

SAND HILL RIVER WATERSHED DISTRICT

May 7, 2013

- 1. Attendance:** Chairman Stuart Christian called the May 7, 2013 meeting to order at 7:35 AM at the District Office. Other managers present were Scott Balstad, Bill Brekke, Roger Hanson, and Phillip Swenson. Two staff members were present: Daniel Wilkens – Administrator and April Swenby – Administrative Assistant. Others in attendance were Jeff Langan – Houston Engineering, Chuck Fritz – IWI, Mike Carroll – DNR, Jim Ziegler – MPCA, Gene Brekke - Landowner, Seain Nichols – Climax home bidder, Lynn Foss- Climax home bidder, Julie Foss - Climax home bidder, Duane Stroot - Climax home bidder, Mike Dale - Climax home bidder, Joyce Downs – Landowner, and Bill Downs – Landowner.
- 2. Approval of the Agenda:** A **Motion** was made by Manager Hanson to approve the agenda as presented with the addition of conversations regarding the Vesledahl Project as requested by Manager Balstad, **Seconded** by Manager Brekke, **Carried**.
- 3. Minutes:** A **Motion** was made by Manager Balstad to approve the minutes from April 2, 2013, **Seconded** by Manager Brekke, **Carried**.
- 4. Treasurer's Report:** A **Motion** was made by Manager Brekke to approve the treasurer's report for April, **Seconded** by Manager Hanson, **Carried**.

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

5. Engineer's Report

Project # 24: Dave Hauff has sent a letter requesting a meeting of both parties along with their attorneys and support staff to try to arrive at a solution. In the request, Hauff also offered to pay the retainage again. In response to Manager Balstad's concerns in the previous month, it was confirmed by Hauff and it is his opinion, based on the information provided, that Reiner Contracting has no basis for their argument for increase payment.

TMDL: Phase II will begin soon. The district will be asked to sign an agreement with MPCA to proceed into Phase II. A new program was implemented by MPCA where signatures for contracts are digital. Swenby has an account already set up and has asked for approval to allow her to sign the contracts. A **Motion** was made by Manager Hanson approving Swenby to be a signer for the contracts using the new SWIFT program, **Seconded** by Manager Balstad, **Carried**.

Carey Hernandez has asked for board approval regarding an amendment that will extend the final deadline for the Phase I contract. It is unlikely that the watershed modeling will be complete before mid-June. A complete model is necessary to complete Phase I. A **Motion** was made by Manager Balstad to extend the contract until March 1, 2014, **Seconded** by Manager Swenson, **Carried**.

City Ring Dike: Langan discussed the options of purchasing the ROW by either Warranty Deed or Permanent Easement Acquisition. The benefit of the warranty deed is that the district owns all rights and interests, whereas the downside is that the district is responsible for that corridor regardless of future modifications. The benefits of a permanent easement include flexibility with future modifications and the negative is that it limits the specific easement rights definition. Because future flexibility is necessary a permanent easement is recommended for this application. Langan will talk to Hauff and get his recommendations.

Langan reviewed the schedule for the project and the legal terms that follow. The plans are 85% complete. Langan is hopeful that funding from the bonding bill will take place this year. Langan is planning on having the engineers report ready for approval in June. He is hoping to have the final hearing scheduled in July. Langan recommends the district appoint themselves as viewers for the project. Dave Hauff will help develop the viewer's report in

preparation for the final hearing.

6. Dan's Monthly Report

RRWMB: The RRWMB met in Warren.

RRBC Commission: The RRBC Commission will hold a tour and board meeting on June 5 and 6.

City of Fosston Project: Received breakdown from attorney. Wilkens is working on putting together an invoice.

Redetermination of Benefits for Polk County Ditches in the Sand Hill WD: The final hearing date is Monday, June 17, 2013 at 1:00pm at the U of M Crookston for the redetermination of Polk County Ditches in our watershed district.

Watershed Planning Meeting: Meeting was held on Wednesday, April 3rd at 10:00 am at the watershed district office.

Advisory Committee: Met on April 9th at LaLa's restaurant at 8:00am. The SHAC recommended that Manager Christian be reappointed.

7. Other Business:

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

Mediation Agreement Discussion: Chuck Fritz, Mike Carroll, and Jim Ziegler met with the board to discuss the board's recent decision to withdraw the districts involvement with the Project Team process. Chuck Fritz asked the managers what they wanted to see from the Project Team. Manager Brekke would like to see projects get moving and get agencies to get moving and he does not want to see the project team continue with the same process they've been using.

Chuck Fritz reminded the managers that they do not need to use the project team process. A project can be built without the project team.

Some suggestions were discussed to develop a successful project team:

1. Have a mediator/facilitator that understands the mediation work group handbook. Ziegler stated that funding is available to hire a facilitator who knows the work group handbook and can assign tasks.
2. Give the project team a problem to solve, not a project to approve.
3. Follow the handbook set by the Mediation Agreement.
4. If agency reps come with preconceive notions, notify their superiors.
5. Provide deadlines for your agency reps. and tasks set by the facilitator.
6. Training for the project team.

If the district continues without the project team, Fritz suggested that the board discuss these questions:

1. What is the best expected outcome
2. What is the worst expected outcome
3. What is the probable outcome

If the district continues with the project team using the following suggestions, Fritz suggested that the board ask the same questions.

Langan suggested applying for acceleration grants through the FDRWG to help with funding the engineering involved to locate alternative sites which are very important to the permitting agencies.

Copier Contract: The copier contract was reviewed. A **Motion** was made by Manager Balstad to renew the lease with MARCO, keeping our existing copier, deciding not to upgrade machines at this time, **Seconded** by Manager Swenson, **Carried**.

Advisory Committee Members: John Balstad has asked to be removed. Douglas Burd was removed from the SHAC. A **Motion** was made by Manager Brekke to ask Jerry Tronnes, Matt Erickson and Gary Lee to join the SHAC, **Seconded** by Manager Swenson, **Carried**.

East Polk SWCD Proposal: The SWCD has asked for two managers to volunteer to discuss negotiations for sharing the administrative assistant position. Phillip Swenson and Stuart Christian have volunteered to meet with the East Polk SWCD.

Gene Brekke: Gene has asked for a review of his assessment and felt a mistake was made on his assessment in Section 33 in the SE quarter and in the south half of Section 35. Brekke asked why he was the only one being taxed along the ditch. It was explained that the viewers established the boundaries and the time to change the position that the viewers determined was at the final hearing. A letter notifying Gene was given to him before the hearing and the final hearing minute's state that Gene attended the meeting.

Climax Home Bid: Wilkens conducted the auction by calling for bids on the following:

House 411 awarded to Duane Stroot for the amount of \$10,700
 House 409 awarded to Duane Stroot for the amount of \$9,500
 House 407 awarded to Lynn Foss for the amount of \$24,500
 Garage 405 awarded to Duane Stroot for the amount of \$1,300
 House 405 awarded to Duane Stroot for \$2,000

- 8. Permits:** Several permits were brought before the board. A **Motion** by Manager Swenson to approve the following permits, **Seconded** by Manager Balstad, **Carried**.

2013-03 – Paul Stromstad - Garden Twp., Section 9 – Install Culvert
 2013-04 – Jeff Morvig – Garden Twp., Section 16 & 9 – Clean Ditch
 2013-05 – Craig Engelstad – Liberty Twp., Section 15 – Install Culvert
 2013-06 - Sidney Fjerstad – Rosebud Twp., Section 10 – Abandon Waterway
 2013-07 – Michael Gunderson – Bejou Twp., Section 8 & 18 – Install Structure

- 9. Adjournment:** The next regular meeting of the SHRWD will be at **8 AM** on Tuesday, June 4, 2013. As there was no further business to come before the board, a **Motion** was made by Manager Balstad to adjourn the meeting at 11:23 A.M., **Seconded** by Manager Swenson, **Carried**.