



TITLE: REGULAR MONTHLY BOARD MEETING MINUTES

DATE: FEBRUARY 2, 2021

1. ATTENDANCE:

Chairman Stuart Christian called the February 2, 2021 meeting to order at 8:00 AM at the District Office. Other managers attending were Don Andringa, Clayton Bartz, Craig Engelstad, and JJ Hamre. One staff member was present April Swenby – Administrator and Donna Bjerk – Office Assistant. Others in attendance were Zach Herrmann – Houston Engineering.

2. APPROVAL OF THE AGENDA:

A **Motion** was made by Manager Hamre to approve the agenda, **Seconded** by Manager Engelstad. **The Motion was carried.**

3. MINUTES:

Manager Engelstad noted that the minutes from January discussed a portion along Project # 20, where “Engelstad” was doing leveling and was unable to complete the work in 2020. Manager Engelstad suggested adding a first name to avoid confusing future readers and clarifying which “Engelstad” the district was referring to. A **Motion** was made by Manager Hamre to approve the minutes from the January 11, 2021, clarifying the first name of the landowner when referring to Engelstad for Project # 20. **Seconded** by Manager Bartz. **The Motion was carried.** Swenby will make the revision in the final version of the minutes.

4. FINANCIAL REPORT:

Swenby read the Treasurer’s Report. A **Motion** was made by Manager Hamre to approve the Treasurer’s Report for January, **Seconded** by Manager Engelstad. **The Motion was carried.**

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

Dean Johnson	1,500.00
E-File Cabinet	7,725.00
EcoLab	53.57
First Community Credit Union	999.18
Garden Valley Telephone Company	224.82
Heier Township	1,040.00
Houston Engineering	8,127.28
Marco	183.12
MAWD	2,827.00
Otter Tail Power Company	523.45
Sarah Wise	48.00
Wild Rice Electric	132.84
TOTAL	<u>23,384.26</u>

A transfer from the Sand Hill River Watershed District Checking account to the Bremer Money Market Account was listed on the bills to be paid, for manager reference. Swenby reminded the managers that the checking account can only hold up to \$250,000 due to pledged securities and due to the balance in the account it was necessary to transfer. Grant reimbursement were received in a substantial amount in January and was cited as the reason for the influx in receipts.

A **Motion** was made by Manager Andringa to approve and pay the bills with a total of \$23,384.26 **Seconded** by Engelstad. **The Motion was carried.**

5. ENGINEER'S REPORT:

Union/Sarah Easement: Herrmann provided a cost review of pipe. A corrugated metal pipe is \$3,200. A dual-wall HDPE is \$3,000 +/- . Herrmann is waiting back to hear about some concrete end sections. The difference between the two pipes is that the plastic will likely last longer, and metal is dependent upon the soils for longevity. In terms of hydraulics the metal will be more restrictive, but on the system as a whole, the limited feature is the screen, not a proposed pipe. Because prices are comparable, Herrmann recommends HDPE, with concrete end sections. Bryan Boll is willing to install the pipe.

As discussed in the past Swenby reminded the managers that there is landowner contention. Swenby recommends asking for legal advice regarding improvements vs. repairs to ensure that the processes are followed according to Mn Statute. The managers reviewed with Herrmann the existing drainage of an open ditch vs. the proposal of a closed pipe. Swenby will invite Bryan Boll to the next meeting and suggested that the landowners be invited to a meeting in April so that the managers will have all the information before a decision is made.

Poissant Bridge Removal: The bid opening was January 22, 2021. The Engineer's Estimate: was \$240,000.00. The following are the bid amounts received:

Spruce Valley:.....	\$ 209,582.15
Davidson:.....	\$ 249,745.00
Landwehr:.....	\$ 333,462.50
Gladen:.....	\$ 335,045.00
Meyer Contracting:.....	\$ 351,110.43
Veit Specialty:.....	\$ 443,885.00

Herrmann recommends awarding the project to Spruce Valley Corporation. An agreement was provided to the managers, pending the delivery of bonds and insurance certification. Herrmann recommends allowing the modification of the schedule to allow Phase 2 work to be completed prior to March 15, 2021. A **Motion** was made by Manager Bartz award the project to Spruce Valley Corporation, authorizing the proposed agreement as presented, and to allow the modification of the schedule, **Seconded** by Manager Engelstad. **The Motion was carried.**

Project Team/RCPD Planning: Herrmann reviewed the RCPD Planning grant and its purpose with the board, noting alternatives that the planning has highlighted. Swenby has requested a meeting with the City of Beltrami.

MN Highway 102 Boundary Revisions: Herrmann anticipates preliminary results on a hydraulic analysis in March.

Project # 17 Outlet Adequacy: HEI has began moving forward with a culvert sizing review.

6. ADMINISTRATOR REPORT:

End of the Year: Swenby reported that a large portion of Administrator time during January was focused on the calendar year end, fiscal year end, and all grant reporting and submission deadlines.

RRBC: The RRBC Conference was held January 21, 2021. Swenby presented on the Sand Hill Lake Dam during the “Success Story” portion of the conference.

Vesledahl Wetland: Swenby gave a status update regarding legislative efforts for the Vesledahl Wetland Banking project, relating to easements from MnDOT. Swenby made a strong effort to reach out to every landowner within the drainage area of the wetland. Swenby provided a map of the drainage area. She reported that every landowner contacted supported legislative effort except for three. One sited that their land is an abandoned farmstead and didn't care if it flooded as a reason, one sited that they rent their land to a local ag producer and would not sign, and did not want to “screw up anymore drainage” and was seemingly confused about what was being proposed, and one was on the lower end, and appreciated beaver dams upstream of their property to help hold water off of them. Swenby stated that it was worth noting, state/federal agencies such as MnDOT, BWSR, and other entities such as Soo Line Railroad, Ottertail, Minkota, USFWS or churches were not contacted. To date, eight landowners within the drainage area were unable to be contacted for various reasons such as but not limited to outdated or unlisted phone numbers or the listed landowner is deceased. This was a large endeavor and consumed a lot of Administrator time this month.

Sam's Club: When attempting to add Bjerk to the district Sam's Club account, it was discovered that Dan Wilken's was the personal guarantor of the account and was personally responsible for the financial collateral of the account. To remove that, Swenby had to cancel the Sam's credit account and open a new one as the Sand Hill River Watershed District independently of any employee or former employee's personal guarantee.

Partnering Agencies: Packets from the Drainage Workgroup, Flood Damage Reduction Work Group, and the Red River Watershed Management Board are provided to the managers along with the MAWD Legislative updates.

Union Lake Pumping Project: Swenby reached out to the USFWS about beginning the discussions for placing a permanent structure in place of the existing sandbags near the start of the Union Lake Pumping Drainage. Swenby met with Ryan Frohling who is the district contact. He was able to find a permit for the structure and has stated he is not opposed to the district making something more permanent, and preferred sheet pile over sandbags. Swenby has authorized HEI to move forward with a plan that can presented to USFWS for approval. Swenby noted that the district may need additional permissions/permits from MPCA and MnDNR. Swenby provided the permit that was found in the archives.

FDRWG: Swenby met with Andrew Graham regarding the decision of the FDRWG to officially disallow the non-member watershed districts a seat at the FDRWG table. Graham asked for Swenby's perspective as it related to the meeting when the decision was made. Swenby stated she told Graham she was impressed with the unity of the agency folk, and how they represented well and it was her opinion that their actions aligned with their words towards working together for flood damage reduction. Swenby told the board of managers that she presented to Graham her opinion that it is a flaw within the FDRWG process that there is a requirement of 100% consensus, when it was clear that a decision was made by only RRWMB managers who were sour at the Sand Hill's decision to leave the RRWMB. Swenby expressed concern to Graham that the 100% consensus rule creates a platform for the RRWMB to be an obstacle for funding for projects within the SHRWD. Swenby cited a hypothetical scenario where only one RRWMB representative can oppose any project presented by the Sand Hill River Watershed District and it can be opposed for any reason at all. Should attitudes like this continue, any FDR project within the Sand Hill risks state funding. Graham stated that while the MnDNR holds the recommendations of the FDRWG closely, they also see through local political arbitrary arguments when making decisions for allocating funding.

Because of this, he urged to the Sand Hill to not be concerned with this and he did not foresee this as a future obstacle for the Sand Hill, should a project come forward to the FDRWG. Swenby stated that she confirmed with Graham that the district's position did not change upon the exit of the RRWMB; that the Sand Hill and the RRWMB may disagree on some things, but the goal of reducing flooding and everyone working together to achieve common goals still remained the same.

At the end of the discussion Graham stated that non-member districts can serve on committees to stay involved. He stated that committee appointments will be upcoming. There is a policy committee, but Graham stated that he did not anticipate an appetite for changing the policy for how rules within the committee are adopted – aka the 100% consensus rule. Of the committees offered, Swenby was deemed the best fit at this time for a position in the Communications Committee, as she has served there before.

Swenby also provided the managers documents of the Work Group's process for getting signatures on the Mediation Agreement Addendum and the associated "re-commitment" by State agency and RRWMB officers. Swenby provided the 1998 Agreement, the 2020 Addendum, and the re-commitment document for manager review.

February/Downtime priorities: Swenby plans to review the district permit forms and the district Rules and Regulations along with Ditch 9 and 119 buffer acquisition during the month of February and March.

MnDNR Project Submissions: The MNDNR River Ecology Unit is requesting project submissions to the Stream Restoration Priority List. This list determines which projects will be submitted to the 2021 Lessard-Sams Outdoor Heritage Council (LSOHC) funding requests. LSOHC projects must: restore, protect, and/or enhance habitat for fish, game and wildlife AND be on land permanently protected by a conservation easement, under public ownership or in public waters. All project submissions must be received by **March 1st, 2021.** Both DNR and non-DNR staff can submit projects.

The managers discussed areas near the Nature Center as areas of interest and suggested this as an option for the next opportunity in 2022.

7. ACTION ITEMS.

One Watershed One Plan: Staff met with BWSR, East and West Polk SWCD about moving forward with the application for the One Watershed One Plan. All parties must provide documentation that their boards support moving forward with the 1W1P. Parties for this plan include the SWCD's (Mahnomon, Norman, East Polk and West Polk), the Sand Hill Watershed District, and the counties of Norman, Polk and Mahnomon. Swenby has contacted all the SWCD's, and they have confirmed they are ready and on board. A formal letter of support has been requested by the district from the SWCD's and the Counties. Swenby is encouraging all parties to have their resolutions/letters of support complied by the end of February. Some of the counties have requested in person presence from the district. Swenby will attend county board meetings as needed.

Starting on February 4, Swenby, Bernd (WPSWCD) Klein (EPSWCD) and Henry VanOffelen (BWSR) will work on the MOA. This isn't required for the application but would help the district to be competitive if we had it done and included it with our application. We will establish our committees in the MOA. Swenby asked the managers to consider serving on a committee.

The application RFP will be listed on BWSR's web-site towards the end of March. At that time, we will include the resolutions and the MOA with our application. Swenby said that it will be important to remember to note that the district has completed their PTMAP on the application. She also said that it will also be important to include in our application that the SHRWD's current management plan is set to expire in 2022.

The WPSCD stated they will not be a financial contributor towards the grant application process. She prefers that the application process will be a staff led effort, not utilizing consultants.

Approval for adopting the attached resolution is needed. Swenby expected that by March or April, the MOA will be presented for approval.

A **Motion** was made by Manager Andringa to adopt the following resolution, **Seconded** by Manager Hamre.

***WHEREAS**, the Minnesota Board of Soil and Water Resources has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan, consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and*

***WHEREAS**, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and*

***WHEREAS**, Minnesota Statutes, Chapter 103D.401, Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a watershed management plan; and*

***WHEREAS**, Minnesota Statutes, Chapter 103C.331, subdivision 11, Comprehensive Plan, authorizes Minnesota Soil and Water Conservation Districts to develop and implement a comprehensive plan; and*

***WHEREAS**, the counties, soil and water conservation districts, and watershed districts within the Sand Hill River Watershed (39), as delineated in the attached One Watershed, One Plan Suggested Boundary Map, have interest in developing a comprehensive watershed management plan for this area.*

***NOW, THEREFORE, BE IT RESOLVED**, that Sand Hill River Watershed District Board of Managers recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and*

***BE IT FURTHER RESOLVED** that Sand Hill River Watershed District Board of Managers welcomes the opportunity to collaborate with the counties, soil and water conservation districts, and watershed districts within the Sand Hill River Watershed (39) for watershed-scale planning efforts in the future; and*

***BE IT FURTHER RESOLVED** that the Sand Hill River Watershed District Board of Managers supports an application to the Board of Water and Soil Resources for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties, soil and water conservation districts, and watershed districts within the Sand Hill River Watershed (39), to collaborate on this effort, pending selection as a recipient of a planning grant.*

The Motion was carried.

ACH – Marco Copier: Instead of paying the Marco bill monthly, Swenby would like to have the copier bill ACH'd from the district account quarterly, to avoid any late fees. Marco is very particular with the dates their payments are due, and if a meeting is later than usual one month, the district earns a late fee, which is a struggle to have removed.

A **Motion** was made by Manager Engelstad to authorize the MARCO billing for the copier to be automatically withdrawn from the district account, **Seconded** by Manager Bartz. **The Motion was carried.**

Lake Monitoring: In the past, the district has contributed to monitoring for SH Lake and Kittleson Lake through EPSWCD. Due to fluctuating costs, Swenby and Klein has decided to suggest an annual agreement. The estimate is \$565 for 2021, but could go up or down due to RMB lab actual costs. The EPSWCD is not asking for payment now, they are asking for a commitment to partner for actual costs, as we have done in the past. They will invoice the district at the end of the year. Swenby provided an estimate which highlights each parties' share.

A **Motion** was made by Manager Engelstad to approve a cost share with the EPSWD for 2021 for lab costs for monitoring SH Lake and Kittleson, **Seconded** by Manager Andringa. **The Motion was carried.**

RRBC: The Red River Basin Commission has requested \$5,000 funding for Red River Basin Commission (RRBC) activities for 2021. The amount is part of the Minnesota local base funding of the RRBC base budget which is equally provided by North Dakota, Minnesota, and Manitoba local governments. The local funding is matched by the states and province. A **Motion** was made by Manager Andringa to contribute \$5,000 to the RRBC for funding RRBC activities for 2021, **Seconded** by Manager Bartz. **The Motion was carried.**

8. OTHER BUSINESS

The managers were given written information/highlights relating to other agency meetings and upcoming events such as the Flood Damage Reduction Work Group, MAWD, Drainage Work Group, and the Red River Watershed Management Board.

Manager Bartz stated that Sletten Township called him about the permit from Roger Hemmingson, asking if the state land to the West would have adverse impacts. Herrmann reviewed the permit and did not think that the MnDNR would have jurisdiction over a drainage ditch in this area. Herrmann stated that the Township could reach out to the MnDNR hydrologist, but from a watershed perspective there are no concerns with the permit.

9. PERMITS:

There were no permits brought before the board.

A landowner has expressed concern regarding Permit 20-049. The correspondence relating to the concerns and questions were provided to the managers. Also provided was the district response. The district clarified the conditions for approval for the permit, stating that the replacement of the approved culvert must be set at the height matching a culvert directly to the east. Swenby has spoken to the Township about the conditions of the permit approval, to provide a verbal clarification as well.

10. ADJOURNMENT:

The next regular meeting will be held Wednesday, March 2, 2021 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 9:51 AM, **Seconded** by Manager Engelstad. **The Motion was carried.**

Donna Bjerk, Administrative Assistant

JJ Hamre, Secretary