



Stillwater Conservation District

Po Box 48 \* 334 North 9<sup>th</sup> Street Columbus MT

406-322-5359 ext 101 \* sharon.flemetis@mt.nacdn.net

## March 5<sup>th</sup> Meeting Minutes

**Location:** USDA Service Center Conference Room (334 N. 9<sup>th</sup> Street, Columbus, MT)

**Meeting called to order by:** **Robert Van Oosten at 6:05 pm.**

**Supervisors Present:** Robert Van Oosten (*Chairman*), Noel Keogh (*Vice Chairman*), Butch Behrent (*Treasurer*), Ben Walker (*Urban Supervisor*), Nathan Jones (*Urban Supervisor*), Darryl Thompson (*Associate Member*)

**Supervisors Approved Absent** Steve Story (*Secretary*)

**Others Present:** Sharon Flemetis (*Admin Director/EWP Project Manager*), Celeste Barnett (*310/Volunteer Coordinator*), Walter Clapp

### UNAPPROVED MINUTES

Motion to approve minutes from 03/1/24 Public meeting: **Noel**

Seconded: **Ben**

Discussion: none

Vote: **Approved**

Motion to approve minutes from

02/28/24 Executive meeting: **Ben**

Seconded: **Nate**

Discussion: The minutes do not reflect that it was a closed meeting. Also, need to clarify that these minutes are not public information and will not be added to the website

**Ben amended his motion to add to the heading that this was a Closed Executive Meeting**

**Nate moved to approve this motion**

**Ben Seconded**

Vote: **Approved**

Motion to approve minutes from

02/06/2024 meeting: **Nate**

Seconded: **Ben**

Discussion: none

Vote: **Approved**

## Public Comment (3 Minute Limit)

Walter Clapp, the attorney for Darren Donnes, asked why the D4 properties 310 permit has been tabled so many times. The Board explained that we have requested technical assistance from DNRC and they are working on providing us with an engineer to attend a site visit to verify the work done matches the submitted application. They also explained if he wants to do additional work outside of the scope of the permit he will have to apply for another permit. The Chairman stated that we have the option to ask for technical assistance and table the permit until we receive it. Walter stood up and said “This smells like shit” Darryl asked him to be polite and respectful and not to use that type of language, and Walter laughed at the fact that he was offended by the word “Shit” He repeated his statement “This smells like shit” and Darryl once again asked him to refrain from using that language, Walter added that he’s not going away until “this stops smelling” He then presented us with another letter and sat back down.

## REPORTS

**Robert “Bob” Van Oosten** – There was no planning board meeting last month. There is a planning board meeting tomorrow (3/6/24) and they will be discussing the Trees Subdivision. The Salinity people have another program available if anyone is interested, however we are not currently working on any salinity programs.

**Butch Behrent** – No Report

**Steve Story** – Approved Absent

**Darryl Thompson** – No Report

**Noel Keogh**- There is no watershed meeting in March, there will be one in April. The SVWC fundraiser is August 8<sup>th</sup> and the Weed Float is August 9<sup>th</sup>.

**Ben Walker**- No Report

**Nate Jones** – No Report

**Sharon Flemetis** – Attended the Floodplain training in Helena last week (2/27/24) it was interesting and a lot of hands-on training including other districts and engineers, learned a lot of helpful information. Mentioned we have partnered with the SVWC to work on non-native debris cleanup.

**Celeste Barnett** – The Stillwater County News published our article last week. They asked if we would send them more info whenever we had anything to share, along with photos from Conservation Days.

## FINANCIAL REPORTS

There were some QuickBooks complications so no reports available, but account balances were provided.

There are 2 bills to pay, our EO dues, and the Newspaper Invoice for the ARPA – Danford Bid announcement.

**Motion to Pay the EO Dues & Newspaper Invoice: Nate**

**Seconded: Ben**

**Discussion:** Financial committee meeting is needed. Butch, Darryl, & Sharon will meet Thursday (3/7/24) at 1:30pm

**Vote:** **Approved**

## GRANT UPDATES

**EWP** – Getting close to the end & need to enforce the completion dates. Need a Notice of Award Letter for the contractors to sign on top of their Contractor’s Agreements to be sure they understand the completion dates and allow us to award another contractor the bid if they haven’t started the project within 30 days of the completion date. The proposed Notice of Award letter was presented and read by the board.

Corrections discussed- Make this a template and remove Engineer and Project Name information, correct typo before Sharon’s email address.

**Motion:** **To adopt as corrected - Noel**    **Second:** **Nate**            **Discussion:** **none**

**Vote:** **Approved**

**Mendenhall** – done with Phase 1, waiting on pipe for phase 2. Hydroseeding should be completed in April.

**Forrest Service/ERLA** – Forestry is moving forward; progress reports need signed; there was no activity during the reporting period. Forestry has a construction estimation of 2025. ERLA-EWP Project is on hold at their request, their engineer is not on budget for their EWP program award. They are asking to extend the September 30<sup>th</sup>, 2024, deadline and for more money and we are not sure we can do either, so they are not ready to commit to the project. The Forestry project will continue even if the EWP project does not.

**EC** – We are meeting with the SVWC next Monday (3/11/24) at 9am to move forward with the non-native debris removal.

**ARPA-** Danford Need Action, go over recommendation from Tetra Tech on selected contractor. Tetra Tech recommends Broadwater Construction. They were the lowest bidder; they also followed all the bidding guidelines. We are over budget for one line item and some monies may need to be reallocated, but we had a 10% cushion built in that should cover it. If there is an overage it should be minimal, and the ditch company will need to cover the difference.

**Motion To approve the bid award to Broadwater Construction:** **Noel** **Second:** **Ben**  
**Discussion:** none **Vote:** **Approved**

## NEW BUSINESS

**Conservation Days** – 5/14/24 at the Beartooth Ranch. Letters will be going out to schools soon. FWP has committed to do Fish identification and have their dog enforcement officer present. Want to reserve SVWC trailer, Noel will check on that. We need to check if the

weed trailer is available, possibly Bridger Plant Materials will be there. There will be 8 stations.

## OLD BUSINESS

**New Banking Signature Cards-** Sharon presented the cards to be signed, we still need to get Steve’s signature.

**New File Cabinets Update-** No update

**Rain Barrel Workshop-** We have some barrels donated by a local business, we are working on writing the grant and gathering info. NRCS is going to help us in order to get some information out on their High Tunnel grants and others they have available. Ordered a book for research. We are working on a date, budget, and getting volunteers to help prepare the barrels. Want this to be annual.

**NRCS Funding** – Sharon is still negotiating with NRCS per our Closed Executive Meeting. She wants them to pay for all of the 106s which would be \$35,000.00. Rough numbers she requested for TA money to finish out the Carbon EWP Projects engineering. \$72,869.00. She requested \$8,622.00 to pay the remaining Stillwater engineering bills.

## 310 APPLICATIONS AND COMPLAINTS

APPL. #	Name	Stream	Project	Rec'd	Decision
#23-088	D4 Properties	Rosebud	Bank Stabilization Riprap	12/15/2023 Tabled 1/9 Tabled 2/6	Motion: Noel made a motion to table this permit for 1 more month. Second: Nate Discussion: We need to ask DNRC to help us get this done this month, no one wants this to continue dragging out. Vote: Approved
#22-181	Eaton/Ritter				Board was notified this was withdrawn due to original applicants request to remove their name. Josh Ritter was notified of the withdrawal and provided with all the information needed to submit another permit. <b>No action needed.</b>
#22-182	Steve Blank				Ben, Bryan, Sharon & Celeste made a site visit on 2/29/24. They discussed with Steve the modifications needed. He signed the

					Team Members report and said he understood and would have them made as soon as the weather allowed. <b>No Action Needed.</b>
#22-176	Ferster	East Rosebud	Bridge Replacement	Extension request	It was discovered that his permit expired 11/03/23 and could not be extended. Sharon will go over with him what is needed for a new permit and guide him through the process. His project is having to be engineered so the original permit wouldn't have been accurate, and the engineer will help him with his new application. We will make sure he understands why the extension wasn't granted.
23-013	Midnight Canyon	Stillwater River	Bridge repair	Extension request	<b>Motion: Noel moved to table this until our April meeting.</b> <b>Second: Nate</b> <b>Vote: Approved</b>
#24-01	Tippet Rise	S. Fork Grove Creek	Culvert Bridge	2/20/24	Ben, Bryan, Sharon & Celeste made a site visit 2/29/24. Ben explained they plan on putting in a permanent culvert in a place where they crossed the stream to dig a fire line during the Derby fire and want to be able to continually cross. They plan to put in a 40-foot culvert of 4-foot concrete pipe, use at 4:1 slope and revegetate the disturbed areas. FWP wants the culvert to be embedded 10-20%, Noel noticed some noxious weeds in the photos and would like them to do noxious weed control in the new vegetation, they also need to armor the ends of the culvert with concrete flares or rock. <b>Motion: Noel motions to accept the permit with the 3 modifications:</b> <b>Embed Culvert 10-20%</b> <b>Control Noxious Weeds</b>

					<p>Armor the ends with concrete flares or rock  Second: Nate  Vote: Approved</p>
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## UNRESOLVED COMPLAINTS & VIOLATIONS

**#23-052V Judy Krone** – Yellowstone River – Attorney is writing a letter to have her served by the Sheriff. No new information.

**#23-064V Montana Rail Link** – Yellowstone River & **#23-070V Montana Rail Link** – Yellowstone River - Sharon attended a public meeting on 2/29/24 about the next phase of cleanup. None of the representatives at that meeting were aware of the violations or of the metal in the riprap. There is also a concern about mitigation as there is over 1,000 feet of riprap above the bridge, which contains metal debris. The EPA stated at the meeting that they will not be overriding local or state permitting agencies. The BNSF representatives assured Sharon that they would investigate the issues and get back to her. We provided them with photos and copies of the complaints on our ShareFile.

**#22-034 Ms. Peck** – She brought in an invoice for \$66,000.00 that she wanted to be reimbursed for. She’s not in any of our programs that would qualify her for reimbursement. She was confused so it was advised that Sharon speak with her sister to try to help her understand. She didn’t qualify for the EWP program as she had no structure in danger. The permit was possibly expired when Stillwater Excavating did the work. There was some confusion with other agencies program’s during the flood, but she did not qualify for any of those programs either. She doesn’t understand and needs help. We will check with Stillwater Excavating to see if they asked for the permit prior to doing work. It needs to be inspected. We will schedule a site visit to determine the next steps and discuss at the next meeting.

**Motion: To table until we can do a site visit and have a discussion with the applicant & a family member & Stillwater Excavating** **Second: Nate** **Discussion: none** **Vote: Approved**

## Save The Dates

March 11 – 18, 2024 – Sharon on Vacation

March 28, 2024 – Site Inspections

April 2, 2024 – Monthly Board Meeting 6pm

May 2, 2024 - Site Inspections

May 7, 2024 – TREE PLANTING WITH THE MIDDLE SCHOOLERS

May 7, 2024 - Monthly Board Meeting 6pm

May 14, 2024 – CONSERVATION DAY

May 27, 2024 – Memorial Day

**May 30, 2024 - Site Inspections**

**June 4, 2024 - Monthly Board Meeting 6pm**

**June 19, 2024 – Juneteenth**

**July 2, 2024 - Monthly Board Meeting 6pm**

**July 4, 2024 – Independence Day**

**MOTION TO ADJOURN THE**

**MEETING: Noel**

**SECONDED: Nate**

**MEETING ADJOURNED AT: 8:07pm**

**Minutes Approved on:**

Minutes Approved By \_\_\_\_\_ Date: \_\_\_\_\_

310 Applications must be received by 12pm seven days prior to the meeting and have been inspected to be reviewed.

Agenda items must be submitted to the CD Office by Noon the Monday before the scheduled meeting.

Agendas are available at the CD Office upon request and at [stillwatercd.org](http://stillwatercd.org) once finalized.

All meetings of the CD are open to the public. Once approved the minutes will be available at [stillwatercd.org](http://stillwatercd.org) and the County Clerk and Recorders Office.