

SAND HILL RIVER WATERSHED DISTRICT

April 3, 2018

1. **Attendance:** Chairman Stuart Christian called April 3, 2018 to meeting to order at 8:04 AM at the District Office. Other managers present were Clayton Bartz, JJ Hamre, Roger Hanson, and Dan Vesledahl. Two staff members were present: Daniel Wilkens – Administrator and April Swenby – Administrative Assistant. Others in attendance include Paul Engelstad - Landowner, Joyce Downs – Landowner, Bill Downs- Landowner, and Zach Herrmann – Houston Engineering.
2. **Approval of the Agenda:** A **Motion** was made by Manager Bartz to approve the agenda as presented, **Seconded** by Manager Hamre, **Carried**.
3. **Minutes:** A **Motion** was made by Manager Hamre to approve the minutes from the March 6, 2018 meeting, **Seconded** by Manager Hanson, **Carried**.

Swenby offered the RRWMB an opportunity to review the minutes of the special meeting to ensure the accuracy and representation of both parties. Chairman Christian asked if the RRWMB gave a response to the minutes, and Swenby told the managers of a change Sip suggested and the recording complemented his request. Swenby made Sips suggested change. Sip also told Swenby he disagreed with a couple of areas of the minutes after he had left. Because Swenby did not feel comfortable adjusting that portion of the minutes as she did not want to compromise what was actually said, Swenby suggested to Sip that he offer a rebuttal for the managers in relation to the conversations that took place. She checked her e-mail this morning and there were no rebuttals or comments to include with the March 22 minutes.

Wilkens commented on the area labeled “Altercation” and asked that it be on record that he did not initiate an altercation. He stated that he and another RRWMB manager were approached by the RRWMB Executive Assistant. Wilkens and the other RRWMB manager were having a private conversation and he recalls telling her that “this wasn’t the time or the place.”

A **Motion** was made by Manager Hanson to approve the minutes from the March 22, 2018 special meeting, **Seconded** by Manager Vesledahl, **Carried**.

4. **Treasurer's Report:** A **Motion** was made by Manager Hanson to approve the treasurer’s report for March, **Seconded** by Manager Vesledahl, **Carried**.

The managers reviewed their expense reports and reported on activities for the month. A **Motion** was made by Manager Hamre, to approve and pay bills, excluding the SWCD balances which are listed for informational purposes only, **Seconded** by Manager Bartz, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

5. **Engineer's Report**

Climax Ring Dike: A change order was presented (Change Order Number 3) for \$2,388.15. This includes traffic control for the asphalt patch on Highway 220, the removal of Bituminous Pavement Repair completed by Reitrock that was paid out of Spruce Valley’s contract leaving the net adjustment reduced to \$3,456.95. A **Motion** was made by Manager Vesledahl to approve change order Number 3 for \$2,388.15, **Seconded** by Manager Hamre, **Carried**.

The managers rescinded prior approval of the Final Payment (December 5, 2017) and approve the final pay request number 6, adjusting the final payment to Spruce Valley for changer order number 3. A **Motion** was made by Manager Bartz to rescind the final pay request approval made in December and approve the final pay request number 6 for \$16,206.85, **Seconded** by Manager Hanson, **Carried**.

The project work is 99% complete. L2 Contracting finished up additional ditch work north of Highway 220 on Sunday December 3. Seeding will be completed this spring when conditions permit, with \$1,000 being retained until seeding is completed.

The construction permanent easements and restricted use permanent easements have been signed and are ready for recording. After the easements are recorded, declarations will need to be filled out and recorded. The declarations are completed, but the recorded easements number is needed to finalize. The district's attorney is looking into ways to coordinate the remaining restricted use easements with private landowners. It's unlikely that these easements will be completed prior to the June funding deadline. We have been in conversation with the City, City attorney, City engineer, and SHRWD attorney on a possible City ordinance or permitting that would keep residences in the future from installing sump drains that discharge through the banks into the Sand Hill River. The concern is that during flood events flood water could back up into the homes and sewer systems.

Rock Riffles: Herrmann presented a map with the completed field survey with a preliminary riffle layout. They put the USACE as-built channel profile into the field survey to identify the extent of the degrading (down-cutting) channel. This is from County Road 14 to the east. The preliminary layout indicates approximately 18 riffles could be added between County Road 14 and the riffles that were installed in 2016. The next step is to meet with the agencies involved and apply for the permits necessary to proceed (Corp, WACA, MnDNR). Herrmann is hopeful for a fall construction.

The preliminary design is underway for the Kittleson Creek Outlet. The in-place 6' diameter steel culvert is proposed to be replaced with a 12'x 6' reinforced concrete box culvert and a couple of riffles upstream to prevent downcutting of the channel.

Herrmann continues to coordinate with Polk County (the Ditch 83 authority) concerning the existing ROW that is available near the Sand Hill Lake Outlet.

Polk County Flood Plain: Wilkens and Herrmann are still investigating to determine if a LOMA is a realistic option for each structure before reaching out to any landowners.

Targeted Watershed Demonstration Program (Carlson Coulee): The Carlson Coulee design is underway. We are working the MnDNR on their requirements for the Public Waters Permit. Herrmann anticipates being able to meet with the landowners after coordination with the MN DNR.

Upper Sand Hill Detention (RCPP): A draft planning structure document has been completed and submitted as NRCS Review Point 1. Herrmann has not heard any comments regarding Review Point 1. Hydraulic modeling of the Sand Hill Ditch will be used to reinforce the Purpose and Need for the project. Hydraulic modeling work will begin now that a field survey has been completed. We will use the survey data from the Sand Hill Fish Passage and Grade Stabilization project as leverage against the RCPP grant requirements. This work is currently underway.

The managers discussed their commitment to the RCPP program, due to our share coming out of the construction fund. With the possible withdrawal of the Joint Powers Agreement the district assessed their possible cost share portion of the expenses.

Project # 24: Herrmann will follow up with Hauff for a status update on the trust that was served.

Polk County Ditch 80: The preliminary engineer's report was approved at the March 22, 2018 Special Meeting. Herrmann has sent the report to BWSR and MnDNR and will continue to follow up with them for comments. A preliminary hearing date of Monday April 23, 2018 at 8 AM was set.

Swenby can send out notices the end of this week. The bidding is still planned on being broken apart into “chunks”, if need be. The managers and landowners discussed liability issues and the state law for the bidding process regarding the topic of landowners participating in the construction.

Houston Engineering Billing: Herrmann clarified that the special meeting he attended on March 22, was not billed to the Sand Hill River Watershed District and he typically does not bill for items such as that, that do not directly benefit the Sand Hill River Watershed District. The managers thanked him for clarifying and appreciate his willingness to be involved.

6. Dan's Monthly Report

Calendar: Wilkens reviewed his written calendar for March and the proposed upcoming events for April.

RRWMB: The RRWMB met in Moorhead on March 20, 2018 in conjunction with the March Conference. Meeting highlights can be found on the RRWMB web-site at www.rrwmb.org.

RRBC: Board meeting and Retreat were held on February 28th and March 1st.

IRRB: Annual meeting held in Winnipeg on January 25-26th. Meeting highlights were given to the managers.

MAWD Legislative Breakfast: The Legislative Breakfast was held on March 7 and 8 at the Embassy Suites in St. Paul. Manager Vesledahl, Manager Hanson and Wilkens attended.

RRWMB March Annual Conference: The RRWMB Annual Conference was held in conjunction with the RRWMB meeting in March 20, 21 and 22. Swenby, Wilkens, Manager Hanson, and Manager Vesledahl attended.

Drainage Workgroup: A meeting was held February 22nd at the Farmers Union building by the capitol in St. Paul.

Vesledahl Wetland Banking Project: The district held a fifth informational meeting at the Winger Community Center at 7:00 pm on March 15th at 7:00 PM. The minutes have been mailed to the managers. Greg Knopff - Senate Council, scheduled a meeting March 8th with Senator Johnson to discuss the option of the Watershed assuming ownership of the project and discussed legislation to continue PILT payments if the project is transferred to the Watershed District. Manager Vesledahl stated that he has conversed with Deb Kiel about a meeting that was held last week regarding this issue. Wilkens will be contacting our legislatures, BWSR, Greg Knopff, and MnDOT proposing a meeting to discuss the transfer negotiations.

Vesledahl Drainage: On March 2, the district held a meeting with landowners to discuss the option of establishing a legal ditch system in this area and discussed future ownership of the project. The minutes have been mailed to the managers.

7. Other Business:

Public Relations: The managers reviewed possible public relations items. No new information was brought before the board.

Bill and Joyce Downs: Joyce Downs asked if the Sand Hill still intends to dig a ditch on our land?

Chairman Christian stated that nothing has been brought before the board for years regarding Ditch 122. The options brought before the board years ago for drainage in that area were determined unfeasible. Tile in the upper reaches of ditch 122 has been discussed in the past, but funding is an issue. Grants continue to be explored, however, funding has not been awarded. Bill Downs asked for a copy of the Treasurer's report and the managers gave him a copy.

Bear Park: Swenby contacted Goeken for a cost estimate for scouting the area for Beaver issues. He has estimated a rough cost of \$300 per trip for scouting, and felt this option is only feasible in the spring before foliage grows. Herrmann asked the managers to give him further instruction at the next meeting whether Houston Engineering should proceed with a drone flight this spring, or if they'd prefer a kayak trip.

Joint Powers Agreement: At the March 22 Special Meeting, the managers voted to file their intentions to withdraw from the Joint Powers Agreement. This action will take effect for the upcoming tax levy year. The final minutes of this meeting will be posted on the web-site.

The managers reviewed the following key concepts discussed at the March 22 meeting:

- Executive Assistant job description in relation to the pay scale and the number of specialized tasks listed in the job description that will be passed onto other agencies.
- The idea of a predetermined RRWMB location (Wilkins confirmed that Sip verbally told him in January before a location was formally chosen, that the new Executive Assistant is not willing to drive to Fertile for employment).
- The qualifications of the Executive Assistant and the inability to produce a Treasurer's Report without the aid of a consultant. A Treasurer's Report has been produced for 20 years with the existing bookkeeping system. The RRWMB hasn't produced an accurate report since November 2017. The district also discussed the consultant options that the RRWMB has chosen to help the Executive Assistant.
- The WRWD's proposal was \$1,000 per month which includes utilities (if not paid upfront, the monthly lease is \$1,150). The SHRWD's proposal was \$700 per month and SHRWD historical utilities would show the RRWMB's share would be \$150 per month (\$850).

John Finney has proposed asking Swenby to be of service/liaison between the RRWMB and the bookkeeping of the RRWMB. Finney recently learned that Swenby had proposed changes/suggestions to the RRWMB accounting system in January of 2018 and the changes/suggestions mirror those suggestions of the most recent consultant who was hired by the RRWMB (Accountant for the IWI). Because the IWI consultant is unfamiliar with watershed procedures and daily tasks and because both recommendations regarding the RRWMB books were similar, Finney is suggesting that Swenby consider helping the RRWMB implement changes in the software. Swenby stated she will do whatever is asked by the Sand Hill River Watershed District and remains committed to taking instruction from the SHRWD. She is open to continuing the conversation with the RRWMB and the details that would highlight exactly what they are asking her to do.

Anderson and Bottrell has suggested a Human Resource specialist who has begun the review of the cover letters and resumes of the applicants who applied for the RRWMB Executive Assistant position. The consultant's office stated they may have to request additional information as some of the information had a fair amount "blacked out" and some of the cover letters/resumes were omitted all together. Swenby stated that she has told the consultant to request what is needed and do the best they can with what they have to work with, as it was her understanding that the SHRWD was asking for this review to help them make good future decisions.

Bridge Inspection Report/Outlet Structure Bear Park: A report was given regarding the inspection near the Bear Park Project. Herrmann will review the inspection report.

Polk County Fair: The Polk County Planning and Zoning is asking the SHRWD to participate in a shared booth space. A **Motion** was made by Manager Hanson to proceed with a booth and offer the Fertile River Watch Team \$500 to display and present the IWI water model as done in the past, **Seconded** by Manger Bartz, **Carried.** Swenby will contact Thompson to see if they are interested. Regardless the Sand Hill Managers agreed to share a booth space and display the drone footage.

The Polk County Fair has also requested \$500 towards the Polk County Fair sponsorship/advertising. Manager Vesledahl would be open to donating \$100 out of his pocket. A **Motion** was made by Manager Vesledahl to contribute \$500 towards advertising to the Polk County Fair, **Seconded** by Manager Hamre, **Carried.**

8. **Permits:** Lee Cariveau discussed with the managers the permit request that was submitted last month of behalf of the City of Fosston. A **Motion** was made by Manager Hanson to approve the following permit, **Seconded** by Manager Vesledahl, **Carried.**

2018-04: City of Fosston – Seciton 3, Rosebud Township, Construct new ditch, install catch basins and storm sewer

9. **Adjournment:** The next regular meeting will be held **Tuesday at 8:00 AM on May 1, 2018.** As there was no further business to come before the board, a **Motion** was made by Manager Bartz to adjourn the meeting at 12:03 PM, **Seconded** by Manager Hamre, **Carried.**

April Swenby, Administrative Assistant

JJ Hamre, Secretary