

DATE: MAY 5, 2020

1. **Attendance:**

Chairman Stuart Christian called the May 5, 2020 meeting to order at 8:04 AM at the District Office. Due to the Coronavirus or COVID-19, an electronic meeting in accordance with Minnesota Statute, Section 13D.021 was held via ZOOM. Other managers present were Clayton Bartz, Dan Vesledahl, Craig Engelstad, and JJ Hamre. One staff member was present April Swenby – Administrator. Others in attendance included Dave Hauff – District Attorney, Duane Steinbrink - WPSWCD, and Zach Herrmann – Houston Engineering.

2. APPROVAL OF THE AGENDA:

A <u>Motion</u> was made by Manager Hamre to approve the agenda as presented with the addition of a discussion of the PPP program implementation, <u>Seconded</u> by Manager Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\mathbf{\overline{\mathbf{N}}}$			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad				

The Motion was carried.

3. MINUTES:

A <u>Motion</u> was made by Manager Bartz to approve the minutes from the April 7, 2020, <u>Seconded</u> by Manager Vesledahl. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\checkmark			

The Motion was carried.

4. TREASURER'S/FINANCIAL REPORT:

Swenby read the Treasurer's Report. A <u>Motion</u> was made by Manager Engelstad to dispense the reading of the Treasurer's Report and approve the Treasurer's Report for April, <u>Seconded</u> by Manager Vesledahl.

A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\checkmark			

The Motion was carried.

The managers reviewed their expense reports and reported on activities for the month. The following bills were reviewed:

Anderson, Bottrell, Sanden & Thompson	1,870.00
April J. Swenby	33.35
EcoLab	53.57
First Community Credit Union	30.45
Garden Valley Telephone Company	299.18
Houston Engineering	62,860.59
Otter Tail Power Company	423.56
Polk County Auditor - Treasurer	1,200.00
Sarah Wise	48.00
Stuhaug Sanitation	46.80
Todd's Landscaping	60.00
TOTAL	66,925.50

Additional Bills that were presented that were not listed on the bills to be paid report due to timing of when the report was created include:

Wild Rice Electric	136.38
City of Fertile	51.41
TOTAL	187.89

A <u>Motion</u> was made by Manager Hamre to approve and pay the bills with a total of \$67,113.39 <u>Seconded</u> by Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\checkmark			

The Motion was carried.

5. ENGINEER'S REPORT:

Polk County Ditch 9 Breakout (Project #17): Herrmann performed a hydraulic review to determine potential usage of the breakout and provided information to support his analysis. The review indicated that breakout is unused during "unplugged" ditch conditions. Snow/ice builds up usage would increase. The elevations were reviewed to determine potential backwater effect resulting from increased Polk County Ditch 9 breakout elevations and information to support the findings were provided to the board. pg. 2 Approved 6/10/2020 It was determined that raising the breakout elevation would result in potential impacts to the east of MN Highway 9. It is Herrmann's recommendation to leave the project as designed. The managers agreed with the findings of the hydraulic review. Swenby will draft a letter to mail to the landowner that requested the review.

Project 32 – Improvement to Polk Ditch 80 and Establishment of Laterals 1 & 2: The managers were reminded that Davidson Construction did not meet the required completion date of November 1, 2019. Liquidated Damages are being tracked at \$1,000 per day. A drone flight was completed to document work completed in 2019. The contractor is planning to start construction this week, if conditions allow and the duration is expected to last 5 weeks. The contractor has been instructed to remove any spoil piles blocking drainage.

Manager Christian questioned on Section 26 on the SW quarter if a natural slope was planned or if a side inlet might be a better option. Herrmann noted that the placement of the side inlets are coordinated with the local landowners.

<u>Riffles Phase 2</u>: Herrmann is expecting the contractor to begin mid/late June, depending on conditions.

Sand Hill Lake Outlet: The contractor plans to finish the project in 1-2 weeks. Remaining items include clean-up and seeding.

Poissant Bridge Removal: MN DNR will consider amending the LSOHC grant if removal of the Poissant Bridge can be completed to also align with grant objectives. Preliminary concept has been developed and is in the process of being reviewed with DNR staff for applicability allowing the district to amend LSOHC grant.

<u>Carlson Coulee Grade Stabilization</u>: Wright Construction is substantially completed with installation of rock grade control structures. The contingency (5%) will be released when final punch list items are completed. A final pay request for Kraulik Excavating was provided for \$2,200.00, which was the retainage.

A <u>Motion</u> was made by Manager Vesledahl to authorize the final pay request for \$2,200 to Kraulik Excavating, <u>Seconded</u> by Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\square			

The Motion was carried

Sand Hill River Watershed RCPP – Natural Resources Conservation Service:

As per the district's subcommittee direction, concept level design has begun to better understand implementation costs. The following has been the focus of Houston Engineering:

- 1. Dam safety review
- 2. Hydrology and hydraulic sizing of required spillways
- 3. Embankment geometrics
- 4. Geotechnical review

5. Concept level cost estimates

<u>Kurass Lake High Water:</u> The field survey has been completed and will be used to determine what could be done to enhance the outlet.

<u>Clean Water Fund Grant Opportunities</u>: Herrmann gave a status update for the Clean Water Fund Grant applications (Brady Kroenig, PC # 44, Liberty Township, and the geomorphic assessment.)

6. LEGAL COUNCIL - BUFFER:

Dave Hauff was introduced to the board to discuss buffer requirements and acquiring the buffer ROW on the Sand Hill Ditch. Hauff presented two options including redetermining benefits or using the incremental buffer law.

Swenby noted that there is a concerned landowner in Hubbard Township who is receiving compliance orders but is also being told by agency offices that it is a Sand Hill River Watershed District responsibility. The letters were provided to the managers. Swenby asked for advice for immediate compliance on the buffers that are not in place. The attorney confirmed that because ROW acquisition has not taken place, it is a landowner responsibility to comply with the buffer law as there is no ROW adjacent to legal ditch system.

The managers asked the attorney to research the options for enforcement for the district, while they contemplate a redetermination or the incremental buffer law. The managers asked Herrmann to develop a cost estimate for a redetermination.

7. SEDIMENT BASIN REQUEST:

Duane Steinbrink, WPSWCD presented a sediment basin payment request. In March, the SWCD presented options for cost sharing opportunities in the West Polk SWCD. Last month Nicole Bernd, WPSWCD, presented 3 sediment basins funding requests. It is board policy that the landowner and watershed district equally pay 25% and that the remaining balance was grant funded or outside source. Two of the three projects presented by the WPSWCD have no grant dollars attached to them. The other project has EQIP dollars attached to them and EQIP is paying 50%.

Swenby highlighted a few options for the board:

- 1. Revise the district policy
- 2. Make a special accommodation for these sediment basins a one- time accommodation and use one of Bernd proposals
- 3. Keep the current policy Landowner 25%, district 25%, grant or other source 50%

A <u>Motion</u> was made by Manager Vesledahl continue with the board policy of 50/25/25, Liberty 3, <u>Seconded</u> by Hamre. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad				\checkmark

The Motion was carried.

A Motion was made by Manager Vesledahl to continue with the board policy of 50/25/25 (or less on

the 25/25), ensuring that the landowner and the district maintain an equal share and recommends that the WPSWCD apply for a CWF for the balance for the projects in Liberty 10 and 15, **Seconded** by Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad				

The Motion was carried.

8. ADMINISTRATOR REPORT:

<u>City of Nielsville flood protection:</u> Polk County has prepared a letter to the MnDNR Commissioner, Mark Johnson and Deb Kiel and they have been distributed by the Sand Hill River Watershed District staff. The managers were reminded that last month the City of Nielsville prepared their letter.

International Water Institute: Swenby attended the International Institute board meeting via phone conference. Meeting materials were provided to the managers.

<u>Union Lake/Sarah Improvement District:</u> Swenby met with a committee of the LID on April 30 at Union Lake to tour the pump site and began the process for pumping. The district is exploring divers as per the permit requirements. The district will need to sign off on the permit ensuring that all requirements have been met.

A <u>Motion</u> was made by Manager Bartz authorizing Swenby to sign off on the permit once she has verified all conditions are met, <u>Seconded</u> by Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\mathbf{V}			

The Motion was carried.

There will be a Zoom meeting with the Union Lake/Sarah Improvement District on May 18. Meeting materials and minutes from the most recent meeting were provided to the managers.

Quarterly/Grant Reporting: All of the reporting for payroll, state and grant reporting were completed throughout the month. The district will be closing out one of the Lessard Sams Outdoor Heritage Council Grants (ML15) as the funds have been expended. Swenby completed the final report in April and submitted it to the Council. Upon acceptance, the final grant dollars will be released.

<u>Vesledahl Wetland Mitigation</u>: Dave Weirens, BWSR, contacted our office to initiate the "Resolutions Report" that was presented last year. Weirens confirmed that BWSR has plans to move forward with implementing the plans on the report. Weirens also asked the district for some historical records regarding the wetland, and they were provided to him. Discussions with legislatures have been placed on hold. Swenby has reached out to Senator Mark Johnson again mid April to keep the discussion of a bill on the forefront. As far as a bill stands, the only thing being pushed right now are COVID related bills.

<u>Project Team</u>: Project Team Meeting to move forward with the RCPP planning process were placed on hold during the month of March and April, and May.

Liberty/Onstad: Swenby toured the Liberty Onstad Area with Manager Engelstad on April 7. Herrmann has been asked to review culverts in the railroad grade along 102 that appear to contribute to Red Lake Watershed District flows into the Sand Hill.

Additionally, Swenby has been working with MnDOT to ensure that the Liberty Onstad Ditch be cleaned as the washout on 102 has added a fair amount of gravel to our legal ditch system. Swenby has asked Houston Engineering to forward MnDOT the ditch plans. MnDOT has confirmed that it is being added to their repair plans to clean our legal ditch system where the washout has impacted.

Ditch #80: When Polk County distributed the property tax statements, they inadvertently used the old assessed area (not the new one developed and recorded through the improvement). Landowners were calling the district about their tax assessment. During the week of April 13, Polk County redistributed tax statements with the new assessment.

<u>Union Lake Erosion Control</u>: The CRP will be ending September 15, 2020. The district is not eligible to continue with CRP. There are some maintenance discussions that will need to begin at a board level and funding for the maintenance of the project and the 10 acres owned. Swenby will bring this to the attention of the LID to determine their interest in the project.

Broad Leaf Reports/Maintenance Reports: A letter asking landowners to report any maintenance issue or broad leaf issues was mailed in April. One maintenance report has been made on Project # 20 and Swenby will add this to the ditch inspection check list for review.

<u>District Audit:</u> The district audit has been scheduled for May. Swenby has been working on the preliminary needs for the auditors.

<u>Bear Park Beaver Trapping</u>: The trappers have been contacted to begin trapping in the Bear Park area. A beaver dam has been reported in the area, but it has been noted that it is still too wet to inspect for removal.

LOMA: There has been a LOMA request for the property of Sylvia Rickey. Flood plain maps show her property is in the flood plain, but preliminary maps show her property is out of the flood plain. The district is working with Stephanie Klamm, DNR Area Hydrologist to utilize their technical support to help Rickey avoid the cost of a LOMA. Houston Engineering has been asked to send over a map of the area to the MN DNR. Swenby advised waiting to see how much support the MnDNR will provide.

<u>2019 Ditch Maintenance</u>: JC & J Trucking has started to complete the work that was uncompleted last fall on Project # 12.

Landowner Ditch Plug/Project # 24: The contractor or the landowner was unable to install the plug last season. I have sent a letter to the landowner in April 2020 asking if they would like the district to contract the work at their expense.

Project # 20: A landowner reported a possible ditch breakout during high water flows on Project 20, stating that water from Project #20 (intended to flow west) is breaking out over top of the township road, resulting with gravel in field drainage in Section 11 of Reis Township. Swenby has asked Houston Engineering to laser the area to determine any ditch inadequacies.

Building Plans: Swenby has forwarded by e-mail a copy of the latest building plans that were recently approved by the structural engineer. Throughout the month the managers will be given a list of areas that will need review and comment before a final set of construction plans can be printed.

<u>Ditch Mowing</u>: A <u>Motion</u> was made by Manager Engelstad authorize Larson from Larson Helicopters as the designated ditch mower for \$85 per hour as needed, <u>Seconded</u> by Hamre. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	$\mathbf{\overline{A}}$			

The Motion was carried.

The mowing will begin in July and another cut in the late fall. Swenby will prepare another letter to the landowners to let them know a cut date so if they chose to hay the ROW they can.

<u>Office Assistant:</u> In February the managers asked Swenby to develop job descriptions for an office assistant. Strem is willing to help out throughout the summer until college. Swenby proposed moving forward with advertising this summer for hiring in August. Job descriptions were provided to the managers. Swenby anticipates that the position could rarely be up to 15 hours per week, but likely about 8 hours a week, give or take depending on the number of meetings that the district holds each month. She anticipated no or minimal office assistant hours during the mid month, most months. When the One Watershed One Plan begins, those hours could increase depending on the meeting attendance needs of the district.

A <u>Motion</u> was made by Manager Vesledahl to approve the attached job description and begin advertising in June for 3 weeks, scheduling interviews in July, <u>Seconded</u> by Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian				
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\checkmark			

The Motion was carried.

Annual Report: Approval of Annual Report Brander printing will print them for \$259 (125 copies)

A <u>Motion</u> was made by Manager Hamre to approve the 2019 Annual report and contract Brandner Printing for printing, <u>Seconded</u> by Vesledahl. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			
Engelstad	\checkmark			
			Approved 6/10/2020	

The Motion was carried.

Copier: The managers were given two cost estimates for a copier upgrade. By upgrading now, the district will have a cost savings at a fixed rate. The District's current copier cost on the Konica Minolta is \$322.43/month. The new proposed plan is \$257.49/month. The new plan includes all our toner, maintenance and new machine. This option doesn't have meter readings or overages. It is an unlimited print plan that's fixed for the 5 years. We still have the option to upgrade or down grade as our needs change. Two estimates are provided, and Marco's was more affordable.

A <u>Motion</u> was made by Manager Vesledahl to table this discussion until next month, <u>Seconded</u> by Engelstad. A roll call was held and resulted in the following:



The Motion was carried.

Manager Vesledahl asked Swenby to obtain a copy count and a quote from Liberty in Erskine.

<u>COVID</u> - Office Hours: The managers agreed to continue authorizing Swenby to work from home when able for the month of May.

9. OTHER BUSINESS

Partnering agency reports were provided to the managers from agencies including the Union Lake Improvement District and the International Water Institute.

Manager Bartz noted that there is beaver trapping taking place east of his home on the South side of Section 1 of Sletten.

10. **Permits:**

Four permits were presented to the board for approval. Houston Engineering has reviewed the permits and confirms that runoff does not back up on neighboring landowners or do not have adverse affects on neighboring landowners. The permit is as follows:

2020-07: Garden Township, Section 26/27. Install additional culverts
2020-08: Kory Sonstelie, Section 9 – Winger Township, Replace culvert (requesting Sizing)
2020-09: Shawn Ramsey, Section 25 – Godfrey Township, Install culvert/crossing
2020-10: Troy Hamre – Section 19 – Reis Township, Clean existing ditch

A <u>Motion</u> was made by Manager Bartz to approve the above listed permits, pending sizing from Houston Engineering, <u>Seconded</u> by Manager Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\mathbf{\nabla}$			
Vesledahl	\checkmark			
Hamre	\checkmark			
Bartz	\checkmark			

Engelstad	V				
The Motion was ca	arried.				
It is recommended permit for permit #2		ontingency that deeper	ning or widening is	s not an approval of the	!
The following permit was received throughout the month, but alternatives to this permit application are being evaluated and by request of the Township the permit is being asked to be held. Permit 2020-11: Hubbard Township – Section 14 – Hubbard Township, Install culvert (Tabled – other alternatives are being evaluated)					
11. Adjournment:					
U	efore the boa			s there was no further tz to adjourn the meeti	ng,

	Yea	Nay	Absent	Abstain
Christian	\checkmark			
Vesledahl	\checkmark			
Hamre	\square			
Bartz	\checkmark			
Engelstad	\mathbf{V}			

The Motion was carried.

April Swenby, Administrator

JJ Hamre, Secretary