

Minutes of the Meeting of the Managers
Turtle Creek Watershed District
April 16th, 2024

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

Also attending the meeting were Kelly Hendrickson, Att’y Joe Heinrichs, Tom Wayne, Tom Butler, Randy Anderson, Lisa Dunn and Mark Behrends.

Manager Dave chaired the meeting in Michelle’s absence.

Pete made a motion to accept the minutes from March 19th 2024 seconded by Jeff and carried.

The Treasurers report showed \$142,975.12 in checking and \$204,450.53 in the money market. Jon made a motion to accept this report subject to audit seconded by Pete and carried. Jon distributed the Bank Reconciliation and Financial reports ending March 31st, 2024. There was no discussion.

The following bills were submitted for approval to be forwarded to Kelly—Freeborn County Auditor-Treasure:

Drainage Ditch viewers	\$ 422.50
Jones, Haugh, Smith Inc.	\$ 232.50 (Cty Ditch 31)
Jones, Haugh, Smith Inc.	\$ 5,270.00 (routine maintenance)
Rinke Noonan	\$ 4,305.00 (CD#8)

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

The following bills were submitted for payment by the district:

Accurant LLC	\$ 170.00
Rinke Noonan	\$ 830.00
Dave Vanderploeg	\$ 300.00
Nancy Finley/Verizon	\$ 51.42

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

An application for permit was submitted by Ben Anderson to shape existing waterway in Geneva Twsp, Freeborn Cty SE ¼ section 14 T104 R20 to outlet into Mud creek. Ben and Randy Anderson are the Contractors for this project. Jeff made a motion to grant this permit seconded by Pete and carried. Permit number 04-01-24.

An application for permit was submitted by Ben Anderson to tile in sections 22 and 23 Geneva Twsp T104N R 20W to outlet into JD #28. Ben and Randy Anderson are the Contractors for this project. Jeff made a motion to grant this permit seconded by Pete and carried. Permit number 04-02-24.

At 5:13 vice-chair Vanderploeg invited a motion to recess the regular meeting and reconvene the continued preliminary hearing in the proceedings for the petitioned improvement and repair of Freeborn Count CD 8. Upon motion by manager VanErkel, seconded by manager Ravenhorst and approved by the Board, vice-chair Vanderploeg called the continued hearing to order. Attorney Kolb reviewed the status of proceedings and the information shared at the earlier hearing date. Kolb summarized the review of the petition, engineer’s preliminary survey report and DNR preliminary advisory report. Kolb summarized the questions from the Board during the earlier hearing and described how those questions could be addressed in a preliminary hearing order, a draft of which was provided. Kolb assisted the Board in reviewing the decision standard related to approving the preliminary survey report; directing a final survey report; providing instructions to the engineer to address issues raised in the DNR advisory report, coordinate with adjacent entities on water rate and volume issues, and further analyze the adequacy of outlet; and appointing viewers to determine improvement benefits. Kolb, finally, reviewed a draft of findings and a preliminary hearing order in the proceedings. Upon a motion by manager Van Erkel, seconded by manager Ravenhorst to adopt the preliminary hearing order as presented, vice-chair Vanderploeg

entertained further discussion by the Board. Following discussion, vice-chair Vanderploeg called the vote and recorded three votes in favor (Van Erkel, Ravenhorst and Vanderploeg) and one vote against (Erichson), with manager O'Connor being absent, and declared the motion passed and the preliminary hearing order adopted. Following adoption of the preliminary hearing order, Kolb reviewed a reimbursement resolution required to allow the reimbursement of costs from borrowed funds if the project is established and a deficiency resolution required to streamline the borrowing process and ensure a commitment to cover debt for the project should it be established. Upon a motion by manager Van Erkel, seconded by manager Ravenhorst to adopt the reimbursement and deficiency resolutions as presented, vice-chair Vanderploeg entertained further discussion by the Board. Following discussion, vice-chair Vanderploeg called the vote and recorded four votes in favor (Van Erkel, Ravenhorst, Erichson and Vanderploeg) and no votes against, with manager O'Connor being absent, and declared the motion passed and the reimbursement and deficiency resolutions adopted.

Kolb then presented information to the Board regarding a proposed redetermination of benefits for CD 8 based on the current age of benefits (1999), changes in land values and benefitted areas and the petition for repair incorporated into the petition for improvement of CD 8. Kolb explained the possible use of separable maintenance as part of the project and a requirement that a petitioned repair with more than 26% of affected owners requiring the cost of repair to be less than the benefits. Kolb presented and reviewed with the Board a draft order initiating a redetermination of benefits for CD 8 and appointing viewers. Upon a motion by manager Van Erkel, seconded by manager Ravenhorst to adopt the order initiating a redetermination of benefits as presented, vice-chair Vanderploeg entertained further discussion by the Board. Following discussion, vice-chair Vanderploeg called the vote and recorded four votes in favor (Van Erkel, Ravenhorst, Erichson and Vanderploeg) and no votes against, with manager O'Connor being absent, and declared the motion passed and the order initiating a redetermination of benefits adopted.

There being no more business to conduct related to CD 8, vice-chair Vanderploeg adjourned the preliminary hearing and reconvened the regular meeting of the Board of Managers.

James reported on the 2024 Water Quality Monitoring CRWD staff started collecting water samples at the four Turtle Creek sites on April 10th, 2024. They will aim for a total of 10 samples at all four sites this year as in the past. James still needs to work on the data from 2023 and will present to the Board when completed.

James presented handouts of shirt options from Games People play for the Managers to make a selection for James to order. Pete made a motion to table this discussion until Michelle was present, seconded by Jeff and carried.

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

Respectfully Submitted,
Nancy Finley
Recording Secretary