



**TITLE:** REGULAR MONTHLY BOARD MEETING MINUTES

**DATE:** MARCH 6, 2025

## 1. ATTENDANCE:

Chairman Stuart Christian called the March 6, 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 Zach Herrmann – Houston Engineering and Rob Sip – Red River Watershed Management Board.

## 2. APPROVAL OF THE AGENDA:

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

## 3. APPROVAL OF THE MINUTES:

Manager Engelstad noticed an error regarding the cost for removing snow, as recorded in the minutes. Swenby will correct that to reflect \$1,400 per mile. A **Motion** was made by Manager Bartz to approve the minutes from the February 7, 2025 meeting with the above listed changes, **Seconded** by Manager Andringa. **The Motion was carried.**

## 4. RRWMB REPORT:

Rob Sip of the Red River Watershed Management Board (RRWMB) gave an organizational overview of the RRWMB. He highlighted the 2024 activities and successes and gave a LiDAR update. He also highlighted water storage projects that are underway for 2024. He gave program updates such as the water quality program, the 5-year monitoring program and the habitat program,

Sip invited the board to consider participating in the Rural Flood Mapping effort and a proposed FEMA culvert inventory. Sip provided to the managers the following:

1. Map indicating the Rural Flood Mapping priority areas.
2. Factsheet on a proposed culvert inventory for the MN Red River Basin.

The managers expressed interest in both rural flood mapping and a possible culvert inventory. Sip will check to see if the culvert inventory included all culverts, including private crossing, townships, county crossings, or if it was just legal ditch systems. Herrmann agreed that there may be potential benefits for this data within areas of our watershed and may complement the efforts we are already working on. Sip was unable to provide a cost estimate for what the non-RRWMB member share would be for these efforts.

## 5. FINANCIAL REPORT:

A **Motion** was made by Manager Engelstad to dispense the reading and approve the February 2025 Treasurer Reports, **Seconded** by Manager Brekke. **The Motion was carried.** Manager Engelstad noted that on the investment report, it is still listed as First State Bank of Fertile and is Red River State Bank. Swenby will make that change to reflect the correct bank name.

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

April J. Swenby	782.60
Association of MN Counties	295.00
City of Fertile	62.05
Donna A. Bjerk	93.80
First Community Credit Union	637.10
Garden Township	300.00
Garden Valley Telephone Company	184.81
Houston Engineering	35,173.70
Minnesota Viewers Association	125.00
Office Supplies Plus	129.15
Otter Tail Power Company	547.99
Red River Basin Commission	5,000.00
Todd's Landscaping	360.00
Wild Rice Electric	112.43
<b>TOTAL</b>	<b><u>43,803.63</u></b>

A **Motion** was made by Manager Brekke to approve and pay the bills with a total of \$43,803.63, **Seconded** by Manager Andringa. **The Motion was carried.**

## 6. ADMINISTRATIVE REPORT:

**One Watershed One Plan:** The Steering Committee and the Policy Committee met on February 12. The group reviewed PTMAPP software and how it can be unitized to identify potential conservation sites in our priority areas. The group had an assessment of all partners to determine if there would be leftover funds, and it was deemed it was too early to tell. Swenby stated that she informed the team that the Sand Hill would likely spend over their allocated amount and urged them to communicate early if they are unable to spend their allocated amount, because unused funds can transfer to the Sand Hill for our capital improvement efforts on the Sand Hill River Ecosystem.

Swenby said she also asked the group for support in using Clean Water Funds for Zebra Mussels on Union Lake. BWSR explained that right now, it is against BWSR policy to use 1W1P funding for AIS but assured her that she was talking to the right people (the clean water council). The steering team has offered their assistance in opening these doors and at the next meeting this will be on the agenda. There are several things that would need to happen within our local partners and likely we would have to go through the process of amending our plan, as Union Lake was not in our priority area. The first step is to work with the Clean Water Council to encourage them to include this as a water quality effort within their plan (which she has done). The second step was to meet with BWSR and the CWC (which Swenby did on February 25). Swenby provided notes from that meeting to the managers.

Swenby said she will keep pursuing this in hopes of finding funding. If not through the CWF but maybe Lessard-Sams as suggested by BWSR.

**Union Lake Pump:** A letter was sent to MnDNR as per the discussions last month about downstream investigations. Swenby also met with the new Invasive Species specialist, Gina Kemper.

**Redeterminations:** Hermann, Swenby and Bryan Murphy met with a landowner as a follow-up who had expressed interest years ago (prior to 2018) in a redetermination/consolidation on Project #17, Ditch #9 and Project #20. The goal of the meeting was to gather some input about the westerly systems, and the idea of a redetermination with a consolidation of benefits and continue the discussions that were had prior to 2018 with former Administration. Swenby reported that the landowner was supportive of a redetermination and appreciated the transparency and continued discussions. He reiterated that should this go forward, the district needs to be mindful of the distrust that is perceived from the westerly landowners over the decision to include two phases of Project #17; stating that transparency for this process a process such as this will be a key factor and along with landowner meetings. Swenby asked the board to think about communication to landowners and how they'd to proceed to gather landowner input and education. Manager Engelstad suggested that maybe education and outreach could be a joint effort between the Sand Hill and Polk County. Swenby agreed that would be beneficial and would depend on the county's actions on March 18. **A Motion**

was made by Manager Andringa to revisit this discussion until they learn more about Polk County's intentions with the westerly county systems, **Secinded** by Manager Bartz. **The Motion was carried.**

Polk County will have a board meeting, and countywide redetermination will be on their agenda. Swenby plans to attend this meeting on March 18.

A signed copy of the H2Over Viewers contract was given to the managers.

**Ditch Mowing Policy:** As per direction in January, Swenby has asked our attorney for assistance for a possible revision of the buffer/mowing policy. Swenby asked the attorney to offer suggestions for noxious weeds. The manager revisited MN Statutes 103F.48 and MN Statute 18.78 relating to noxious weeds.

**Project Team:** The next project team meeting is scheduled for March 27 at 9:30 AM. Meeting highlights were given to the managers.

**Vesledahl Wetland/Public Drainage:** Swenby and Herrmann met with landowners on February 7 and Swenby provided meeting notes from that meeting. Swenby also provided the attorney response for what was discussed in the meeting with the landowners regarding erosion control opportunities downstream of any proposed legal ditch.

**MN102 Boundary:** Swenby has asked MnDOT to place the two areas in their ROW on the list for construction season 2025, now that the new boundary is official with the state of MN. The areas that the district is responsible for will be on our list for the 2025 construction season as well but will likely wait until after ditch inspections so that any and all repairs can be coordinated at the same time.

**Clean Water Council Service (CWC):** Swenby was approached by a BWSR representative and a CWC representative who encouraged her to apply for an upcoming vacant position on the Clean Water Council. This is a governor appointed position. Swenby presented the biennial report to the legislature on behalf of the CWC and she shared with the board what she learned about a possible seat with her representation on this board. The managers discussed the benefits of local representation on the CWC. Rob Sip agreed that it would be beneficial to have rural watershed representation on this board and would write a letter of recommendation for Swenby. Swenby stated that Senator Mark Johson also offered to write a letter of recommendation. The current CWC representative for watersheds would write a letter of recommendation for Swenby. She had a few other ideas of people who she could ask for recommendation letters. The process for appointment involves background checks, etc. Swenby told the board that her attendance would be a local expense and could involve meetings in Minneapolis.

Swenby would like to attend CWC meetings remotely for the next few months and learn more about what this may entail. She was unsure if she would be able to devote the amount of time needed to serve on this board, but agreed that there could be a large benefit to having representation in rural areas of Minnesota, specifically the Sand Hill River Watershed District. She said that if there is benefit, she may just have to figure out a way to do some rearranging and prioritizing to make the time necessary to devote to this, but needed to learn more about it. The board would also like to learn more about what this entails.

**MN Watersheds:** The Mn Watersheds will host a special meeting to discuss bylaw changes, namely related to the timing of resolutions as per the recommendation of the lobbyists. They will need a quorum of delegates/alternates to move this forward. The meeting will be in person on March 21 in Waite Park at 10:30 AM. Manager Andringa will attend the meeting as a voting delegate.

**FEMA FUNDS (2022 Disaster – SH Ditch):** Herrmann was able to provide actual engineering cost estimates for the project and specific build specs. Last November we met with Jasmer Bradely and FEMA who had requested this. Swenby is working with FEMA for this submission and other punch list items that are needed. Additional information is requested from Houston Engineering. After this requirement is fulfilled, Swenby will work with FEMA towards mitigation efforts as a solution in lieu of repairing it to pre-disaster conditions. The project must be completed by July 14, 2026, and because of the appeal and the discussions around repair vs. mitigation, we will likely not meet that deadline so Swenby will be working on filing for an extension.

**Building Project:** The contractors are building walls in their shop. Electricians have been on site multiple days/times throughout the month. Plumbers were on site as well. Swenby is working with the contractor for the ordering of interior items such as cabinetry and flooring, etc.

**February activities:** Swenby gave a brief report on all the activities, meetings and conferences that she attended in February.

**Attorney Retirement:** Dave Hauff of Anderson and Bottrell will be retiring May 1. The managers discussed options for attorneys. The board agreed that multiple attorneys is beneficial. Swenby will ask other watersheds for names and bring prices back to the board.

**Anonymous Letter:** Swenby presented an anonymous letter directed to the board of managers questioning staff time spent on political affiliations with the new Mayor of Fertile. Many of the managers had also received the same letter in the mail, with no return address. The letter makes an accusation that the mayor visits the watershed district office “multiple times each week” for “hours” at a time in the District building and that the business owner (aka the district) seems complacent with this conduct. Swenby affirmed that this accusation is false and defamatory. Since 2023, Bjerk and Swenby have kept a visitor log of visitors who enter the building. Swenby provided a copy of the visitor records for 2023, 2024, and 2025 to the managers which highlights who, the time, the date, and the purpose for the visit. Swenby and Bjerk do their best to keep this updated and to keep visitors recorded. Swenby added that the personnel committee has also discussed how the street parking is public and the district is unable to dictate who parks on Highway 32, what businesses they visit and for how long. Many customers of the café, the dentist, the insurance office, and the coffee shop use the street parking on the east side of the district building. Additionally, even though Swenby is a salary employee, she keeps track of her hours in the district accounting software. Both employees keep a log of highlights of what they are working on throughout each day. Swenby offered both employees time sheets to the managers.

Swenby asked the board to address the letter. When asked what she had in mind, she stated that it was her perspective that the intent of the letter mattered. If the intent of the letter is to address any ethical behavior and to investigate wasting taxpayer resources, the board has a duty and responsibility to address that appropriately. Likewise, if the intent of the letter is retaliation against Swenby because someone or multiple people have an axe to grind against her personally, the board has a duty and responsibility to address that appropriately as well.

The managers discussed at length the contents of the letter, the intent of the letter, how staff time is spent during non-working hours, the merit of anonymous letters, harassing intentions towards Swenby, and a public warning Swenby personally received in 2023 regarding retaliatory efforts that may be inflicted on Swenby by other public representatives. Several managers gave their perspectives on this anonymous letter, the contents, and the factors surrounding it.

Swenby asked for ideas of what can be done differently or in addition to what she is already doing to avoid accusations such as this in the future. Manager Engelstad suggested that on the visitor log she and Bjerk currently keep, they include a column for the time when visitors exit. He also suggested improved formatting. Swenby asked the board to consider the use of cameras at the entrance of the watershed district building to allow for complete transparency to avoid defamatory accusations in the future.

Swenby asked the board for the continued support of transparency with her. If they have items they want to address, or if they hear of rumors or accusations spread about her that may affect the watershed or staff, to please come to her to address it to maintain an open level of communication. She cannot address items brought to their attention or make changes if she doesn't know about them.

A **Motion** was made by Manager Andringa confirming that the board addressed the issue highlighted in the anonymous letter and affirmed that sufficient practices are already in place that address the accusations that are in the letter. The Board finds no guilt by staff. **Seconded** by Manager Bartz. **The Motion was carried.** Swenby and Bjerk will add a column for the time visitors leave to their record keeping.

## 7. ENGINEER'S REPORT:

**Project # 17 – Incremental Buffer Acquisition:** In Sections 29 and 32 of Russia Township, it is estimated that 5.99 acres of additional buffer strip should be acquired. The average land value rate of the impacted parcels listed by Polk County is \$3,700 per acre. The total cost is estimated to be \$22,163. Swenby asked what the rate was at the time the project was built and wondered if that should be a consideration as this circumstance is unique. Herrmann will review that and bring recommendations to the next meeting. The next steps include a damage statement, an order setting the hearing and the hearing notice.

Herrmann's activities were covered in the Administrator report. He continues to work on the bidding package for Liberty Road Erosion and Scandia 25 repair, and the solution for Project # 27 (Pump and Zebra Mussels).

## 8. ACTION ITEMS:

**Internal Controls:** Starting in 2024, the audit report suggests that managers review the internal control practices of staff annually and offer suggestions as needed. Attached are the practices that Swenby implemented and created when she became Administrator and in red are a few changes She made since the 2024 document. Our auditor is requesting this document.

Additionally, Swenby is looking at Intuit direct deposit for paychecks. She will keep the board posted. Should the district move forward with that, the internal control document will need to be revisited.

**A Motion** was made by Manager Brekke to approve the internal controls document, **Seconded** by Manager Andringa. **The Motion was carried.**

**Job Description Update:** At the Drainage Conference, John Kolb presented on drainage authorities roles and responsibilities. He referenced statute, [Sec. 103E.065 MN Statutes](#) which states that the drainage authority SHALL formally appoint a drainage inspector. In the past, the District Administrator has assumed that role, in partnership with HEI, and the Administrator has been responsible for the maintenance of those records, but there has been no formal appointment as required by statute. Swenby asked if just adding that to the job description would be sufficient for being compliant with that statute, and he said it would be fine. She proposes adding to the job description that the Administrator is the drainage inspector for the district. The Administrator is responsible for the updating and maintenance of the inspection records.

**A Motion** was made by Manager Brekke to include in the job description of the SHRWD Administrator the title of drainage inspector, **Seconded** by Manager Andringa. **The Motion was carried.**

## 9. OTHER BUSINESS:

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

Manager Engelstad said that he was contacted by Liberty Township who is interested in the district board room table if they choose to sell the furniture when/if they choose to purchase different furniture for the board room.

## 10. PERMITS:

One permit was presented to the board. A **Motion** was made by Manager Andringa to approve the following permits, **Seconded** by Manager Engelstad. **The Motion was carried.**

Permit 25-003: Polk County Highway Dept., Garfield Twp. Section 14, Surface Drainage, culvert installations

## 11. ADJOURNMENT:

The next regular meeting will be held April 3, 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 11:43 AM, **Seconded** by Manager Brekke. **The Motion was carried.**

---

April Swenby, Administrator

---

Shawn Brekke, Secretary