



## MEETING MINUTES

### BOARD OF SUPERVISORS MEETING

#### DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, July 8, 2021

9:00 a.m.

4100 220<sup>th</sup> Street W, Suite 102  
Farmington, Minnesota

**Board Members Present:**

Laura Zanmiller, Chair  
Kevin Chamberlain, Vice Chair  
Jayne Hager Dee, Treasurer  
Chelsea Skog, Secretary  
Bruce Johnson, Public Information

**SWCD Staff Present:**

Brian Watson                      John Stelzner  
Lana Rotty

**Others Present:**

Chris Schmidt, NRCS

**1. Call to Order and Roll Call**

Chair Zanmiller called the meeting to order at 9:00 a.m.

**2. Pledge of Allegiance**

Chair Zanmiller led the Board of Supervisors in the Pledge of Allegiance.

**3. Audience**

Chair Zanmiller asked if there was anyone in the audience that wished to address the Board on an item that is not on the agenda. Nobody came forward.

**4. Approval of Agenda**

**21.059** Motion by Johnson, second by Chamberlain to approve the agenda. All members voting in favor. Motion carried.

**CONSENT AGENDA**

**5. Approval of June 10, 2021 Meeting Minutes**

The June 10, 2021 Meeting Minutes were presented.

Supervisor Dee noted that she joined the June meeting at agenda item 12 and therefore the record of her voting through agenda item 11 should be removed.

**6. Approval of July 8, 2021 Accounts Payable**

The July 8, 2021 Accounts Payable were presented.

**7. Acceptance of June 2021 Financial Report**

The June 2021 Financial Report was reviewed.

**21.060** Motion by Dee, second by Chamberlain to approve the consent agenda items. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, Dee. Motion carried.

**REGULAR AGENDA**

**8. Authorization to Provide Final Payment to Eric Johnson for Establishing Native Prairie with Pollinator Habitat**

Eric Johnson has completed the installation of a 3.2-acre native prairie with pollinator habitat in Ravenna Township, Vermillion River Watershed. The project was approved for funding at the April 8, 2021 Board meeting at 75% cost share not to exceed \$9,600 and based on a cost estimate of \$14,100. The final project cost was \$5,453.45.

Stelzner added that the plantings in this project included pollinator habitat mix and switch grass. Chamberlain asked if there was a reason the final project cost was considerably less than the estimate. Stelzner stated that they found a contractor that completed the prairie establishment well below estimates. Dee added that this project had a quick turn-around for installation.

**21.061** Motion by Dee, second by Johnson to approve final payment to Eric Johnson for establishment of native prairie with pollinator habitat in Section 28, Ravenna Township, Vermillion River Watershed at \$4,090.09 from agreements with the Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Zanmiller, Skog, Johnson, Dee, Chamberlain. Motion carried.

**9. Authorization to Provide Final Payment to Mike Serres for Installation of Grassed Waterway**

Mike Serres has completed the installation of a 1,393-foot grassed waterway in Waterford Township, Cannon River Watershed. The project was approved for funding at the May 13, 2021 Board meeting at 75% cost share not to exceed \$11,475 and based on a cost estimate of \$15,300. Final project cost was \$3,043.35.

Watson added that this project was completed for significantly less than bid estimates as much of the land clearing was not needed or done by the landowner.

**21.062** Motion by Johnson, second by Skog to approve final payment to Mike Serres for installation of a grassed waterway and critical area planting in Section 8, Douglas Township, Vermillion River Watershed at \$2,282.51 from agreement with Vermillion River Watershed Joint Powers Organization. Members voting in favor: Skog, Johnson, Dee, Chamberlain, Zanmiller. Motion carried.

**10. Authorization to Amend Contract with John Siebenaler for Establishing Native Prairie with Pollinator Habitat**

John Siebenaler is requesting to amend contract for installation of a 0.9-acre native prairie with pollinator habitat in Vermillion Township, Vermillion River Watershed. Due to dry and hot conditions this year, there is concern that seed could germinate but not have enough moisture to survive through the summer if seeded under current conditions. Seeding will be postponed until late fall to allow for better establishment of the project. Additional work is needed to control weeds until the project is seeded. This additional work increases the estimated project cost from \$3,000 to \$4,000. The cost share rate would remain at 75% of actual costs not to exceed \$3,000 per acre.

Zanmiller asked what method is used to control weeds. Stelzner stated there are a couple of ways to approach that, disc up the annual weeds, plant cover crop at heavy rate and apply herbicide treatment.

**21.063** Motion by Chamberlain, second by Johnson to amend contract with John Siebenaler for establishing a 0.9 acre native prairie with pollinator habitat by changing the estimated project cost to \$4,000 with cost-share at 75% not to exceed \$2,700. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, Skog. Motion carried.

**11. Authorization to Amend Contract with Brandy Wentzler for Establishing Native Prairie with Pollinator Habitat**

Brandy Wentzler is requesting to amend contract for installation of a 0.5-acre native prairie with pollinator habitat in Vermillion Township, Vermillion River Watershed. Due to dry and hot conditions this year, there is concern that seed could germinate but not have enough moisture to survive through the summer if seeded under current conditions. Seeding will be postponed until late fall to allow for better establishment of the project. Additional work is needed to control weeds until the project is seeded. This additional work increases the estimated project cost from \$1,700 to \$2,200. The cost share rate would remain at 75% of actual costs not to exceed \$3,000 per acre.

Stelzner added that this is similar to the Siebenaler project and they are holding off to control weeds and have better native prairie establishment with fall planting.

**21.064** Motion by Chamberlain, second by Johnson to amend contract with Brandy Wentzler for establishing a 0.5 acre native prairie with pollinator habitat by changing the estimated project cost to \$2,200 with cost-share at 75% not to exceed \$1,500. Members voting in favor: Dee, Chamberlain, Zanmiller, Skog, Johnson. Motion carried.

**12. Authorization to Amend Contract with Audrey Anderson for Establishing Native Prairie with Pollinator Habitat**

Audrey Anderson is proposing to install a .60 acre native prairie with pollinator habitat in Ravenna Township, Vermillion River Watershed. The native prairie will improve infiltration, reduce erosion, and provide wildlife habitat, particularly for pollinators. Total costs of the project are estimated at \$2,100.

Stelzner added that this project is a dedication to her father, and she became aware of this program through Jack Siebenaler.

**21.065** Motion by Johnson, second by Chamberlain to execute contract with Audrey Anderson for native prairie with pollinator habitat on .60 acres in Ravenna Township of Vermillion River Watershed at 75% cost share, not to exceed \$1,575 from agreements with Dakota County and Vermillion River Watershed Joint Powers Organization. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, Dee. Motion carried.

**13. Authorization to Execute Contract with Minnesota Department of Natural Resources for Conducting Groundwater Level Monitoring Services**

The DNR has provided a FY22 professional and technical services contract to conduct groundwater level measurements at various observation wells in Dakota County. The term of the agreement is July 1, 2021 to June 30, 2022. Per this contract, 31 observation wells will be monitored on a quarterly basis and seven irrigation wells will be monitored five times (38 wells total). This is identical to what was stipulated in the FY21 contract. The work plan includes a total of 159 well readings and payment to the SWCD would be \$30 per reading at an authorized well or nest of wells, which is consistent with historical payment amounts. The contract includes a total amount not to exceed \$3,090, but the DNR does allow for an additional payment of \$720 (24 additional readings) should they request more readings, for a total contract amount not to exceed \$3,810.

Dee asked if staff was able to conduct the well observations for this contracted amount. Watson noted that staff time is tracked but no, the DNR contract payments do not fully compensate for the staff time needed to complete well readings.

Chamberlain asked if there has been any changes to groundwater levels within the irrigation wells since we are in drought conditions. Watson responded that data collected in 2021 has not yet been compiled but that the information will be available later this year and can be provided.

Dee suggested the fall tour include wetland areas and observed changes in water levels.

**21.066** Motion by Chamberlain, second by Johnson to execute the FY22 contract with the Minnesota Department of Natural Resources for groundwater monitoring services. All members voting in favor. Motion carried.

**14. Authorization to Submit FY22 Clean Water Fund Grant Application to the Minnesota Board of Water and Soil Resources to Implement Drinking Water Protection Practices and to Execute Agreement if Awarded**

The deadline for submitting FY22 Clean Water Fund Grant applications is August 17. Staff is proposing to submit one application under this competitive grant application process. The application would request \$150,000 in grant funds to implement drinking water protection practices that protect groundwater in vulnerable areas. The grant funds would be primarily used for cover crops, harvestable covers, and establishment of perennial vegetation to reduce nitrates in groundwater. The 25% match requirement of \$37,500 would come from Dakota County funds, landowners' contribution to projects, and in-kind contributions of staff time for design and construction oversight.

**21.067** Motion by Chamberlain, second by Johnson authorizing staff to submit to the Minnesota Board of Water and Soil Resources a FY22 Clean Water Fund Grant Application to Implement Drinking Water Protection Practices and execute the grant agreement if awarded. All members voting yes. Motion carried.

**15. Amend 2021 Board Operating Rules**

The Environment and Natural Resources Omnibus Bill signed into law on June 26, 2021 changes the Supervisor per diem cap to \$125 per day and becomes effective August 1, 2021. To accommodate this change in State Statute, our Board Operating Rules would need to be amended under Article 2, Item 2 to indicate that a Board of Supervisor shall receive compensation for services up to \$125 per day.

**21.068** Motion by Dee, second by Johnson to amend the Board Operating Rules under Article 2, Item 2 Per Diem and Reimbursement of Travel Expenses Incurred on Behalf of the SWCD, a supervisor shall receive compensation for services up to \$125 per day, and may be reimbursed for expenses, including traveling expense, necessarily incurred in the discharge of duties effective August 1, 2021. All members voting in favor. Motion carried.

**16. Announcements and Reports**

**Natural Resources Conservation Service**

Chris Schmidt provided the NRCS report. He stated that Tanner Clementz was hired as the Soil Conservationist in Faribault; Katie Matilla was hired as the District Conservationist in Waconia and both started on June 7. A Soil Conservationist position in Farmington has been advertised through the direct-hire process and then the Area team will have all positions filled. The 2021 Conservation Stewardship Program (CSP) sign-up deadline was March 26. Three applications were received in Dakota, none are high priority, so they are not assessed and ranked. FY2022 CSP renewal application deadline was April 7. Two applications were received in Dakota). Watson asked about level of funding under CSP contracts. Schmidt reported that the maximum for an individual is \$200,000 and partnerships is \$400,000. He noted that the average contract is typically \$40,000 - \$80,000. The 2021 EQIP pre-approval lists are out. There were 12 applications pre-approved in Dakota for sign-up #1 and 2 applications preapproved for sign-up #2. Some landowners have deferred to 2022 or cancelled and some contracts are obligated. Minnesota did receive additional EQIP funds from NHQ, received approximately \$2.5 million. Field Office staff are working on EQIP contract documents, getting signatures, and submitting for obligation. The General Conservation

Reserve Program (CRP) sign-up is currently open, original deadline was in February, but was extended to July 23. The Continuous CRP sign-up deadline is August 6. There has been one RCPP application in Dakota and one application for the Minnesota Ag Water Quality Certification Program; deadline was June 4. The Minnesota NRCS is operating at a 50% staffing level due to COVID-19, which means most staff are still teleworking. Matt Schaar participated in a Pollinator Week event in Dakota County at the Kimber Family Farm on June 24.

#### **Dakota County**

There was no Dakota County report.

#### **Vermillion River Watershed Joint Powers Organization**

There was no Vermillion River Watershed Joint Powers Organization report. Dee noted that Mark Zabel was appointed to the BWSR Board as a Metro representative. Dee added that she was appointed as a Metro representative; however, has been switched to a non-Metro representative, based on her residence.

#### **Cannon River Watershed Joint Powers Board**

Chamberlain stated the Cannon River Watershed Joint Powers Board met yesterday. Financials are in order, planning is going well, some contracts have been encumbered and scheduled to be finalized this fall. Budget discussion is beginning for 2022. Soil health meetings, outreach, and tours are being coordinated by the Clean River Partnership, previously known as the Cannon River Watershed Partnership. Watson added that a few new Board representatives were in attendance and the meeting was an in-person format. Staff met after the Board meeting. Goodhue reported that they have four projects encumbered and are progressing. Rice stated that they have approximately \$80,000 of potential projects that are not in the Tier 1 priority area, and they cannot move forward with those at this time because of the prioritization process required. Staff are discussing this with BWSR. Chamberlain added that this is unfortunate, as the Tier 2 projects could influence the Tier 1 landowners to proceed.

#### **Metropolitan Conservation Districts Joint Power Board**

There was no Metropolitan Conservation District Joint Powers Board report. The next meeting is scheduled for August 25.

#### **Minnesota Association of Soil and Water Conservation Districts**

Zanmiller stated that the Metro Area meeting was held virtually on June 18 at 9:00 a.m. It was noted that the following policy resolutions were approved: Resolution Directing MASWCD to Develop and Maintain a Contact List of Locally Active Conservation Organizations to Increase Legislative Effectiveness (Scott) and Cost Sharing for Removal of Tile Intakes (Wright).

The following policy resolutions were not approved: MASWCD and MAWD Joint Resolutions (Washington), Adequate Funding for Soil and Water Conservation District and Non-Metro Watershed Districts (Washington), and Increased Flexibility for Minnesota Wetland Conservation Act (WCA) Activities Resulting in Drainage Impacts that are not Readily Quantifiable and/or Measurable (Wright).

#### **District Manager Reports**

Watson stated that the Dakota County Fair will be August 9 through 16. Diane Schmidtke is working with partners and coordinating the Natural Resources building displays. The next Board Meeting will be held during the fair and you will need to provide your name to the attendant when entering the parking lot. Watson noted that the Extension and Conservation Center building is open for business again. The front door remains locked for security reasons since at certain days and times of the week there can be few staff in the building due to remote working. Visitors simply need to use the doorbell at the main entrance to get assistance and enter the building.

Watson distributed a letter from concerned citizen in Apple Valley regarding the re-zoning of golf course. He clarified that they are questioning the wetland. The city has jurisdiction and Watson will see if this landowner's questions have been addressed.

Watson mentioned a recent BWSR committee meeting to discuss the Metro Watershed Based Implementation grant program. The Minnesota Association of Watershed Districts provided a policy paper that would remove statutory authorities from metro soil and water conservation districts. Watson indicated that he would be providing comments to BWSR and restating the Boards 2018 resolution regarding equal opportunity of soil and water conservation districts statewide under BWSRs Watershed Based implementation program.

Watson stated that he is working with staff to move to the next normal and finding the right balance in today's work environment. He added that the goal is to be flexibility with remote working but no employee will be allowed to work remotely 100% of the time. Dee stated that it appears working remotely is going well.

**Board of Supervisors Reports**

Zanmiller reported that Leslie Pilgrim is hosting a garden tour this Saturday, if anyone is interested in attending, please see her for details.

**20. Upcoming Events**

The upcoming events were reviewed.

**21. Adjourn**

**21.069** Motion by Johnson, second by Chamberlain to adjourn the meeting. All members voting in favor. Motion carried.

The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Chelsea Skog  
Secretary