



**TITLE:** REGULAR MONTHLY BOARD  
MEETING MINUTES

**DATE:** DECEMBER 3, 2019

### 1. ATTENDANCE:

Chairman Stuart Christian called the December 3, 2019 meeting to order at 8:00 AM at the District Office. Other managers present were Clayton Bartz, and JJ Hamre. Managers absent: Roger Hanson and Dan Vesledahl. One staff member was present April Swenby – Administrator. Others in attendance included Jeff Langan – Houston Engineering.

### 2. APPROVAL OF THE AGENDA:

A **Motion** was made by Manager Bartz to approve the agenda, **Seconded** by Manager Hamre, **Carried.**

### 3. MINUTES:

A **Motion** was made by Manager Bartz to approve the minutes from the November 5, 2019 meeting as presented, **Seconded** by Manager Hamre, **Carried.**

### 4. TREASURER'S/FINANCIAL REPORT:

Swenby read the Treasurer's Report. It was noted that on the report presented, the bank statements were not received thus the bank accounts have not been reconciled. A **Motion** was made by Manager Hamre to approve the Treasurer's Report for November, pending reconciliation, **Seconded** by Manager Bartz, **Carried.**

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

Al and Laura's Foods	9.99
Anderson, Bottrell, Sanden & Thompson	1,925.00
April J. Swenby	219.39
EcoLab	53.57
First Community Credit Union	117.88
Garden Township	650.00
Garden Valley Telephone Company	209.37
Houston Engineering	39,664.90
L M Road Services	21,097.00
Minkota Technologies	320.79
Otter Tail Power Company	375.97
Polk County Taxpayer Service Center	46.00
Rosebud Township	845.00
Sarah Wise	55.00
Wild Rice Electric	138.71
Wright Construction	132,685.62
<b>TOTAL</b>	<b><u>198,220.48</u></b>

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:

<b>Sarah Wise</b>	55.00
<b>Opdahl's Donuts</b>	\$19.00
<b>Wild Rice Electric</b>	138.71
<b>TOTAL</b>	<u><u>212.71</u></u>

A **Motion** was made by Manager Bartz to approve and pay the bills with a total of \$198,433.19, **Seconded** by Hamre, **Carried**.

## 5. ENGINEER'S REPORT:

**City of Beltrami:** Swenby and Herrmann attended the City Council meeting and Herrmann reported positivity. The City Council would like to have another meeting where affected landowners and other key players would be invited to get their thoughts on the process. Based on 2% median household income, the Beltrami commitment would be \$37k (roughly). The estimated costs to complete a concept design/cost estimate and apply for a grant application is \$10k. Herrmann is open to attending any additional meetings with any impacted residents.

**City of Nielsville:** Swenby and Herrmann will draft a letter responding to Brekke's concerns.

**SH Riffle Expansion:** The project has been delayed due to unfavorable weather and flow conditions in 2019. Public Waters Permit restricts construction to late summer/fall/winter, which have been abnormally wet. The contract expired December 3, 2019. Houston Engineering recommends extending the contract until January 7, 2020. Without a contract extension, liquidated damages apply. Herrmann expects the contract to need another extension in 2020. A **Motion** was made by Manager Bartz to extend the completion deadline to January 7, 2020, **Seconded** by Manager Hamre, **Carried**.

**Kittleson:** Davidson Construction plans to install box culverts this week. The county extended this deadline once and it is planned to have another extension.

**SH Lake Dam:** Herrmann provided final bid amounts. The engineer's estimate was \$170,650. The low bidder was \$168,897.50 (Landwehr Construction, Inc.). A preconstruction conference is planned.

**Poissant Bridge:** Preliminary survey work will be completed this week to develop a concept plan and cost estimate. The MnDNR will provide funds (anticipated in January) to finalize a concept design/cost estimate that will be used for the grant amendment.

**Polk County # 44 – Clean Water Fund Project:** Last month, Houston Engineering was authorized to develop a concept plan to apply for a clean water fund grant. Herrmann anticipates that most/all of this review will be completed with available off-site data, however a sight visit and limited field survey may be required.

**Brady Kroenig – Clean Water Fund Project:** Last month, Houston Engineering was authorized to develop a concept plan to apply for a clean water fund grant. Herrmann anticipates that most/all of this review will be completed with available off-site data, however a sight visit and limited field survey may be required.

**Section 28-33 – Liberty Twp:** Swenby asked Herrmann to review the area in Section 28-33 of Liberty Township. This area has significant erosion and flood damages. The area is in the Wild Rice Watershed District but provides an opportunity for a joint watershed project or a boundary

revision. Many options might include storage, channelization and erosion control features.

**Carlson Coulee:** Two quotes were received for the tree snagging portion of the Carlson Coulee. Quotes were opened on December 2, 2019 at 10 AM at the office of Houston Engineering. Kraulik Construction was the low bidder at \$44,000. The second bidder was Tripple D Construction at \$74,000. The A **Motion** was made by Manager Hamre to award the contract to Kraulik Construction for \$44,000, **Seconded** by Manager Bartz, **Carried.**

A change order was presented for the added rock for the Texas Crossing. Plans were provided to the manager which highlighted this change. The A **Motion** was made by Manager Hamre to approve Change order number one for \$5,587.50, **Seconded** by Manager Bartz, **Carried.**

Wright Construction is completed with the project for the Carlson Coulee. They have submitted a pay request and it is suggested to process the payment, less 5% retainage. **Motion** was made by Manager Bartz to approve pay request number one for \$127,098.12, **Seconded** by Manager Hamre, **Carried.**

**RCPP Program:** Houston Engineering submitted NRCS Review Point 2 and 3. The next step will be to request and extension through 2021. This is consistent with what other watersheds have done.

**Project # 17 Maintenance:** Herrmann is working with Braun for a quote for soil testing assistance. The slope has a large failure west of Highway 9.

Herrmann is working on a recommendation for a breakout out adjacent of Highway 9. A landowner has contacted the district concern with the better drainage that Ditch #80 will provide, noting that is all draining this way and would like some alternative solutions for this area.

**Ditch #80:** Liquidated damages are being tracked since November 1, 2019. The contractor plans to excavate the north /south reach of Lateral 2 this week. Based on the progress, completion is unlikely this fall/winter.

**LID:** Technical information required for an easement for the pump site was provided to the attorney. The attorney has also been asked to draft an assignment document between Polk County and the SHRWD for the existing easements (excluding the three that were just obtained this fall).

## 6. ARCHITECT – DISTRICT BUILDING PROJECT (9 AM)

Milt Yergens presented a revised draft to the board for their review and asked for direction for proceeding.

Swenby will verify with the County that the plan presented will be permit approved. A **Motion** was made by Manager Hamre authorizing staff to apply for a Polk County Permit using the proposed plan, **Seconded** by Manager Bartz, **Carried.**

A **Motion** was made by Manager Bartz, authorizing Milt to move forward with Option 2, upon County approval, **Seconded** by Manager Hamre, **Carried.**

## 7. ADMINISTRATOR REPORT:

**Administrator Calendar:** Swenby highlighted her calendar for November.

**Section 15 Reis Township – Public Waters Reclassification:** The district sent a joint letter with the West Polk SWCD to Stephanie Klamm asking for reclassification of protected waters in Sections 15 and 16 of Reis Township. A copy of the letter was provided to the managers. Klamm was also provided the plan sheets for Project # 11 and Project # 13 to help aid in her review of the requested

reclassification.

**SHAC Meeting:** An advisory committee meeting was held November 25, 2019. The terms of JJ Hamre and Roger Hanson are set to expire January 2020. Due to health-related issues, Manager Hanson will not seek reappointment. The committee has recommended JJ Hamre and Craig Engelstad to serve as board managers. Swenby noted that both candidates meet with the county at 1:50 today December 3, 2019.

Members of the committee have asked the county to revisit the process of candidate selection and is asking that the county submit to the committee after their deadline, the names of interested parties that the county receives from other means. Some committee members felt it was important to see all candidates before offering a final recommendation. The county is reviewing any liability this might impose on them by setting a deadline for the general public but extending a deadline for the Sand Hill Advisory Committee. Currently, the Sand Hill Advisory Committee submits their recommendations to the county before their deadline in response to the county's advertisement for applicants and those recommendations are given an audience before the county. Likewise, any additional names that come before the county by other means, are also given an audience. The county then is given the task of choosing a board member. Appointment deadlines are on a timeline set by Mn Statute.

SHAC Chairman has asked the board to consider placing the audit report on the web-site. One committee member would like staff to mail a copy of the audit report. The managers decided that they would not like to display the audit report on the district web-site at this time and would like to continue to distribute the audit report annually when the SHAC meets.

Draft minutes from the SHAC were provided.

**MAWD:** The MAWD Annual Trade show is scheduled for December 5 – 7. The MAWA meeting is scheduled for December 4. Manager Hanson is unable to attend as planned. Swenby will try to attend for one day on December 6. Attendance will be contingent upon office duties and task lists that must be completed during the week.

**RRBC Conference** – Nourished by Nature: Getting Back to our Roots will be held in Fargo on January 14 and continue through January 16. Manager Hamre and Stuart Christian are interested. Swenby will get in touch with him. Swenby will get in touch with Craig Engelstad, pending Polk County's appointment of Engelstad.

**Beaver Trapping:** Trappers are in the Bear Park area, the SH Ditch and Project # 11.

JC&J Trucking removed the beaver dam and cleaned a small portion of Project #11 in Section 23 of Reis Township on November 8.

**Ditch Maintenance:** Swenby authorized JC&J Trucking to clean Project # 12, repair the scour hole on Project #12, and repair the field sluffing on Project # 17. Due to weather restrictions, he was only able to clean a small portion and repair the scour hole on Project #12. Additional cleaning for Project # 12 will need to be placed on the list for next fall. He was able to repair the field side sluffing on Project # 17.

Additionally, on Project #17, the Beltrami Fire Department has blasted gravel (from a township road during spring flooding) from a side inlet pipe on two occasions. They have reported that the pipe appears to still be plugged with debris. Upon inspection, Swenby noticed that the road is currently eroding into the ditch and gravel is continually moving into the side inlet. Images are attached.

There are two options:

- One is to move the side inlet further East away from the road side, but there would be a high risk of damaging or not being able to salvage the existing pipe. There is pipe in stock and costs \$12.60/ft without delivery or other fees. The pipe is about 60’.
- The district can choose to place rock along the road side as a more affordable option, but that does propose a “precedent” for the future. This is the Township ROW and it is their gravel. The question of maintaining the side of their road from weeds arises and Swenby noted that isn’t something that the watershed usually does.

There was not adequate time this year to complete either of these options.

The roadside is already eroding, and a spring road wash out is possible again. The township is unhappy with the design and wants a breakout. Houston Engineering already determined (and a letter explaining the determination was sent) that there isn’t an option that will be without impact to adjacent landowners.

A **Motion** was made by Manager Hamre authorizing staff to move forward in 2020 with moving the side inlet away from the Township road, **Seconded** by Manager Bartz, **Carried**

**Building Project Discussions:** Swenby met with Architect on November 7. A revision of plans was discussed.

**City of Nielsville:** Swenby and Herrmann will develop a letter to Bill Brekke and verify that he supports the project. An additional letter will be drafted from the City of Nielsville and Polk County asking the State of MN to consider Nielsville as a viable location for flood protection, pending Brekke’s support for the project.

**SH Lake Dam:** Construction contracts were given to the managers for review. Chairman Christian and Secretary Hamre signed the document. A preconstruction meeting is being planned for in December.

**Targeted Watershed Demonstration Grant:** The district has asked for an extension on the 6/30/2020 deadline due to the past two wet seasons. A grant extension was denied. The biggest of factor is due to the legislative appropriation expiration which leaves us with very few avenues to seek an extension. If it were a single large project in the middle of construction, or a portion of a large federal project the district would have marginally more flexibility to consider.

**FDRWG:** Minutes from the October FDRWG meeting were provided to the managers. The minutes highlight the discussion about non RRWMB members and their involvement. Swenby held a phone conference with the Buffalo Red to discuss ideas for moving forward. It appears that this discussion will not be on the FDRWG agenda in December.

The FDRWG is recommending that an addendum to the mediation agreement be prepared. Swenby provided the Review and Recommendations document from the FDRWG that summarizes results from the review and identifies specific items that could be addressed in an Addendum. The FDRWG would like comments by January 15. The managers were asked to review the document. Swenby added her initial thoughts to the document. This item will be placed on the January agenda for formal discussion after the managers have had time for review.

**City of Beltrami Ring Dike:** Swenby and Herrmann met with the City of Beltrami in November. Swenby provided the material that was given to the council. The City of Beltrami has asked for time to consider their options and converse with West Central to determine cost sharing options.

**Spokely Wash Plant:** A letter was sent to Spokely’s (as per the district’s June 2019 meeting minutes) as a courtesy reminder to insert the planks and contact the office when action is taken so that we can inspect. After a follow up this month, Spokely’s confirmed that the boards were in place. Swenby performed an inspection on November 20, 2019. The opposite side of the planks were dry,

and the culvert was visible with only what appeared to be groundwater surrounding the apron. The planks appeared to be lower than the culvert and able to sufficiently hold back sediment. Photos were provided.

**Onstad Boundary:** Swenby met with the landowner affected by the offtake ditch (Carl Moland). He confirmed it has not been cleaned but that it was mowed. He was offered watershed assistance for drafting a letter to MnDOT and was offered contact phone number information to those at MnDOT who have deemed the cleaning of the offtake ditch a low priority.

**Landowner Ditch Plug/Project # 24:** The landowner was called to discuss the installation of the ditch plug and the deadline of November 9. The landowner instructed the district to move forward with hiring the plug installation. A & S Construction was contacted and authorized to install the plug on November 5. On November 19, the plug was still not installed by the contractor. An additional attempt to contact the contractor was made again November 26 and no response was able to be had.

**Watershed Delineation/Hydrology Report Tool:** The Sandhill, Thief River, and Ottertail watersheds are up on the watershed delineation/hydrology report tool. Fritz is looking for comments. Fritz has offered to give another training session on how to use the tool to meet the district's needs.

**Unemployment:** The district has never reported wages to unemployment. Upon the insurance evaluation, it was discovered. Because we are an LGU we are exempt from the tax; however, wages are required to be reported. Swenby created an UI account and is filing for reconsideration for penalties for the quarters not reported.

**Landowner/Agency Requests for Watershed assistance:** On November 22, a tour was held for three sites in Garfield Township with the MN DNR, Swenby, City officials, landowners and Garfield Township officers. Images are provided for the following sites:

- Site 1: Just past the culverts on the South side of the gravel road, the river is beginning to make a new flood plain and cut the road. The City has FEMA dollars to assist in about 40' of rip rap or some sort of stabilization. The discussion was held about continuing the work to reach the culverts and add a rock apron to the height of the road next to the culverts. Stephanie Klamm is interested in the possibility of writing a grant that incorporates the past SH watershed CWF grants near the Nature Center that were denied.
- Site 2: A landowner (Motteberg) East of Fertile is experiencing a significant cutting of the river and the driveway and cliff near the home is at risk for the river cutting towards infrastructure. This spring it is estimated that at least 10' of land has been lost by the river cutting. If the river continues to cut, not only would it impose a safety risk and infrastructure loss to the homeowner, and obscene amount of sediment and debris will pollute the river system. Stephanie Klamm is interested in working with the SWCD to determine what types of options are available and asks if the watershed would be open to exploring some ideas of possible solutions exist. Manager Christian noted many areas west of Fertile with the same issues. Swenby will research ideas in coordination with the SWCD for grant opportunities for all of these areas.
- Site 3: The township road between section 3 and 4 of Garfield Township is low and is nearly level with the protected waters on both sides of the road. The township is exploring the possibility of raising the road and was asking for MnDNR regulations for the sides of the road and what permitting would like for a road raise. The township isn't concerned with the adequacy of the culvert under the road as it always appears level. The group discussed any options of water storage options to help drain the water to avoid the level being consistent with the road. A **Motion** was made by Manager Bartz authorizing Houston Engineering to offer preliminary



investigation solutions for draining the water quicker from the slews, **Seconded** by Manager Hamre, **Carried**.

**Bear Park:** Another landowner has asked the watershed if there is any assistance available for removing the beaver dam just East of Rindahl. Additionally, at the Sand Hill Advisory Committee meeting, Committee Member Roger Black also ask that the board reconsider action taken this summer voting to not move past the Krogstad bridge. The managers suggested that Swenby send a letter to the Township notifying them of the beaver dam.

**Bylaws:** Last month the board was presented with a draft proposed copy of the district bylaws. The managers opted to remove Vacancy/Terms Item 1B and make the revisions as suggested by BWSR. A **Motion** was made by Manager Hamre to approve and accept the Bylaws, **Seconded** by Manager Bartz, **Carried**.

**Insurance Evaluation:** Swenby provided a comparative chart using the district's existing coverage and the proposed coverage from MCIT: The difference between the two is about \$5,000 in annual savings for the district.

MCIT offers risk management consultants, loss control consultant, and MN Safety council training. They provide an online resource library that contains resources for legal, management, loss control, and risk management. They also host annual webinars on coverage and risk management. They also include webinars designed for land and water management.

Should the board like to move forward with MCIT, MCIT would suggest increasing the Employee Dishonesty and Faithful Performance of Duty for staff and Treasurer. The current coverage quoted included a \$5,000 coverage for all positions and staff.

A **Motion** was made by Manager Bartz to move forward with MCIT and increase the Dishonesty and Faithful Performance of Duty for staff (\$100,000) and Treasurer (\$50,000), **Seconded** by Manager Hamre, **Carried**

**District Christmas Party:** A tentative date was set for January 3.

**Manager Hanson Retirement:** Swenby has order a plaque and provided an image. The managers decided to give Manager Hanson a bit more recovery time and present the plaque to him at a later date.

**Hunting/Muzzle Loader Request:** Jesse Doyea has asked for permission to hunt on the district property otherwise known as the "Berhow property". It is just over 3 acres. The managers agreed that it would be okay for muzzle loader for 2019. Annual permission is suggested.

## 8. OTHER BUSINESS

Partnering agency reports were provided to the managers.

## 9. 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**.

2019-31 Dale Kriewald – Section 16 Bejou Township – Install Tile.

- This is a formerly approved permit but was amended last month because the initial permit that was applied did not hold the signature of the landowner. This is a new application which holds the correct applicant's signature and holds the same operating plan as permit 2019-23.

For manager information, a notice was provided from Environmental Services pertaining to a hearing on December 6 for a conditional use permit for a new septic holding tank to an accessory structure on a non-riparian parcel near Union Lake. No manager comments were noted.

#### 10. EMPLOYEE EVALUATIONS:

**Employee Evaluations:** Swenby reviewed with the managers the current pay for staff, 2018's pay for staffing, and other district Administrator's pay. The managers present would like to hear Manager Vesledahl's feedback regarding performance and his input on any pay increases before finalizing any decisions.

A **Motion** was made by Manager Bartz to employee evaluations until Manager Vesledahl is able to attend in January, **Seconded** by Manager Hamre, **Carried.**

#### 11. ADJOURNMENT:

The next regular meeting will be held Tuesday, January 7, 2020 at 8 AM. As there was no further business to come before the board, a **Motion** was made by Manager Hamre to adjourn the meeting at 12:09 PM, **Seconded** by Manager Bartz, **Carried.**

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April Swenby, Administrator

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JJ Hamre, Secretary