

TITLE: REGULAR MONTHLY BOARD MEETING MINUTES

DATE: MAY 1, 2025

1. ATTENDANCE:

Chairman Stuart Christian called the May 1, 2025, meeting to order at 8 AM at the District Office. Other managers attending were Clayton Bartz, Don Andringa (attended via remote technology) and Shawn Brekke. Managers absent included Craig Engelstad. Staff members present included April Swenby – Administrator and Donna Bjerk, Administrative Assistant. Others attendance included Zach Herrmann – Houston Engineering. Ron Ringquist - Project # 27 appraiser, Shane Johnson - USLID chairman and Lonnie Paradis - USLID board member attended via remote technology.

Swenby noted that the meeting notice was posted appropriately to comply with Open Meeting Law and the requirements for managers attending via remote technology. All votes will be held via roll call.

2. APPROVAL OF THE AGENDA:

A <u>Motion</u> was made by Manager Brekke to approve the agenda with the additions of permit # 25-006 through permit 25-010 and to move the action items before the Administrator report during the meeting to allow for Manager Andringa's time restraints, <u>Seconded</u> by Manager Bartz.

A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\overline{\checkmark}$			
Engelstad			\square	
Andringa	$\overline{\checkmark}$			
Bartz	$\overline{\checkmark}$			
Brekke	$\overline{\checkmark}$			

The Motion was carried.

3. APPROVAL OF THE MINUTES:

A <u>Motion</u> was made by Manager Bartz to approve the minutes from the April 3, 2025, <u>Seconded</u> by Manager Brekke.

A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\overline{\checkmark}$			
Engelstad			\square	
Andringa	$\overline{\checkmark}$			
Bartz	$\overline{\checkmark}$			
Brekke	$\overline{\checkmark}$			

The Motion was carried.

4. FINANCIAL REPORT:

A <u>Motion</u> was made by Manager Brekke to dispense the reading and approve the draft April 2025 Treasurer Reports pending reconciliation, <u>Seconded</u> by Manager Bartz.

A roll call was held and res	ulted in the following:	:		
Christian Engelstad Andringa Bartz Brekke	Yea ☑ □ ☑ ☑ ☑ ☑ ☑ ☑ ☑ ☑	Nay	Absent □ □ □ □ □ □ □	Abstain □ □ □ □ □ □ □
The Motion was carried	l.			
The managers reviewed th were reviewed.	eir expense reports a	and reported on activit	ies for the month. Th	ne following bills
TC	April J. Swenby EcoLab First Community (Houston Engineer Jason Benbo Otter Tail Power C Polk County Audit Todd's Landscapid Wild Rice Electric	ing company cor - Treasurer	214.20 57.98 347.14 57,149.00 400.00 424.39 3,825.00 180.00 115.90 62,713.61	
The following two additiona \$250, and Schmitz Builders			r Viewers for \$25,015.6	88, Joe Cyr for
A <u>Motion</u> was made by Ma Manager Bartz.	nager Brekke to appr	rove and pay the bills	with a total of \$151,249	9.29, Seconded by
A roll call was held and res	ulted in the following:	:		
Christian Engelstad Andringa Bartz Brekke The Motion was carried.	Yea ☑ □ ☑ ☑ ☑ ☑ ☑ ☑ ☑	Nay	Absent □ □ □ □ □ □ □	Abstain □ □ □ □ □ □
PROJECT # 27 APPRAISE	R/WORKING GROUP	REPORT:		

5.

The Working group for Sand Hill River Watershed District Project # 27 met on April 11, 2025, to evaluate and provide direction to Ron Ringquist, the consultant hired by the SHRWD board of managers. The group compared possible scenarios for which parcels should be assessed for Project #27. Two proposals were provided:

- 1. An approach that includes lakeshore owners that receive a direct impact from the project.
- 2. A combined approach that would include lakeshore owners and the contributing watershed. In addition to the direct impacts for lakeshore owners, the contributing watershed would be assessed based on their relative contribution to high water on Union and Sarah Lakes.

While the working group recognized the watershed acres and their role in lake levels, they felt that including the contributing watershed in future assessments could be very subjective. The working group reached consensus to advise the SHRWD board to include lakeshore owners in the assessment for the following rationale:

- 1. Much of the land use conversion from pre-settlement to agriculture in the contributing watershed had already occurred when development of the lake began.
- 2. The purpose of the project is to protect lakeshore properties, and is in no way operated to maximize other benefits within the contributing watershed.
- 3. If the lake were not developed, there would be no need for the project and subsequent assessments.
- 4. This is not a Legal Ditch system under MN Statute 103E, and appraisal of property value for a Watershed Project under 103D is not the same as assessment of benefits described in 103E.
- 5. When the project was built all landowners agreed for the paying parties to be lakeshore. Changing the terms of what was originally agreed upon may be controversial and not well received.

Ringquist was asked to include elevations into his formula. It may be that some back lots are at a low elevation and may have benefit from flooding depending on the elevation of their lot.

Swenby met with the Union-Sarah Lake Improvement District (LID) on April 21, 2025 to give a status update on the re-assessment process. At the meeting an attendee requested that LID landowners be able to provide input to the board in their decision-making process. One attendee saw benefit in contributing acres being assessed. In response to the attendees at the LID meeting it was proposed to the district that the LID and the SHRWD host an informational landowner meeting to collect additional input on assessment methods and wanted to ensure that their input was gathered before it was too far down the track to divert. Swenby reported that she explained the statutory process and the hearing that will be held to include the landowners in the decision making process. Swenby also let the USLID members know that this would be a board agenda item today and invited them to attend.

A question was proposed regarding any possible restrictions to contributing acres for drainage, should the board move forward with assessing only lakeshore owners as it was originally when it was established. Swenby stated that if the board decides to assess only lakeshore owners as it was when it was originally established; it was verified with the attorney that contributing acres in the future can still drain to the lake. If they tile or ditch etc. (with a watershed permit) there is nothing prohibiting them from doing so because this is a 103D project not a 103E project. Ron Ringquist concurred.

In their discussion the group discussed the vertical distance between the lowest level that can be pumped, and the estimated spill-out to the north, is 5.9 ft. A chart was provided that shows each of these elevations compared to observed historic information of each lake.

In the formula Ringquist stated that he is able to include different scenarios for maintenance and different scenarios for any capital improvements.

The board also explained to the USLID members and Ron Ringquist that the district is pursuing a redetermination of benefits on the Sand Hill Ditch, and likely these acres will pay some sort of outlet fee to outlet into the Sand Hill Ditch. Ringquist agreed that as an experienced viewer, there would likely be an outlet fee for assessed to Project # 27, and lands that are included in the assessment role of Project #27, would be assessed use the Sand Hill Ditch appropriately independent of Project # 27. The board's decision to include contributing acres into Project # 27 is not a factor for the redetermination of the Sand Hill Ditch.

The mangers agreed that it is premature to host an informational meeting. Since the last landowner meeting at the USLID annual meeting in August of 2024, there has been no new information to provide and agreed that a landowner meeting would be better served after the board has evaluated all reasonable options for presentation and have performed their due diligence. Ringquist concurred that at the statutory hearing landowners will have the opportunity for input, and the board will have ample time to divert based on the feedback if desired. The board directed Ron Ringquist to work with the district engineer to develop a formula for both approaches for presentation to the board for their consideration. The board will continue to work in parallel and partnership with representatives from the USLID. Paradis and Johnson would like to continue to

be included on the discussions regarding the formula and Swenby said she would continue to let the USLID of watershed meetings where this will be discussed.

Ringquist anticipates samples to present to the board in July.

6. **ADMINISTRATIVE REPORT:**

<u>Union Lake Pump</u>: Swenby stated that she knew there has been questions about pumping times, etc. and what was allowed via the permit. For clarification, she reminded the board that the pump can be used from May 1 to October 31, but not over winter. The time was put in place as to not freeze up and flood out culverts and downstream waters. With the zebra mussel infestation, another contingency is in place with a water temperature at or below 48 degrees (until a new screen is in place). Pumping must occur at a rate not to exceed 10 cfs.

Swenby provided the additional following updates:

- In response Swenby's inquiry with MNDNR to conduct the diving inspections in the fall vs. spring, the MnDNR has verified that inspections are to be done in the spring to ensure that there is no damage over winter (ice damage, etc.). Swenby is working with the Polk County Sherriff Department to schedule diving inspections in May.
- Swenby attended the AIS meeting on April 16 in Crookston and gave a status update.
- Swenby reported that the district is moving towards applying for funding and/or exploring funding opportunities for Flood Hazard Mitigation, LSOHC, and Federal Congressionally Directed Spending. In addition she has been in contact with state representatives about possible future legislation.

<u>Ditch Buffer Policy:</u> Hauff gave recommendations and suggested language for a policy. Swenby will work on that this this month and hopes to provide something in June/July.

<u>District Attorney:</u> For administrative and cost efficiencies, Swenby recommended that the district use one attorney. After thoughtful consideration, she felt it was best to have one attorney vs. the coordination of two. She asked that the board to consider efficiencies for keeping one attorney informed on all positions and endeavors of the district vs. keeping two attorneys up to speed on all of the district needs. All district projects tend to relate to each other, especially during the SH Ditch redetermination. She gave a few examples that occurred in the past month. The board agreed that John Kolb would serve the district needs. Swenby reminded the managers that this decision can be revisited, should the needs of the district change and annually the district appoints a designated attorney in January.

A <u>Motion</u> was made by Manager Bartz to work with one district attorney and assign John Kolb, Rinke Noonan, as the Sand Hill River Watershed District designated attorney, <u>Seconded</u> by Brekke. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian				
Engelstad			\square	
Andringa				
Bartz				
Brekke	$\overline{\checkmark}$			

The Motion was carried.

The board thanked Dave Hauff for his years of service and dedication to the district for so many years and wished him well in in his retirement.

Funding (Scandia and Liberty repairs): HSEM is covering a portion of the repairs on the Sand Hill Ditch in Liberty Twp. and Scandia Township. In April, Swenby applied for funding with MPCA, for shovel ready water quality projects for these two sites. The project request that was sent out by MPCA stemmed from MPCA management asking to develop a list of shovel-ready water quality projects that could use funding, in case funds are available from potential enforcement actions. There is no guarantee that enforcement funds will be available for projects, and MPCA likely won't know or hear of anything unless funds are made available.

Beaver: The beaver trappers scouted the jurisdictional area of the Bear Park project and reported no activity. They are also trapping on the SH Ditch. Joe Cyr has placed traps on Project #5. Swenby stated that she was

asked write a letter of support for trapping outside of beaver season on MnDNR land upstream of the SH Ditches jurisdictional area. The board supports efficient adjacent drainage interests. Swenby will submit a letter of support to the MnDNR.

SH River Ecosystem Restoration: The district was notified by the office of Senator Tina Smith that Fiscal Year (FY) 2026 Congressionally Directed Spending application is now open. Letters of support can be submitted after the deadline passes. This year, the Appropriations Committee instituted new rules capping the number of projects Senators can submit to each subcommittee. Under these rules, it is especially important that projects closely and clearly adhere to eligibility requirements. Senator Smith will give preference to projects selected by the House and Senate Appropriations Committees during the last year's process, because these awards were ultimately stripped out of the final bill and did not become law. Herrmann and Swenby agreed that even though we do not have an official project plan official, it was worth it to apply to avoid missing an opportunity.

Building Project: Swenby stated that things are progressing and appear to be on budget thus far. There are a few changes made from the original design. Manager Christian and Swenby communicate throughout the month to address those items which include: snow stop on the roof, eve on NW corner of existing building, Dryvit, bathroom closets, copier nook relocated, and south window relocation. Swenby has picked out cabinetry, bathroom tile, and met with and set up natural gas. Swenby is starting early discussions with possible renters and has had some promising interest. The board toured the new addition.

<u>Additional items:</u> Swenby provided additional updates on FEMA 2022 disaster declaration, tasks completed in April due quarter 1, 2025, and an update on the new hire for the Red River Basin Coordinator.

8. ENGINEER'S REPORT:

<u>Project 27:</u> Herrmann is working through preliminary design and cost estimates for a new pump/screen, namely filter options that reduce additional pump demand, to meet the MnDNR requirements for permitting zebra mussels. Herrmann plans to have a complete report with recommendations to the board prepared for the June meeting.

<u>FEMA:</u> Herrmann has submitted the cost estimate to Swenby to meet FEMA requirements and the required supporting documentation.

<u>SH Ditch Repairs:</u> HEI is currently applying for permits for Section 24, Scandia. He continues to work through the plans and specifications for the bank failure in Liberty township.

<u>Project #17</u>: Contractors are gearing up to complete the repair. Herrmann anticipates it will move quickly. On the west portion there is about 1000' feet or less of sheet pile from a prior repair handled by Polk County. Herrmann's team will survey this area to determine if it requires cleaning. If it doesn't Herrmann recommends removing this section from the contract to avoid any risk of destabilizing and damage to the sheetpile.

Project # 12: Swenby stated that there was a report of a damaged culvert on Project #12. This culvert was a part of the repair last fall and the board took action to lower the culvert at the landowners request. The landowner has reported that not only should this culvert have been lowered, it is damaged and reports it should have been replace. The field inspector will review his notes and make a recommendation to staff.

Boundary Revisions: Swenby and Herrmann will include this with the ditch inspections this year. Swenby said that Liberty and Onstad both have some upcoming culverts that need replacement and Swenby plans to partner with them to save delivery fees for all culverts.

9. ACTION ITEMS:

Building Project: The managers reviewed options for siding. The board reviewed the option of covering up the brick yard brick with dryvit on the NW side to minimize the addition having three different visible coverings when added to the existing building. The dryvit also includes an insulation factor and would insulate the NW corner of the existing building should they choose to move forward. The improved cost is about \$9,500.

district office to replace the following:				I was held and resulted in
Christian Engelstad Andringa Bartz Brekke	Yea ☑ □ ☑ ☑ ☑	Nay □ □ □ □ □ □	Absent □ ☑ □ □	Abstain □ □ □ □ □ □ □
The Motion was carr	ried.			
Motion made by Man	ager Brekke to h	ire Sun Control to tint	the North four windows	ows of the addition. As on the district in lieu of sulted in the following:
Christian Engelstad Andringa Bartz Brekke	Yea ☑ □ ☑ ☑ ☑	Nay □ □ □ □ □	Absent □ ☑ □ □ □	Abstain □ □ □ □ □ □
The Motion was car	ried.			
Audit: A Motion mad Brekke. A roll call was			24 audit as presented,	Seconded by Manager
Christian Engelstad Andringa Bartz Brekke	Yea ☑ ☑ ☑ ☑	Nay □ □ □ □ □	Absent □ ☑ □ □ □	Abstain □ □ □ □ □ □
The Motion was carr	ried.			
Project has been revo our district mapped. responsible for the wh	oked. If we want We are not RRW nole portion \$275	to participate, the SHF VMB members, and the i/sq. mile.	ere is no grant available	e about \$131,725 to have e, so we would be
			Rural floodplain Mappi ager Bartz. A roll call w	ng effort and will as held and resulted in
Christian Engelstad Andringa Bartz Brekke	Yea ☑ □ ☑ ☑ ☑	Nay □ □ □ □ □ □	Absent □ ☑ □ □	Abstain □ □ □ □ □ □ □
The Motion was carri	ed.			

Motion made by Manager Brekke to approve additional insulated dryvit on the NW portion of the existing

Copier Renewal: Swenby presented quotes from Liberty and from Marco and a comparison chart to the managers for the quotes. The major difference between the two quotes was metered print vs. unlimited print.

Swenby was told that Marco will have a 10% cost increase as of May 1 due to Tariffs. Swenby couldn't enter into the contract before May without board approval. Swenby recommend to move forward with Marco,

subject to them honoring the price before tariffs. They have been the vendor for many years and there have been no issues and we have been satisfied. Swenby noted that the repair man is local and is speedy. Costs are similar (within \$2 per month) when adding in the difference of the one time origination fee.

A <u>Motion</u> made by Manager Brekke to enter into another contract with Marco, pending honoring of the original pricing, <u>Seconded</u> by Manager Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\overline{\mathbf{V}}$			
Engelstad				
Andringa	$\overline{\mathbf{V}}$			
Bartz	$\overline{\mathbf{V}}$			
Brekke	$\overline{\mathbf{V}}$			

The Motion was carried.

10. OTHER BUSINESS:

The managers received information from Mn Watersheds and the Union Lake/Sarah Improvement District.

11. PERMITS:

Five permits were presented to the board:

25-006: Liberty Township, Liberty Twp. Section 5, Replace culvert (SHRWD sizing)

25-007: Liberty Township, Liberty Twp. Section 7, Replace and extend culvert

25-008: Neal Pederson, Bejou Twp. Section 7, Install tile and wetland restoration

25-009: Walter Helgeson, Bejou Twp. Section 7, Install tile and wetland restoration

25-010: Gary Helgeson, Bejou Twp. Section 7, Install tile and wetland restoration

Herrmann has reviewed the permit applications and recommends approval. He will provide sizing recommendations for permit 25-006 and recommends tabling this permit until he has more time to evaluate.

<u>Motion</u> made by Manager Bartz to approve permits 25-07 through 25-010 as recommended and table permit #25-006, **Seconded** by Manager Brekke. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	$\overline{\checkmark}$			
Engelstad			$\overline{\mathbf{Z}}$	
Andringa	$\overline{\checkmark}$			
Bartz	$\overline{\checkmark}$			
Brekke	$\overline{\checkmark}$			

The Motion was carried.

Manager Brekke. Christian Engelstad Andringa Bartz Brekke	Yea ☑ □ □ ☑ ☑	Nay □ □ □ □ □ □ □	adjourn the meeting at 1 Absent ☑ ☑ ☑ □	Abstain □ □ □ □ □ □ □
The Motion was car	ried.			
Donna Bjerk, Administr	ative Assistant		Shawn Brekk	e, Secretary

12. ADJOURNMENT: