Att'y Kolb discussed the Notice of drainage system interest for Freeborn County Ditch J-30 and its importance. John states this notice is the last step in the redetermination of benefits proceedings or other action on the drainage system to ensure the drainage system interest is recorded on affected properties. Jon Kolb said that he would redraft the document and have it signed and recorded by staff in Freeborn County.

Jon Erichson reached out to Peterson company for getting a bid for the TCWD 2023 financial audit. In response from Peterson Company, they stated their appreciation for the opportunity to again complete the audit and answer any questions with policies and procedures the Managers have. The year end audit fee will be \$5000.00. After discussion Jon recommended continuing with Peterson Company seconded by Pete and carried.

Pete and Jeff were both reappointed for another 3-year term as TCWD Board Members by the Freeborn County Board of Commissioners. James provided the Oath of Office forms for each to sign which will be kept on file at the Soil Service office.

Steve shared with the Board an updated concept plan and cost estimate to relocate a portion of Deer Creek for the John Angell CREP project. The plan and estimate were provided by BWSR. The Board supports the project and will continue to work with the landowners and BWSR. The Board will also investigate possible funding sources for the project.

Jon reported on an issue with a tree down in Turtle Creek. The landowner has refused access on his property to remove the tree. Jon is researching other options for access to remove the tree and will report again at the December meeting.

Jeanine Vorland attended the meeting with the following report:

Observations of Geneva Lake and a limited habitat survey have documented declines in habitat conditions and water quality. A major drawdown is planned to begin in winter with the hopes of reducing undesirable fish populations. Water levels are currently low and there has been little runoff due to the ongoing drought conditions. Work has started on additional wetland restoration work at the Wo Wacintanka Wildlife Management area.

At the December 2023 meeting Steve Penkava distributed packets to the Managers and discussed the CD#8 Improvement for the Managers to review for the next meeting and set a date of the public hearing.

Pete made a motion to have the annual workshop before the January meeting which will be January 16th to start at 3:30 in the afternoon. The Managers felt it would be beneficial to combine it with the Citizens Advisory Committee. James will invite the Advisory Committee to the workshop. Seconded by Dave and carried.

James distributed a copy of the memo from Rinke Noonan Att'y at law that outlines price increases for 2024.

James has been speaking with BWSR and Jeanine regarding opportunities for watershed-based implementation fundings to help fund the wetland restoration abutting the Kruger project on Wo Wacintanka WMA. James will continue to work with Jeanine on this and getting an update on the Angel project.

The Karstens and Loverinks attended the meeting to discuss the excavation that has been done by Scattered Acres LLC in Geneva Twsp section 14 regarding rules/permitting violation. After discussion the Board instructed James to contact Att'y Kolb to request their presence at the January meeting for discussion.

James received an email regarding the mileage rate will be .67 cents per mile effective January 1st 2024 for Supervisors and Employees. This is up 1.5 cents from 2023.

Kelly Hendrickson attended the meeting representing Freeborn County Auditor Treasure. Pat Martinson retired November 10th 2023 and Kelly Hendrickson the County Recorder has been appointed the Interim Auditor-Treasure. Welcome Kelly.

Many main topics were discussed at several meetings during the year including brush control, tree removal and cleanup, grass strip maintenance, tiling issues, water monitoring and permit applications. Cattle grazing on the ditch banks as well as questions and/or concerns for project solutions and/or suggestions from area landowners for the Managers.

This concludes the 2023 annual report for the Turtle Creek Watershed District.

Respectfully Submitted,
Nancy K. Finley
Recording Secretary