

Minutes of the meeting of the Managers
Turtle Creek Watershed District
June 27th, 2023

The Turtle Creek Watershed Board of Managers met at the Government Center in Hollandale, Minnesota. Present were Jeff Ravenhorst, Jon Erichson, Pete VanErkel, James Fett, and Steve Penkava. Michelle O'Connor and Dave Vanderploeg were absent.

Attending Remotely were Att'y John Kolb, Atty' Dan Donnelly, and Att'y Dean Zimmerli—Gislason & Hunter LLP. Also attending the meeting were Wayne Strouf, Aaron Cech, Jim Nielson, and Ron Olson

Pete VanErkel acted as Chair in Michelle and Dave's absence.

Jeff made a motion to accept the May 2023 minutes as presented seconded by Jon and carried.

The Treasures report showed \$148,564.59 in checking and \$151,486.71 in Money Market. Jeff made a motion to accept this report subject to audit seconded by Jon and carried. Jon distributed the financial report and Bank Reconciliation dated May 31st 2023. There was no discussion.

The following bills were **Received by not Authorized for payment and will be added to the "Hold packet:"**

| | |
|--------------------------|-------------------------|
| Jones, Haugh, Smith Inc. | \$ 4,450.00 (Ditch #31) |
| Rinke Noonan | \$ 5,869.92 (Ditch #31) |

The following bills were submitted for approval to be forwarded to Pat Martinson Freeborn County Auditor -
Treasurer:

| | |
|----------------------------------------|-----------------------------------|
| Patton Hoversten & Berg (Thomas Wayne) | \$ 770.00 (Petitioners Bond) |
| Jones, Haugh, Smith, Inc. | \$ 450.00 (CD #30) |
| Jones, Haugh, Smith, Inc. | \$18,394.65 (J 27) |
| Jones, Haugh, Smith, Inc. | \$ 8,372.82 (J24) |
| Jones, Haugh, Smith, Inc. | \$ 1,988.03 (J24) |
| Jones, Haugh, Smith, Inc. | \$ 631.25 (J24) |
| Jones, Haugh, Smith, Inc. | \$ 4,705.00 (J24) |
| Jones, Haugh, Smith, Inc. | \$ 3,913.00 (J24) |
| Jones, Haugh, Smith, Inc. | \$ 2,850.00 (routine maintenance) |
| Jones, Haugh, Smith, Inc. | \$ 2,025.00 (routine maintenance) |

Jeff made a motion to approve and forward the bills seconded by Jon and carried.

The following bills were submitted for payment by the district:

| | |
|--------------------|-------------------------------------------|
| Olson Tree Service | \$ 777.00 |
| Accurant, LLC | \$ 158.00 |
| Rinke Noonan | \$ 2,454.50 |
| Rinke Noonan | \$ 440.00 |
| Peter VanErkel | \$ 300.00 |
| Jeff Ravenhorst | \$ 300.00 |
| Jon Erichson | \$ 1,062.88 |
| Nancy Finley | \$ 33.85 (Mn Watershed Welcome Reception) |
| Nancy Finley | \$1,804.78 |

Jon made a motion to pay the bills seconded by Jeff and carried.

An application for permit was submitted by Hans Hinrichs to tile in Section 35 T104 R020 in Geneva Twsp to outlet into Mudd Creek Branch. Morreim Drainage is the Contractor for this project. Jeff made a motion to grant this permit seconded by Jon and carried. Permit # 06-01-23.

An application for permit was submitted by David O'Connor to replace main tile and hookup old tile and/or replace as needed in section 33 Freeborn Cty Newry Twsp to outlet into Deer Creek. Adam Bishop is the Contractor for this project. Jeff made a motion to approve this permit seconded by Jon and carried. Permit # 06-02-23.

An application for permit was submitted by Bill Wilkie to tile in section 7 Moscow Twsp SW ¼ T103N R19W. Morriem Drainage is the Contractor for this project. Jeff made a motion to grant this permit seconded by Jon and carried. Permit # 06-03-23.

Jon presented the Administrative Levy Budget for review for discussion at the July meeting.

Jeff made a motion to reimburse Nancy for her cost for attending the Welcome Reception for the Mn Watershed Summer Tour seconded by Jon and carried.

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.

Jeff made a motion to table the discussion of cattle in Turtle Creek until Michelle is in attendance.

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 if 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 he and Dave are on the Freeborn County Boards July 18th 2023 agenda to talk about Turtle Creek and provide the Board with our annual report and updates.

Jon reported on trees along Turtle Creek along with feedback from the recent removal.

Jeff made a motion to adjourn the meeting seconded by Jon and carried.

Respectfully Submitted,

Nancy K. Finley

Recording Secretary