

## SAND HILL RIVER WATERSHED DISTRICT

January 7, 2014

1. **Attendance:** Chairman, Stuart Christianson, was unable to attend the board meeting. Vice Chairman, Scott Balstad, was not in attendance. In his absence, Roger Hanson took the chairmanship and called the January 7, 2014 meeting to order at 8:00 AM at the District Office. Other managers present were Bill Brekke, Roger Hanson and Phillip Swenson. Scott Balstad arrived later. Managers absent: Stuart Christian. Two staff members were present: Daniel Wilkens – Administrator and April Swenby – Administrative Assistant. Others in attendance were Bill Downs – Landowner and Joyce Downs – Landowner.
2. **Approval of the Agenda:** A Motion was made by Manager Swenson to approve the agenda as presented, **Seconded** by Manager Brekke, **Carried**.
3. **Minutes:** A Motion was made by Manager Brekke to approve the minutes from the December 3, 2013 meeting which was held on November 27, 2014, due to the MASWCD and the MAWD conventions conflicting with our normal board meeting date, **Seconded** by Manager Swenson, **Carried**.
4. **Treasurer's Report:** A Motion was made by Manager Brekke to approve the treasurer's report for December, **Seconded** by Manager Swenson, **Carried**.

*Manager Hanson turned the meeting over to Vice Chair, Manager Balstad. Manager Balstad continued with the meeting.*

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

The managers asked Swenby to add the \$50,000 cost share allotment to the East Polk SWCD bills to be paid as per their request in August of 2013. The other SWCD's balances can be evaluated when/if cost share is requested by their agencies or annually. Further discussion on which way to handle this in the future needs to be held at our next meeting.

A Motion was made by Manager Swenson approving payment of \$2,132.00 to Bill Brekke for the permanent easement and temporary construction easement for the extra right of way needed at the drop structure site pending notarization and return of the paperwork, **Seconded** by Manager Hanson, **Carried**. Manager Brekke abstained from the vote.

### 5. Engineer's Report

Jeff Langan was not present. Wilkens presented Langan's written report.

**Project #20:** RW Markers were installed along TH 9 at lower end of Project # 20.

**Project # 24:** Brian Steiger, Steiger Manufacturing, St. Hilaire, MN has made the pedestals to raise the trash rack 18" to help eliminate plugging with debris.

**Nielsville Ring Dike:** A Motion was made by Manager Hanson approving signing the order establishing

project 15-11, Nielsville ring dike, **Seconded** by Manager Swenson, **Carried.** Manager Brekke abstained from the vote.

**STATE OF MINNESOTA**

**SAND HILL RIVER WATERSHED DISTRICT**

In the Matter of the Establishment

of Project #15 (11) – City of Nielsville Flood Control

**Order of the Board of Managers**

Levee Improvement Project

**Establishing Project #15 (11)**

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1. The City of Nielsville filed a Project Petition with the Sand Hill River Watershed District Board of Managers regarding Project #15 (11) City of Nielsville Flood Control Levee Improvement Project (Project #15 (11)) dated July 7, 2010.
2. Pursuant to Minnesota Statutes §103D.705, the Managers held a public hearing to consider the establishment of Project #15 (11).
3. The Managers waived the bond for the City of Nielsville per Minn. Stat. §103D.705, subd. 3(e).
4. The Managers provided notice as required by law of the time and place of the final hearing regarding the establishment of Project #15 (11).
5. The Managers held the final hearing regarding Project #15 (11) on December 12, 2013, at 7:00 p.m. at the Nielsville Fire Hall in the City of Nielsville, Minnesota.
6. At the final hearing, the Managers: heard all interested parties regarding proposed Project #15 (11); considered and confirmed the Engineer's Report; considered comments by the engineer at the hearing; reviewed and confirmed the appraiser's findings and report; reviewed costs of the proposed Project #15 (11); and reviewed funding of Project #15 (11) costs.
7. Project #15 (11) is to be constructed per the Engineer's Report dated September 2013, with any changes required by the State of Minnesota to be eligible for the local Nielsville share to be capped at 2% of the median household income as provided at paragraph 8 below.
8. The Managers find that the probable cost of Project #15 (11), Base Option, is estimated to be \$2,994,000, with \$2,968,100, of that amount to be paid by the State of Minnesota Flood Damage Reduction Program and the balance of approximately \$25,900 (plus related finance charges) in the form of a local assessment to the City of Nielsville. The amount of the estimated local (plus finance charges) assessment is calculated based on 2% of the 2010 median household income of Nielsville multiplied by the number of households at the time the project is implemented. The City of Nielsville will establish each property owner's share of said part of the estimated local assessment through subsequent proceedings administered by the City of Nielsville. Future maintenance/operation costs will be determined by the City of Nielsville through subsequent proceedings administered by the City of Nielsville.
9. The Managers find that the local assessment will be made in accordance with Minn. Stat. §103D.721 to pay the local share of implementation regarding Project #15 (11), and for future maintenance and operation costs of said Project.
10. The Managers conclude that due to periodic, significant flooding in Nielsville that the proposed Project #15 (11) will be: conducive to public health; promotes the general welfare; is in compliance with Chapter 103D of the Minnesota Statutes; and results in benefits which will be greater than the cost of construction or implementation and damages.
11. The Managers find that options and/or ownership of property damaged by Project #15 (11) have been or will be acquired, or else will be acquired if necessary by the SHRWD per eminent domain per Minn. Stat. Ch. 117.
12. Based upon the foregoing, Manager \_\_\_\_\_ moved, and Manager \_\_\_\_\_ seconded the motion that the Managers establish Project #15 (11), contingent on approval of state funding.

13. Project #15 (11) was established by a majority vote of those managers present at the January regular monthly board meeting.

Dated: \_\_\_\_\_

SAND HILL RIVER WATERSHED DISTRICT

By: \_\_\_\_\_

Stuart Christian, Chairman

The foregoing Order was adopted by the Board of Managers at its regular monthly board meeting held January 7, 2014, at 8:00 am in the City of Fertile, Minnesota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

Bill Brekke, Secretary

**Climax Ring Dike:** A Motion was made by Manager Swenson approving signing the order establishing project, 15-12, Climax ring dike, Seconded by Manager Brekke, Carried.

**STATE OF MINNESOTA**

**SAND HILL RIVER WATERSHED DISTRICT**

In the Matter of the Establishment

of Project #15 (12) – City of Climax Flood Control

Community Levee Project

**Order of the Board of Managers**

**Establishing Project #15 (12)**

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1. The City of Climax filed a Project Petition with the Sand Hill River Watershed District Board of Managers regarding Project #15 (12) City of Climax Flood Control Community Levee Project (Project #15 (12)) dated June 7, 2010.
  2. Pursuant to Minnesota Statutes §103D.705, the Managers held a public hearing to consider the establishment of Project #15 (12).
  3. The Managers waived the bond for the City of Climax per Minn. Stat. §103D.705, subd. 3(e).
  4. The Managers provided notice as required by law of the time and place of the final hearing regarding the establishment of Project #15 (12).

5. The Managers held the final hearing regarding Project #15 (12) on December 11, 2013, at 7:00 p.m. at the Climax Community Center in the City of Climax, Minnesota.

6. At the final hearing, the Managers: heard all interested parties regarding proposed Project #15 (12); considered and confirmed the Engineer's Report; considered comments by the engineer at the hearing; reviewed and confirmed the appraiser's findings and report; reviewed costs of the proposed Project #15 (12); and reviewed funding of Project #15 (12) costs.

7. Project #15 (12) is to be constructed per the Engineer's Report dated June 2013, with any changes required by the State of Minnesota to be eligible for the local Climax share to be capped at 2% of the median household income as provided at paragraph 8 below.

8. The Managers find that the probable cost of Project #15 (12) is estimated to be \$2,700,000, with \$2,525,000, of that amount to be paid by the State of Minnesota Flood Damage Reduction Program and the balance of approximately \$175,000 (plus related finance charges) in the form of a local assessment to the City of Climax. The amount of the estimated local (plus finance charges) assessment is calculated based on 2% of the 2010 median household income of Climax multiplied by the number of households at the time the project is implemented. The City of Climax will establish each property owner's share of said part of the estimated local assessment through subsequent proceedings administered by the city of Climax. Future maintenance/operation costs will be determined by the City of Climax through subsequent proceedings administered by the City of Climax.

9. The Managers find that the local assessment will be made in accordance with Minn. Stat. §103D.721 to pay the local share of implementation regarding Project #15 (12), and for future maintenance and operation costs of said Project.

10. The Managers conclude that due to periodic, significant flooding in Climax that the proposed Project #15 (12) will be: conducive to public health; promotes the general welfare; is in compliance with Chapter 103D of the Minnesota Statutes; and results in benefits which will be greater than the cost of construction or implementation and damages.

11. The Managers find that options and/or ownership of property damaged by Project #15 (12) have been acquired, or else will be acquired if necessary by the SHRWD per eminent domain per Minn. Stat. Ch. 117.

12. Based upon the foregoing, Manager \_\_\_\_\_ moved, and Manager \_\_\_\_\_ seconded the motion that the Managers establish Project #15 (12), contingent on approval of state funding.

13. Project #15 (12) was established by a majority vote of those managers present at the January regular monthly board meeting.

Dated: \_\_\_\_\_

SAND HILL RIVER WATERSHED DISTRICT

By: \_\_\_\_\_

Stuart Christian, Chairman

The foregoing Order was adopted by the Board of Managers at its regular monthly board meeting held January 7, 2014, at 8:00 am in the City of Fertile, Minnesota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Bill Brekke, Secretary

The building site clean ups in Climax are completed. A February 18<sup>th</sup> bid opening is planned for the home and garage that was not moved by the original purchaser.

**6. Dan's Monthly**

**Report Project Team:** The project team is currently suspended.

**RRWMB:** The RRWMB met in Fertile. Meeting highlights were given to the managers.

**RRBC Commission:** Conference is coming up.

**Rules and Regulations:** The RRWMB approved sending them out to the districts for the review and comment.

**Futuristic Planning:** Wilkens would like the board to start thinking about how they are going to continue the planning process they started last year. We need to have a plan by this coming summer. The managers have asked for an updated administrator job description. Wilkens will talk to Jim Todahl, SHAC to hold a meeting to coordinate efforts for Wilkens succession.

**7. Other Business:**

**Audit Report:** The auditor's report has suggested that the district maintain a credit card policy. Swenby will create a draft for the manager's approval in February. Manager Hanson suggested asking MAWD what their policy is for reference.

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

**8. Permits:** No permits were brought before the board.

**9. Adjournment:** The next regular meeting of the SHRWD will be at 8:00 AM on Tuesday, February 4, 2014. As there was no further business to come before the board, a **Motion** was made by Manager Brekke to adjourn the meeting at 9:31 A.M., **Seconded** by Manager Hanson, **Carried**.

April Swenby, Administrative Assistant  
Bill Brekke, Secretary