



TITLE: REGULAR MONTHLY BOARD MEETING MINUTES

DATE: APRIL 3, 2025

1. ATTENDANCE:

Chairman Stuart Christian called the April 3, 2025, meeting to order at 8 AM at the District Office. Other managers attending were Clayton Bartz, Craig Engelstad, Don Andringa and Shawn Brekke. Staff members present included April Swenby – Administrator and Donna Bjerk, Administrative Assistant. Others attendance included Paul Reese – Polk County Commissioner. Zach Herrmann – Houston Engineering attended via remote technology.

2. APPROVAL OF THE AGENDA:

An additional agenda item was added to the agenda: modified LOMA. A **Motion** was made by Manager Engelstad to approve the agenda with the addition, **Seconded** by Manager Brekke. **The Motion was carried.**

3. APPROVAL OF THE MINUTES:

A **Motion** was made by Manager Engelstad to approve the minutes from the March 6, 2025, **Seconded** by Manager Brekke. **The Motion was carried.**

4. FINANCIAL REPORT:

Swenby highlighted the treasurer’s report which had mid-month bills paid, that are regular and recurring, but came after last months meeting. She paid them mid month to avoid any subsequent late fees.

A **Motion** was made by Manager Engelstad to dispense the reading and approve the March 2025 Treasurer Reports, **Seconded** by Manager Brekke. **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 | 197.40 |
| David Sundheim | 245.00 |
| EcoLab | 57.98 |
| First Community Credit Union | 1,034.04 |
| Garden Valley Telephone Company | 204.14 |
| Houston Engineering | 11,961.50 |
| Polk County Fair (Booth Rental) | 150.00 |
| Red River Watershed Mgmt Board | 876.38 |
| Rinke-Noonan | 1,528.50 |
| Schmitz Builders, Inc. | 52,278.50 |
| Todd's Landscaping | 160.00 |
| TOTAL | <u>68,693.44</u> |

In addition to the items listed above, two bills were paid March 31, 2025 due to date sensitivity for Quarter 1, 2025 reimbursements for the 1W1P and Project Team. The total for those bills to Houston Engineering is \$38,621.25.

A **Motion** was made by Manager Engelstad to approve and pay the bills with a total of \$107,314.69, **Seconded** by Manager Brekke. **The Motion was carried.**

5. ADMINISTRATIVE REPORT:

Union Lake Pump: A letter was sent to MnDNR asking if downstream water bodies were already infested, would modifications to the Union Lake outlet structure be required. The MnDNR provided a response that indicated modifications would still be required. Swenby provided the MnDNR response. Swenby has met with the Regional Director at MnDNR and Senator Mark Johnson in relationship to this response and the financial obstacles the assessed area faces with the new permit requirements. LSOHC, Flood Hazard Mitigation Dollars, and legislation funding is being explored. Herrmann and Swenby recommend moving forward with an actual cost estimate for a complete pump and screen replacement and keep pursuing funding. Swenby has been in communication with the LID Chairman to keep him updated. The USLID meets April 21 and at that meeting Swenby plans to communicate with them as a group, the status report and what the options are.

Redeterminations: Polk County board meeting was March 18, 2025. Polk County approved a watershed wide redetermination of all of their systems. Polk County Commissioner gave his perspective on a watershed wide redetermination and the benefits. He spoke briefly on a proposal for a county wide redetermination. Swenby provided a map which indicated the systems within the watershed and the county. Swenby said that the watershed board will need to evaluate which systems they are considering for additional redetermination. Swenby provided minutes/notes from 2017 from meetings held with landowners about a redetermination/consolidation of the westerly systems. The ones highlighted in red are marked for possible consolidation, according to historical minutes with landowners.

- Project # 5: Redetermined in 2017
- Project # 3: Built in 1979. Inconsistencies noted on benefit area but could petition removal. County is redetermining Ditch 65 so maybe beneficial?
- Project #11 (Beltrami Flood Control): Constructed 1997. Inconsistencies noted on benefit area
- Project #12 (Ditches 98/148): Constructed 1997
- Project #13 (Reis-Scandia): 1996
- **Project #17: 2005**
- **Ditch 9: 1972 Constructed, 1982 ROB**
- **Ditch 119: 1972 Constructed, ROB 1982**
- **Ditch 80: Improved 2019 – Pays outlet fee to Ditch 9**
- **Project 20: Improvement 2006, construction 2007**
- Project 24: Construction 2012

There was consensus among the board to direct Swenby to bring orders for adoption in May to redetermine the benefits of Project 3, 11, 12, 13, 17, 9, 119, and 20. The managers agreed that the district will explore consolidation of Project 17, 9 and 119, with the though process that it may be best to leave Ditch 80 and Project 20 independent, paying an outlet fee to use the systems for their outlet.

Ditch Buffer Policy: As per direction in January, Swenby has asked Dave Hauff, district attorney, for assistance for a possible creation or a revision of a buffer/mowing policy. We have had a chance to connect. He was going to draft some ideas. As directed Swenby spoke with Jody Beauchane - Polk County as directed last month regarding their processes. The Townships are the local weed inspector for private landowners. Polk county does spray for broad leaf, and depending on the crop and the situation, they spray for thistle. Beauchane was unsure if this policy was in place as the road authority, or if it was as the drainage authority for their systems.

Swenby also spoke with John Kolb in passing about the districts current practice of noxious weeds as landowner responsibility. He was unaware that this has been challenged and agreed the district could go either way with this responsibility. Kolb and Swenby talked about MN Statute 103E.021, 103E.701 and MN Statute 18.78, subd. 1.

District Attorney: As reported last month, David Hauff is retiring in May. Swenby reported that Wild Rice uses Elroy Hanson (Mahnomen), and RLDWD uses Delroy Sparby (TRF). The managers discussed the benefits of local attorney pertaining to cost efficiency, relationship establishment and a solution for conflicts of interest should a dispute arise between parties who also use Rinke-Noonan. They also discussed the benefits of using only one attorney which was consistency in all things and ultimately this being a cost savings because the this allows the attorney to stay in the loop for all things pertaining to the district. The managers noted that

regardless of hiring one or two attorneys, there is always a possibility of a conflict of interest, especially if we are using the same legal team as a neighboring watershed. The managers directed Swenby to communicate with Elroy Hanson regarding fees and his level of interest.

Project Team: The project team met March 27 at 9:30 AM. The next meeting is scheduled for June 11, 2025. A site tour is being planned prior to the meeting. Swenby directed the managers to the district web-site for the meeting minutes from the March 27, 2025 meeting. The project team decided to continue gathering more information for feasibility before landowners

FEMA Funds (2022 Disaster – SH Ditch): Swenby submitted the information FEMA was requesting. Upon that approval Swenby will be applying for an extension on the funds.

Building Project: Exterior walls went up this week. Swenby has been working on cabinetry selections and some interior finishing selections. The contractor and Swenby have met and had discussion options for fine tuning the use of interior space.

Board Room Furniture: Swenby was working with the MINNCOR Industries (MN Department of Corrections) for quotes for board room furniture. The layout was very similar to Brandner printing. Swenby provided both cost estimates to the managers. Neither company offers price discounts for volume, and it isn't more affordable to purchase potential furniture for the new addition at the same time as board room furniture is purchased. The managers would like to wait until the addition is completed before purchasing board room furniture.

Security: Swenby spoke with Wild Rice Watershed to explore how they use their cameras. Based on her conversations with WRWD, Swenby provided a solution to try for under \$100 plus an SD card, that would track all visitors to the district building with a time stamp.

Garden Valley stopped by to look at our set up, and there isn't a really good way to get an affordable system at east door due to the concrete structure of the building. Swenby and Garden Valley talked about the east door being a "temporary" entrance/exit for every day traffic as the new entrance is being moved to the North this summer. At this time, Swenby didn't think it was appropriate to invest dollars to the east entrance until we get accustomed to the new space. The suggestion was to place wires for this type of capability in the new space, if the board finds value in security footage. An estimate for cameras was provided to the managers. All managers agreed that it would be wise to ensure wires are available in the addition but no cameras at this time. Wires will allow the district to act later should they desire security camera's on the North and West entrances.

Swenby stated that the district attorney recommends a sign stating Security Cameras in Footage is also considered public data, as is the existing visitor log kept by staff.

Swenby brought the idea of cameras to the board because she was concerned that regardless of the district's proactive measures of recording visitors, it could be challenged. She stated that if there are people who have ulterior motives, it might not matter what she or Bjerk had written down and recorded. On the flipside, it was highlighted the drawbacks for autonomy for landowners who prefer a more private discussion and who do not expect their entrance to the district office to be a public affair. She gave a hypothetical example of 'Landowner A' stopping by to express a concern or drainage issue with 'Landowner B' and 'Landowner A' may expect their presence to express concerns private; but technically 'Landowner B' can request footage and/or the visitor log to learn about who has come to visit the district. 'Landowner A' may feel like their privacy isn't respected or protected and it may prohibit landowners from expressing concerns about neighbors or land practices and may no longer feel like the district is a safe space.

The board discussed their level of trust with staff. A consensus among the board was presented that security footage for visitors is not necessary; however, the security cameras installation decision will be left to the discretion of the staff stating that if staff felt more comfortable with the added level of protection the board would support that.

Internal Controls: The board discussed internal controls regarding software, passwords, VPN access, and cell phone usage. Swenby provided information to the managers relating to backups, cloud access and storage, how staff accesses information remotely, data retention policies approved by the board and the State of Minnesota, chairman authority, and current practices. A consensus among the board was that there are sufficient internal controls within the district.

Additional Information: The managers were given additional information regarding a RRWMB membership presentation, upcoming MPCA monitoring, Mn Watershed's position on Senate File 960, One Watershed One Plan, prevailing wage compliance request, and a district letter of support for Senate File 1569.

6. ENGINEER'S REPORT:

Project # 17 – Incremental Buffer Acquisition: Herrmann reported that the estimated acreages for Sections 29 and 32, Russia Township. He stated that there are 5.99 acres of additional buffer strip to be acquired and presented possible land damage calculations. He also presented the next steps. Because the board is likely moving forward with a redetermination of benefits on Project #17, the managers decided to not act on this, and seek attorney direction.

Project 27: Herrmann provided maps that were sent to Ron Rinquist to assist with the appraisal and assessment methodology development. The maps were informational only, and additional discussion will be required with Ron to determine what's needed. Herrmann discussed with the Board of Managers what assessment of the lakeshed could look like. The Board of Managers decided to seek input from Ringquist, Shane Johnson, and Lonnie Paradis (the working group) prior to making any conclusions on lakeshed assessments. Herrmann and Swenby will coordinate with Ringquist and the working group to vet potential methods before bringing to the Board for consideration.

Herrmann is working through preliminary design and cost estimates for a new pump/screen to meet the MnDNR requirements for permitting relating to zebra mussels.

FEMA: Herrmann has submitted the cost estimate to FEMA and the required supporting documentation. Should the district move forward with a capital improvement project, Swenby and Herrmann would like to use all of the disaster funding towards mitigation. Mitigation has not been approved by FEMA yet, as they are waiting on an approved plan from the district. Herrmann is considering a contingency plan to complete the repairs utilizing the FEMA disaster dollars and ensure that the repairs complement any capital improvement project that would be completed in the future.

7. ACTION ITEMS:

LOMA: The board approved to move forward with the assistance of a LOMA for the Jared Gunufson property. FEMA is requiring that it is "out as shown" and will additionally require the following:

- Certificate of survey to show the location of the home in relation to the floodplain.
- The first course of action would be to attempt an "out as shown". If FEMA doesn't accept that, we would resubmit based on the DNR preliminary BFE map data. (HEI should be able to get all the survey in one trip, but there would be additional coordination and submittals).

Unfortunately, it is still required to do everything that would be required for a LOMA, and in addition the additional items above. The total additional cost is about \$1,500 - \$2,000.

Motion made by Manager Brekke to move forward with a Certificate of Survey, if needed, **Seconded** by Manager Andringa. **The Motion was carried.**

8. OTHER BUSINESS:

The managers received information from the Flood Damage Reduction Work Group.

9. PERMITS:

Two permits were presented to the board:

- Permit 25-004: Brian Helgeson., Bejou Twp. Section 7, Tiling, wetland restoration
- Permit 25-005 Mark Christianson, Bear Park Twp, Section Twp. Section 9, Tiling

A **Motion** was made by Manager Brekke to deny permit 25-004 due to the applicant not being the landowner, and approve permit 25-005, **Seconded** by Manager Engelstad. **The Motion was carried.**

10. ADJOURNMENT:

The next regular meeting will be held May 1, 2025, 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 11:18 AM, **Seconded** by Manager Brekke. **The Motion was carried.**

Donna Bjerk, Administrative Assistant

Shawn Brekke, Secretary