



1. ATTENDANCE:

Chairman Stuart Christian called the April 7, 2020 meeting to order at 8:00 AM at the District Office. Due to the Coronavirus or COVID-19, an electronic meeting in accordance with Minnesota Statute, Section 13D.021 was held via telephone conference. Other managers present were Clayton Bartz, Dan Vesledahl, Craig Engelstad, and JJ Hamre. One staff member was present April Swenby – Administrator. Others in attendance included Bret Arne – BWSR and Zach Herrmann – Houston Engineering.

2. RESOLUTION – CONDUCT OPEN MEETING VIA TELECONFERENCE:

A **Motion** was made by Manager Bartz to approve and adopt the following resolution, **Seconded** by Manager Vesledahl:

WHEREAS, on March 13, 2020, Minnesota Governor Tim Walz issued Executive Order 20-01, “Declaring a Peacetime Emergency and Coordinating Minnesota’s Strategy to Protect Minnesotans from COVID-19,” declaring a peacetime emergency under Minn. Stat. § 12.31, subd. 2.

WHEREAS, the Center for Disease Control has labeled COVID-19 as a pandemic illness.

WHEREAS, COVID-19 poses a risk to the health, welfare, and safety of the public.

WHEREAS, the Minnesota Department of Health has issued guidelines and recommendations to slow the spread of COVID-19 that include limiting social interaction.

WHEREAS, Minn. Stat. § 13D.021 permits open meetings to be conducted through teleconferencing if:

1. the chief administrative officer for the governing body finds it not practical or prudent to meet in person because of a health pandemic or an emergency declared under Minn. Stat. Ch. 12;
2. all members of the body participating in the meeting, wherever their physical location, can hear one another and hear all testimony and discussion;
3. members of the public present at the regular meeting location can hear all discussion, testimony, and votes of the public body, unless attendance at the meeting is not feasible due to health pandemic or emergency declaration;
4. at least one member of the body, chief legal counsel, or chief administrative officer is present at the regular meeting location, unless unfeasible due to health pandemic or emergency declaration; and
5. all votes of the body are conducted by roll call so each member’s vote can be identified and recorded.

WHEREAS, the Sand Hill River Watershed District Administrator finds it is not practical or prudent to hold Board meetings in person because of pandemic and public health emergency.

WHEREAS, the Board finds that public attendance at a meeting is not feasible due to health pandemic

and public health emergency and the Board will not have any member, counsel, or administrator present at the regular meeting location.

NOW THEREFORE, Be It Resolved, that the Sand Hill River Watershed District, will conduct meetings through teleconferencing so long as a health pandemic exists or an emergency is declared under Minn. Stat. Ch. 12.

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the motion passed and the Resolution adopted this 7th day of April, 2020.

3. APPROVAL OF THE AGENDA:

A **Motion** was made by Manager Engelstad to approve the agenda, with the addition of adding Permit 2020-006, **Seconded** by Manager Hamre. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

4. MINUTES:

A **Motion** was made by Manager Vesledahl to approve the minutes from the March 3, 2020, **Seconded** by Manager Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

5. TREASURER'S/FINANCIAL REPORT:

Swenby read the Treasurer's Report. A **Motion** was made by Manager Engelstad to dispense the reading of the Treasurer's Report and approve the Treasurer's Report for March, **Seconded** by Manager Hamre.

A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

A change order was presented for Landweher Construction for the Sand Hill Lake Dam project and a copy was provided to the managers. The change order highlighted rock quantities for chinking rock.

A **Motion** was made by Manager Bartz to approve the change order number 1 as presented for \$3,639.50, **Seconded** by Manager Vesledahl. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

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

April J. Swenby	640.50
Brady & Martz	1,000.00
Diligent	1,900.00
EcoLab	53.57
Fertile Hardware Hank	16.47
First Community Credit Union	129.41
Garden Valley Telephone Company	208.67
Houston Engineering	15,282.95
Marco	967.30
Minnesota Counties Intergovernmental Trust	2,968.00
Otter Tail Power Company	597.65
Polk County Fair (Booth Rental)	125.00
Sam's Club	35.96
Sarah Wise	48.00
Solien & Larson Engineering Inc.	3,662.50
Todd's Landscaping	70.00
West Polk Soil & Water Conservation District	50.00
TOTAL	<u>27,755.98</u>

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:

Wild Rice Electric	136.38
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City of Fertile
TOTAL

51.51
187.89

Swenby noted that the following bills were paid March 31, 2020. She noted reimbursement request for the RCPP program, receipts tied to the LSOHC grant, and the Project Team are date sensitive, thus the reason for cutting checks before the meeting. The checks were cut and held and will be mailed upon today's meeting approval.

Houston Engineering – SH Lake Dam	10,901.25
Houston Engineering – Kittleson Creek	1,592.25
Houston Engineering – RCPP Planning	42,959.50
Landwehr Construction, Inc.	<u>156,424.15</u>
TOTAL	<u>\$211,877.15</u>

A **Motion** was made by Manager Vesledahl to approve and pay the bills with a total of \$239,821.02 **Seconded** by Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

6. ACTION ITEMS (A-C):

a. Ditch 80:

A **Motion** was made by Manager Bartz to approve pay request #1 withholding \$61,000 in liquidated damages incurred through 2019 and 5% retainage, making the total approved payment \$210,993.55, **Seconded** by Manager Hamre. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

b. Ditch 80 Landowner Payments:

A **Motion** was made by Manager Hamre to approve one more year payment of ROW to the landowners associated with Ditch 80 in the amount of \$ 34,140.90 along with the letter of explanation, **Seconded** by Manager Vesledahl. Manger Engelstad recused himself from voting. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Motion was carried.

- c. **One Watershed/One Plan:** Bret Arne, Board of Soil and Water Resources, introduced himself and gave an overview of the One Watershed One Plan its history, intent, and process. Manager Vesledahl asked about the time required to complete the plan. Arne confirmed that the time frame is generally about a year but depends on the partners. Some watersheds have taken up to 2 ½ years. Arne has seen some plans take up to four years.

Manager Vesledahl asked Arne to define partners. Arne stated that statute defines partners as SWCD's, Counties, and the Watershed's. Another sub-committee would entail SWCD's, Watersheds, agencies, and any other interested parties that would be of benefit for writing the plan. Another committee consists of board managers from each partner, named the policy committee. Arne stated that should the watershed decide to not move forward with the grant application this year, but would still like to pursue the 1W1P next year, the district can apply for an extension with the current overall plan that is due to still remain in compliance with Mn Statute. A fair amount of time was spent discussing the options of that the district has and the amount of time left before the deadline of application of June 1.

A **Motion** was made by Manager Bartz to postpone applying for a grant for the One Watershed One Plan for 2020 but directed staff to move forward and prepare to apply next year, **Seconded** by Manager Engelstad. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried

7. OTHER BUSINESS

Partnering agency reports were provided to the managers from agencies including MAWD, and the Flood Damage Reduction Work Group. The district was featured in two articles as well, one for the Sand Hill Lake Dam and one for recognizing the retirement for Roger Hanson. Both articles were provided to the managers. Managers were given a copy of the proposed Annual Report for 2019 and a proposed letter to landowners regarding broad leaf. The manager were asked to provide feedback regarding the broad leaf letter and the Annual Report to Swenby throughout the month.

The managers discussed Swenby's time and the Governor's stay home order. The manager's agreed to continue with Swenby working from home, and closing the district doors and opening by appointment only.

Manager Engelstad noted an issued in Section of Liberty, where a culvert is washing out on Project # 3. Additionally, he asked Houston Engineering to review the culvert at the "Berhow Property" to determine if it is sized appropriately in correlation with the upstream culverts.

8. PERMITS:

Two permits were presented to the board. Houston Engineering has reviewed the permits and confirms that runoff does not back up on neighboring landowners or do not have adverse affects on neighboring landowners. The permit is as follows:

2020-05: Kevin Leiser/Paulette Krebs – Spring Creek Township Section 1, Install Tile – Surface Drainage improvements

2020-06: Garden Township – Garden Township, Section 19, Install culvert

A **Motion** was made by Manager Vesledahl to approve the above listed permits, **Seconded** by Manager Bartz. A roll call was held and resulted in the following:

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

9. **ADJOURNMENT:**

The next regular meeting will be held Tuesday, May 5, 2020 at 8 AM. As there was no further business to come before the board, a **Motion** was made by Manager Bartz to adjourn the meeting at 9:45 AM, **Seconded** by Manager Vesledahl.

	Yea	Nay	Absent	Abstain
Christian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vesledahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engelstad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Motion was carried.

April Swenby, Administrator

JJ Hamre, Secretary