

# SAND HILL RIVER WATERSHED DISTRICT

July 3, 2018

1. **Attendance:** Chairman Stuart Christian called July 3, 2018 to meeting to order at 8:03 AM at the District Office. Other managers present were Clayton Bartz, JJ Hamre, Dan Vesledahl and Roger Hanson. Two staff members were present: Daniel Wilkens – Administrator and April Swenby – Administrative Assistant. Others in attendance include, Debra Walchuck – NRCS, Keith Weston – Red River Retention Authority, Joyce Downs – Landowner (left meeting at 11:20 AM), Gerald Paulson – Landowner, and Zach Herrmann – Houston Engineering. Gerald Paulson – Landowner arrived near 9:30 AM.
2. **Approval of the Agenda:** A **Motion** was made by Manager Bartz to approve the agenda as presented, **Seconded** by Manager Hanson, **Carried**.
3. **Minutes:** Manager Christian suggested a change regarding the Bear Park site tour and questions asked by Gerald Paulson regarding manager site visits. Manager Christian noted that he has toured the site in the past and suggested the word “never” was not used. Manager Christian confirmed that he has toured the site in the past. Manager Christian also asked for clarification as to which staff member contacted the attorney about the hiring process and Swenby confirmed it was her, as requested in the May board meeting. Swenby noted an error in the numbering of the permits. A **Motion** was made by Manager Hanson to approve the minutes from the June 5, 2018 meeting, with the permit number changes as noted above, **Seconded** by Manager Vesledahl, **Carried**.
4. **Treasurer's Report:** Swenby noted that the month of June has not been reconciled yet and will be completed when bank statements are received.

A **Motion** was made by Manager Hamre to approve the treasurer’s report for June, **Seconded** by Manager Vesledahl, **Carried**.

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

<b>Anderson, Bottrell, Sanden &amp; Thompson</b>	4,580.33
<b>City of Fertile</b>	39.00
<b>David Sundheim</b>	40.00
<b>Garden Valley Telephone Company</b>	235.51
<b>Houston Engineering</b>	9,816.53
<b>JC &amp; J Trucking, Inc.</b>	650.00
<b>Kaitlyn Fuglseth</b>	577.50
<b>Marco</b>	856.62
<b>Minkota Technologies</b>	126.00
<b>Otter Tail Power Company</b>	175.14
<b>Rosebud Township</b>	560.00
<b>Sam's Club</b>	24.62
<b>Sletten Township</b>	400.00
<b>Trond Technologies</b>	130.00
<b>VISA Credit</b>	580.06
<b>Western National Insurance</b>	934.00
<b>Wild Rice Electric</b>	137.72
<b>TOTAL</b>	<b><u>19,863.03</u></b>

Swenby noted that the following four bills were paid June 30, 2018. She noted grant agreement dates as the reason for paying before the meeting. The checks have been cut and held but will be mailed

upon today’s meeting approval.

<b>Anderson, Bottrell, Sanden &amp; Thompson</b>	<b>\$350.00</b>
<b>Houston Engineering</b>	<b>\$14,460.45</b>
<b>Jeremy Chandler</b>	<b>\$316.80</b>
<b>Kristine Chandler</b>	<b>\$316.80</b>
<b>Total</b>	<b>\$15,444.05</b>

A **Motion** was made by Manager Hanson, to approve and pay the above listed bills, **Seconded** by Manager Hamre, **Carried**.

**5. Engineer's Report**

**Climax Ring Dike:** The project was closed out June 30, 2018 and final reimbursement will be submitted in July. Swenby billed the City of Climax for expenses outside of the grant.

**Nielsville Ring Dike:** Swenby billed the City of Nielsville for expenses incurred. The City of Nielsville had questions regarding the billing.

**Fish Passage and Grade Stabilization:** Herrmann is currently working on the final design and permitting. He is currently updating the plans to DOT standards to qualify for state funding near the Kittleson Creek outlet.

Herrmann is currently reviewing available funds with MnDNR and West Polk SWCD to determine what’s available and what qualifies.

**Carlson Coulee:** Herrmann is expecting a site visit with the MN DNR on their requirements for the public waters permit. Luther Aadlund provided comments regarding the need for this project after he looked at a google map. Herrmann has scheduled a site visit with Aadlund.

**Upper Sand Hill Detention Sites (RCPP):** 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 field surveys have been completed. The survey data will be used from the Sand Hill Fish Passage and Grade Stabilization project as leverage against the RCPP grant requirements. Modeling is nearly completed.

**Ditch #80 Preliminary Hearing:** Herrmann presented the Engineer’s Detailed Survey Report. A **Motion** was made by Manager Vesledahl to accept the Engineer’s Detailed Survey Report and place for permanent file, **Seconded** by Manager Bartz, **Carried**.

Herrmann presented the Viewer’s Report and the managers reviewed the assessed area. A **Motion** was made by Manager Hanson to accept the Viewer’s Report and place for permanent file, **Seconded** by Manager Hamre, **Carried**.

Herrmann presented an order for a final hearing. A **Motion** was made by Manager Vesledahl and **Seconded** by Manager Hanson to adopt the following Findings and Order:

**Findings:**

1. Sand Hill River Watershed District is the drainage authority for Polk County Ditch 80.

2. A petition for the Improvement and Establishment of Laterals to Polk County Ditch 80 was received by the drainage authority.
3. The drainage authority adopted findings and an order accepting the petition and appointing Zachary Herrmann of Houston Engineering, Inc. as the project engineer. Zachary Herrmann was ordered to prepare a preliminary survey and file a preliminary survey report with the drainage authority.
4. The preliminary survey report was filed with the secretary on March 23, 2018.
5. On April 23, 2018, the drainage authority noticed and held a preliminary hearing on the preliminary survey report. The drainage authority adopted findings and an order accepting the preliminary survey report, ordering the engineer to proceed with the detailed survey, and appointing three viewers to determine benefits and damages.
6. On July 3, 2018, the engineer filed the detailed survey report with the secretary. A copy of the detailed survey report was mailed to the commissioner of natural resources for review.
7. On July 3, 2018, the viewers filed the viewers' report with the secretary.
8. Pursuant to Minn. Stat. § 103E.325, subd. 3 the final hearing must be noticed by publication, posting, and mail.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for Polk County Ditch #80, hereby orders as follows:

- A. A final hearing on the detailed survey report and viewers' report shall be held on August 7, 2018 at 1:30 p.m. at Sand Hill River Watershed District Office (219 N Mill Street, Fertile, MN 56540).
- B. The secretary shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
- C. The secretary shall post a printed copy of the final hearing notice for each affected county at least three weeks before the date of the final hearing at the front door of the courthouse in each county.
- D. Within one week after the first publication of notice, the secretary shall give notice by mail of the time and location of the final hearing to the commissioner of natural resources, all property owners, and others affected by the proposed drainage project and listed in the detailed survey report and the viewers' report.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were 4 yeas, 0 nays, 0 absent, and 0 abstentions as follows:

	Yea	Nay	Absent	Abstain
Bartz	■	□	□	□
Hamre	■	□	□	□
Hanson	■	□	□	□

Vesledahl	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the motion **Carried** and the Findings and Order adopted.

A final hearing date was set for August 7 at 1:30 PM at the Sand Hill River Watershed District Office.

A **Motion** was made by Manager Vesledahl to accept the order, **Seconded** by manager Hanson, **Carried.**

6. **Dan's Monthly Report**

**Calendar:** Wilkens reviewed his written calendar for June and the proposed upcoming events for July.

**Project Team:** A Project Team meeting was scheduled for the 2<sup>nd</sup> Tuesday of the month in August (August 14).

**Tax Levy:** The petitions presented will be on Polk County's agenda July 17. Wilkens met with the Mahnomens County Board who will be writing a letter of support to Polk County for implementing these petitions. Staff plans to meet with Norman County in July.

**RRBC:** Board meeting and tour was held June 6 and 7.

**Drainage Workgroup:** The next meeting is scheduled for July 12 in St. Paul. A **Motion** was made by Manager Vesledahl to continue to ask the Administrator to represent the SHRWD at the DWG at each meeting for the rest of 2018, **Seconded** by Manager Bartz, **Carried.**

**MAWD Summer Tour:** The MAWD Summer Tour is June 20, 21, 22. Manager Hanson attended and reported.

**Bear Park:** Clayton Bartz reported on his site visit with Paulson that was made last month. Bartz stated that they threw in grass to show the water flow. Bartz reported minimal flow, but also noted how flat the area is and that many areas have a wide channel which would show minimum flow. Bartz did note that west of Rindahl the water appears higher than at the structure.

Herrmann presented a sheet using LiDAR, showing profiles for the downstream area to Section 32/33 of Garden Township. There is 10' of fall between the structure and the Harstad bridge. The profiles show that the fall is adequate after the structure, between Rindahl and the Harstad Bridge.

This proposes a question for the board regarding how much beyond, if any is the responsibility of the watershed district.

The managers discussed the option of extending the designated area downstream to Rindahl as jurisdiction of the SHRWD. A **Motion** was made by Manager Hanson confirming the district responsibilities for dam/beaver removal only resides from the Polk/Mahnomen line to the structure as per the legal court document, **Seconded** by Manager Hamre, **Carried.** The district will continue the beaver bounty program with the township for beaver removal outside of this area.

A **Motion** was made by Manager Bartz to review, on a case by case basis (dependent upon the

operation of the structure) and at the discretion of the board, dam removal for the area from downstream of the structure to Rindahl, **Seconded** by Manager Vesledahl, **Carried**. Beaver removal is a township responsibility as per the beaver bounty program.

Vesledahl reported that Mike Gunderson was going to submit photos of areas in his land and reported poor drainage according to their expectations.

**Project # 5:** The district is waiting on the final viewers report.

**Rules and Regulations:** Wilkens suggested setting up a process and possibly a committee. Herrmann, Swenby and Wilkens will prepare a draft with suggestions for the managers to review.

**Vesledahl Wetland Banking Project:** PILT legislation was in the tax bill that the governor vetoed. Wilkens provided draft notes from a meeting of BWSR and MNDOT and landowners with a site tour on June 15<sup>th</sup>.

**Reis Scandia:** The area was cleaned last fall and Polk County has asked the district to maintain the grade to a 4-1 slope in the area. Herrmann will review the area in question and made note during the ditch inspections to try to find a solution to the County's concerns.

**Ditch Inspections:** Several violations were found on ROW out west. A few ROW markers need verification. Herrmann is putting together maps of ditch cleaning, spraying and ROW problems that need addressing. The Verdell Olson project is not draining and has some trees growing on the site. Herrmann is scheduling the survey crew to gather data to see what we need to do. The culvert may have been installed when the structure was originally installed.

**Union Lake Pumping:** The managers discussed the options of purchasing easements. A survey of the area will need to take place to determine elevations.

## 7. Other Business:

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

**RRWMB:** The managers discussed the article in the *Twin Valley Times* regarding the withdrawal of the Joint Powers Agreement. It appears that the reporter took the SHRWD, the RRWMB, and the BRWD minutes to create the article. The managers also discussed the article written regarding the dissent at the WRWD and the costs for the office location of the RRWMB.

The managers continue to support their decision to withdraw from the Joint Powers Agreement and have not received a response from the RRWMB regarding the last correspondence (regarding financial expense discrepancies and the Human Resource consultant findings regarding the applicants for the Executive Assistant position) that was sent to the Chairman of the RRWMB in May.

**RCPP (Debra Walchuk and Keith Weston):** Debra Walchuk introduced herself as the RRBC NRCS Coordinator. Walchuck asked for progress reports quarterly, as indicated in our agreement. Walchuck asked that the district back track for the next report and indicate the past quarters, as the district has not provided past quarterly progress reports. Walchuck will provide informal comments on Review Point 1 that was submitted, and in the end the final Review Point 1 will be submitted to the NRCS Water Quality Management Center. Herrmann informed Walchuck that project team meetings are planned.

Keith Weston confirmed that the current Corp representative has been cooperative with this process.

Walchuck asked the managers if their separation from the RRWMB has any effect on the agreement with NRCS for the RCPP program and the SHRWD's decision to proceed. Discussion was held among the managers. Walchuck stated that the agreement is between NRCS and the district and was made with the Retention Authority's recommendations. It was pointed out that the agreement signed did not have any language with contingencies of membership of the RRWMB and the JPA. The SHRWD managers will proceed forward as long as the agreement is active. Walchuck will notify the Retention Authority of the districts intent to continue with the agreement.

The Sand Hill does not have intentions of not contributing to entities such as the Retention Authority, the RRBC, or IWI and still plan to continue to be a leader and be active in water management involvement throughout the basin, by financially contributing. Their membership with the RRWMB is not a factor that will affect the relationship between the RRRA. The Sand Hill will just not be using the RRWMB as a liaison to distribute the contributions made.

As a courtesy, Debra Walchuk reviewed staff changes that affect the area within the NRCS.

**Gerald Paulson Comments:** Paulson would like to have access to all the documentation on Project # 1. All the records are digital and Swenby can develop a CD or memory stick of the records.

Paulson arrived late so he asked about the fall after the structure. Herrmann reviewed the manager conversation that took place prior to his attendance this morning.

Paulson asked if Bartz told the managers his findings during their visit. Bartz confirmed he had given a report.

Paulson reported that Miller told him he took his 4-wheeler and could not gain access to the river to see dams. Paulson noted the remnants of beaver dams on Wayne Goeken's report. Chairman Christian commented that the district has moved on towards a good direction of maintaining this project.

**Administrator Position:** Swenby contacted Polk County to ask for hiring policies. Chuck Whiting stated that there is not a policy for hiring. The managers reviewed the proposed job description for the Administrator that was created during the succession planning in 2013. Discussion was held regarding merging the existing two positions and posting the job in house. Manager Hanson felt one position was needed. Manager Vesledahl questioned one position and felt two may be best, one being limited hours with minor secretarial work. The managers discussed the options of 1 ¼ employees or 1 ½ employees. Swenby stated that she desires full time employment.

Gerald Paulson, as a member of the Advisory Committee, suggested a meeting of the Advisory Committee with the Chairman present. Paulson suggested that Wilkens not be present.

A **Motion** was made by Manager Vesledahl to review the options internally for filling the Administrator position and review the position descriptions, **Seconded** by Manager Hamre, **Carried**. An Advisory Committee meeting will be scheduled. Swenby will revise the position descriptions, offering different scenarios for the direction of the available staffing positions.

8. **Permits:** One permit was presented to the board. A **Motion** was made by Manager Bartz to approve the following permit, **Seconded** by Manager Hamre, **Carried**.

**2018-13:** Arvid Broden, Garfield Twp. Section 24, Install new in-drive.

9. **Adjournment:** The next regular meeting will be held **Tuesday, August 7, 2018 at 8:00 AM.** As there was no further business to come before the board, a **Motion** was made by Manager Bartz to adjourn the meeting at 12:18 PM, **Seconded** by Manager Vesledahl, **Carried**

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April Swenby, Administrative Assistant

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JJ Hamre, Secretary