



## MEETING MINUTES

### BOARD OF SUPERVISORS MEETING

#### DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, August 12, 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  
Lana Rotty  
Curt Coudron  
Todd Matzke

**Others Present:**

Michelle Wohlers, 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**

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

**CONSENT AGENDA**

**5. Approval of July 8, 2021 Meeting Minutes**

The July 8, 2021 Meeting Minutes were presented.

**6. Approval of August 12, 2021 Accounts Payable**

The August 12, 2021 Accounts Payable were presented.

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

The July 2021 Financial Report was reviewed.

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

**REGULAR AGENDA****8. Authorization to Provide Final Payment to The Food Group for Establishing a Cover Crop**

The Food Group has established a cover crop on 85 acres in Eureka Township, Vermillion River Watershed. The project was approved for funding at the March 11, 2021 Board meeting with an incentive payment not to exceed \$2,125. A cover crop of oats was seeded to provide temporary cover, reduce erosion, retain nutrients, and protect soil health.

Supervisor Dee provided information about The Food Group. She noted that they are a local nonprofit focused on using nutritious food to strengthen the community. Their programs include food shelf and meal program support, a healthy and affordable grocery sales program, and an education program for farmers historically underrepresented in ownership and learning to operate organic farm businesses. They believe nutritious food strengthens the community by creating better health outcomes and providing the foundation needed to thrive. She also suggested we acknowledge this partnership in an upcoming newsletter.

**21.072** Motion by Dee, second by Johnson to approve final payment to The Food Group for establishment of cover crop in Section 30, Eureka Township, Vermillion River Watershed at \$2,125 from agreements with the Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, Dee. Motion carried.

**9. Authorization to Execute Two Contracts with Bryce Kimmes for Establishing Cover Crop**

Bryce Kimmes is proposing to establish a cover crop on 2 different fields. The fields are located in Marshan Township, Vermillion River Watershed and in Hampton Township, Cannon River Watershed. Each field will have a separate contract that will require cover crop establishment for one year. A seeding plan has been prepared and accepted for each field. Under each contract, incentives for establishing the cover crop are as follows: 100 acres not to exceed \$2,500 and 97 acres not to exceed \$2,425.

**21.073** Motion by Johnson, second by Chamberlain to execute contracts 21-IPP-33 and 21-IPP-34 with Bryce Kimmes for establishment of cover crop on a total of 197 on two fields, in Section 32, Marshan Township, Vermillion River Watershed and Section 22, Hampton Township, Cannon River Watershed, encumbering \$4,925 based on \$25 per acre on one-year contract from the CY Agreements with Dakota County and Vermillion River Watershed Joint Powers Organization. Members voting in favor: Zanmiller, Skog, Johnson, Dee, Chamberlain. Motion carried.

**10. Authorization to Execute Contract with Dave Stein for Establishing Cover Crop**

Dave Stein is proposing to establish a cover crop on 40 acres. The field is in Douglas Township, Trout Brook Watershed of the Cannon River. A seeding plan has been prepared and accepted. Based on our adopted cost share policy, a landowner is eligible for up to \$25 per acre on a one-year contract.

**21.074** Motion by Chamberlain, second by Johnson to execute contract 21-IPP-40 with Dave Stein for establishment of cover crop on 40 acres in Section 18, Douglas Township, Cannon River Watershed encumbering \$1,000 based on \$25 per acre on one-year contract from the CY Agreements with Dakota County and North Cannon River Watershed Joint Powers Organization. Members voting in favor: Skog, Johnson, Dee, Chamberlain, Zanmiller. Motion carried.

**11. Authorization to Execute Contract with Garden Homes Townhouses Association for Installation of Grade Stabilization**

Garden Homes Townhouses Association is proposing to construct grade stabilization to repair an eroding gully in the City of Burnsville in the Minnesota River Watershed. An existing undersized structure and failing pipe has resulted in surface water runoff creating a gully through a steep wooded area. The project will use a combination of manholes, pipe, and a rock lined channel to convey the runoff to the base of the slope and reduce future erosion. The total costs of the project are estimated at \$44,000.

**21.075** Motion by Dee, second by Johnson to execute contract with Garden Homes Townhouses Association, City of Burnsville, Minnesota River Watershed at 75% cost share, not to exceed \$25,000 from FY21 Metro WBIF-MN River South Grant. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, Skog. Motion carried.

**12. Authorization to Execute Contract with Rehder and Associates for Engineering Services**

Engineered plans have been finalized for the stabilization of an eroding gully located in Douglas Township in the Trout Brook watershed. The engineering plans have been paid for by the landowner. Rehder and Associates had a separate contract with the SWCD that was approved on March 13, 2021 for site survey work. The landowner has requested cost share to construct the grade stabilization. Construction administration services are needed during the installation phase and for final engineering approval at the completion of the project. The project exceeds the technical approval authority levels assigned to the SWCD staff by the NRCS, that are needed for construction oversight and certification of the project. Rehder and Associates was asked to submit a proposal for construction administration services and certification based on their involvement with the design of the project. The total cost estimate provided for construction administration and engineering services is \$9,950 plus reimbursables.

**21.076** Motion by Johnson, second by Skog to execute contract with Rehder and Associates for Engineering Services and Construction Administration for the Fasbender Trust project at a total reimbursement cost not to exceed \$11,000. Members voting in favor: Dee, Chamberlain, Zanmiller, Skog, Johnson. Motion carried.

**13. Authorization to Execute Contract with Maureen Fasbender Trust for Installation of Grade Stabilization**

Maureen J Fasbender Trust is proposing to construct a grade stabilization in Douglas Township, Trout Brook Watershed of the Cannon River. Concentrated flow from over 2 square miles of drainage area has eroded a gully and washed sediment downstream to Trout Brook. The project will stabilize the gully, reduce future erosion, and reduce the amount of sediment reaching Trout Brook. Because the scale of the project exceeds technical approval authority levels assigned to SWCD staff by NRCS, engineering design has been completed by a consulting engineer under contract. The project will also exceed staff's technical approval authority levels that are needed for construction and certification of the project. A separate contract for engineering services during construction has been prepared so the project can be certified by a licensed P.E. when it has been completed to specifications. Also due to the scale and cost of the project, a customized cost share agreement has been developed. This agreement has been reviewed and approved by the Dakota County Attorney Office and reviewed by BWSR staff for compliance with State grant and project requirements. The project designated as a Priority Location based on cost-effectiveness. As a Priority Location, the project is eligible for up to 90% cost share. Total project cost is estimated at \$115,000.

Dee asked if there are neighbors that will benefit from this project. Coudron replied that there will be no benefit to the upstream neighbors; however, there will be a big benefit to the Dakota County trout stream which is located downstream from this project. Chamberlain acknowledged the Fasbender's for their contributions as this project and their other projects are benefitting the Miesville Ravine Park Reserve. Watson noted that Dakota County Parks and the SWCD have an executed agreement to provide \$60,000 to be used with the 2018 CWF Trout Brook Grant. Matzke stated that Fasbender's have constructed many

projects, including a wildlife pond, WASCBs, waterways, native grass plantings, other structures, and farmable practices. They also have land enrolled in the Conservation Reserve Program.

**21.077** Motion by Johnson, second by Chamberlain to execute contract with Maureen Fasbender Trust for Swale Stabilization project in Section 22, Douglas Township, Trout Brook Watershed, Cannon River Watershed at 90% cost share, not to exceed \$103,500 from CWF 2018 Trout Brook Grant. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, Dee. Motion carried.

#### **14. Selection of 2021 Outstanding Conservation Cooperator**

Each year a selection is made to identify a landowner or entity that has made a significant contribution to protecting our land and water resources. Staff has identified several candidates for this award, and we will provide information on their accomplishments at the meeting. The selected Outstanding Conservation Cooperator will be invited to a future SWCD Board meeting and will be invited to participate in the Minnesota Association of Soil and Water Conservation Districts annual program in December.

Watson presented information on candidates for the award.

**21.078** Motion by Chamberlain, second by Johnson to select the City of Burnsville as the 2021 Outstanding Conservation Cooperator. All members voting yes. Motion carried.

#### **15. Adopt Amendments to Employee Policy Manual**

Proposed changes to the Employee Policy Manual have been considered. Changes were coordinated with Dakota County Employee Relations, Risk Management, and Attorney's Office. Several minor changes were made to correct grammar errors, improve formatting, and provide clarity on terminology. The more significant changes include:

- Changes to the Employee Workday section to include a Remote Work Schedule option
- Clarifying Overtime/Compensatory Time section for exempt and nonexempt employees
- Deleting the Leave of Absence section and replacing with Flex Leave that references County Policy 3241
- Deleting Medical and Dental Insurance Continuation section as it is covered under State Statute.

Watson further reviewed the proposed amendments. Dee questioned the Overtime/Compensatory Time section, specifically the payment for balances at the end of the year. She suggested providing a copy with the proposed changes, as opposed to the copy with deletions and additions inter-mixed.

Watson stated that he will provide an updated copy of the Employee Policy Manual without deletions and additions at the next meeting.

#### **16. Announcements and Reports**

##### **Natural Resources Conservation Service**

Michelle Wohlers provided the NRCS report. She stated that they have 44 active contracts and there are two staff to manage those contracts. For 2021, 11 contracts have been obligated totaling \$133,595. They were informed that five additional applications for the 2021 EQIP were pre-approved and they will get those obligated as soon as possible. They received 10 applications for the General Conservation Reserve Program (CRP) and 8 applications for the Continuous CRP sign-up. With the drought, they have been receiving many questions from landowners enrolled in CRP regarding haying and grazing. An offer was made to a candidate for the Soil Conservationist vacancy in Farmington; however, they declined the position. Michelle and Matt Schaar have both been working in the office, wearing masks, and are encouraged to telework. Clients must call for appointments and are able to meet in the hallway, or in the field. A new lease is in process and that includes space to meet with clients.

Chamberlain asked who makes the decision on clients requiring appointments and where they can meet. Wohlers stated that the Secretary of Agriculture makes the decision on masking and meeting. She added that COVID-19 vaccines will be mandatory for Federal employees, details are forth coming.

Watson stated that Brandon Dahl, FSA CED, has scheduled a meeting with local SWCDs to discuss drought conditions on Monday, and wanted to ensure Wohlers was aware of the meeting.

**Dakota County**

There was no Dakota County report.

**Vermillion River Watershed Joint Powers Organization**

There was no Vermillion River Watershed Joint Powers Organization report.

**Cannon River Watershed Joint Powers Board**

There was not Cannon River Watershed Joint Powers Board report.

**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**

Dee stated that a Resolution Committee meeting is scheduled for next Tuesday.

**District Manager Reports**

Watson stated that the Delta variant is changing things again, masking is now required for all staff and visitors. Watson stated that the MASWCD – Metro Area has a tour scheduled for September 21 but discussion is occurring on whether that tour will be cancelled. Watson questioned if we want to hold a tour on one of the Outdoor Education Days (OED), the consensus was not to hold a legislative tour this year. Watson stated that the teachers have indicated that they would like to participate, so we are moving forward with the OEDs. The University of Minnesota Rosemount Outreach Center will be having their summer tour, however, no bus, and the program will be a series of presentations outside at Whitetail Woods Regional Park to allow for social distancing. Dee added that a BWSR tour is scheduled for next week and that includes busing those participating.

**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**

**21.079** 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