1. **ATTENDANCE:**


2. **APPROVAL OF THE AGENDA:**

A **Motion** was made by Manager Bartz to approve the agenda, **Seconded** by Manager Hanson, **Carried**.

3. **ARCHITECT:**

Milt Yergens gave his background with architecture. Yergens is a sole proprietor. Yergens discussed with the managers the differences and needs for Structural Engineers, Mechanical and Electrical Engineers. Discussion was formed around the remodeling vs. building new, and the services of pre-design services. The managers reviewed with Yergens what the scope of his services may look like and how his services could be a cost savings for the district while meeting the state of Minnesota’s requirements for architecture.

4. **MINUTES:**

A **Motion** was made by Manager Bartz to approve the minutes from the June 4, 2019 meeting, **Seconded** by Manager Vesledahl, **Carried**.

5. **TREASURER’S/FINANCIAL REPORT:**

April Swenby read the Treasurer’s Report. A **Motion** was made by Manager Hanson to approve the Treasurer’s Report for June, **Seconded** by Manager Hamre, **Carried**.

Swenby noted that checking account has a large amount. Swenby suggests investing at least $500,000, up to $1,000,000. There was no opposition for investing.

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

- **Anderson, Bottrell, Sanden & Thompson** 1,952.50
- **April J. Swenby** 415.67
- **Berhow Sodding** 5,437.50
- **Crookston Daily Times** 122.50
Fertile Hardware Hank 4.99
First Community Credit Union 825.44
Garden Valley Telephone Company 208.36
Houston Engineering 17,929.87
Marco 908.10
Minkota Technologies 671.49
Opdahl's Donuts 12.00
Otter Tail Power Company 227.11
Sarah Wise 55.00
Sletten Township 390.00
Stuhaug Sanitation 46.80
The 13 Towns 153.60
Travis Stene 240.00
Western National Insurance 2,025.00
Wild Rice Electric 130.88
TOTAL 31,756.81

Two additional bills were presented to the board not listed on the Unpaid Bills report and are as follows:

Opdahl's Donuts 27.00
City of Fertile 39.00
TOTAL 66.00

Swenby noted that the following bills were paid in June after the board meeting. She noted reimbursement requests for the RCPP program and the Project Team are date sensitive and the deadline for the Riffles grant submissions dates were due and needed submission to the SWCD 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 9,198.50
Houston Engineering 13,614.75
TOTAL 22,813.25

A Motion was made by Manager Hamre to approve and pay the bills, Seconded by Vesledahl, Carried.

Swenby directed the managers attention to a bill for Western National Insurance. In March the district paid $1,883 for Workman’s comp for the year. On the bills to be paid there is an additional billing for $2,025. They are stating it is because our contracting expenses are far greater than the payroll. After additional discussions with the company, it was determined that Wilkens was not classified as a clerical employee, but classified as a county employee making the rate more expensive. Swenby is filing a dispute. It is expensive to expect to pay almost $4,000 for workman’s comp for one employee and five managers that work in an environment with minimal risk to injury. She has also filed a change order noting that there is only one employee moving forward and has given the appropriate salary figures.

Swenby asked for a board manager willing to work through a budget for 2020. Manager Bartz, Treasurer was open to working on a draft 2020 budget for the August board meeting.
6. ENGINEER’S REPORT

Fish Passage: Funds are to be allocated to the three projects listed below:

i. Sand Hill Ditch Riffle Expansion: work is scheduled to begin in late summer/fall 2019. The expected completion date is Nov 2019.

ii. Sand Hill Lake Outlet. Langan presented the Joint Permit Application for the construction of the Sand Hill Lake Outlet. The Joint Permit Application will apply for WCA and USACE permits. The MN DNR Public Waters Work Permit has been applied for through their online program. A Motion was made by Manager Hanson authorizing Swenby to be the authorized signature for the permit, Seconded by Manager Bartz, Carried. The MN DNR confirming land rights. Construction is anticipated for late fall/winter 2019.

The remaining funds are anticipated to cover all costs for the three projects.

Targeted Watershed Demonstration Program (BWSR Funding): The plans and Specs are complete and were provided. A bid opening is planned for August 6, 2019. The Joint Permit Application for the Project was presented to the Board for approval. The Joint Permit Application will start the WCA and USACE permitting process. The MN DNR Public Waters Work Permit has been applied for through their online program. A Motion was made by Manager Bartz authorizing Swenby to be the authorized signature for the permit, Seconded by Manager Hamre, Carried. Herrmann suggest meeting with landowners in July.

Upper Sand Hill Detention Sites Project Work: The Project Team Meeting was postponed due to lack of attendance. A future date is to be determined. The managers Reviewed the project purpose which was provided.

Annual Ditch Inspections: An inspection summary was provided. Inspections for Project #20 and # 13 remain.

Polk County Ditch No. 80 Improvement: The Contractor does not plan to start until late July. They have been reminded of the completion date but seem confident that they’ll complete on time.

Project 27 – Union/Sarah: A plan has been finalized and was provided. A Motion was made by Manager Hanson authorizing Swenby as the authorized signature and signer for the permit Joint Permit Application for the Project, which is required to be completed for WCA and USACE permitting concerns. Seconded by Manager Vesledahl, Carried. Herrmann recommends agency approval through permitting before making a deal with Bohl on the easement.

Verdell Olson Detention: Dam safety would like to see an Operating and Maintenance plan before granting a modification permit. A proposed plan was presented. Estimated construction costs were provided. A Motion was tabled by Manager Vesledahl to table this this discussion until Herrmann was able to attend, Seconded by Manager Bartz, Carried.

7. BID OPENING - KITTLESON:

A bid opening was held at 10 AM. Langan opened the bids, confirming bid bond and insurance.

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gladen Construction, Inc.</td>
<td>$161,000.00</td>
</tr>
<tr>
<td>Triple D Construction &amp; Leasing, Inc.</td>
<td>$164,208.00</td>
</tr>
<tr>
<td>Davidson Construction, Inc.</td>
<td>$153,228.00</td>
</tr>
<tr>
<td>Sellin Brothers, Inc.</td>
<td>$225,162.50</td>
</tr>
</tbody>
</table>

A Motion was made by Manager Hanson to award the bid to Davidson Construction, Inc. pending

Approved 8/6/19
engineer review, **Seconded** by Manager Hamre, **Carried**. After the review, Houston Engineering will develop contracts to move forward for execution.

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8. **Ditch Mowing/Spraying Bid Opening**:

Two bids for spraying and mowing were received are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Spraying bid per mile</th>
<th>Mowing bid per mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>L &amp; M Spraying</td>
<td>$365 per mile</td>
<td></td>
</tr>
<tr>
<td>Fjerstad Enterprises</td>
<td>$100 per mile</td>
<td>$100 per mile</td>
</tr>
</tbody>
</table>

A **Motion** was made by Manager Vesledahl to hire Fjerstad Enterprises for spraying district ditches, **Seconded** by Manager Bartz, **Carried**. Swenby was asked to obtain proof of insurance and commercial pesticide license. Swenby will work with Herrmann to develop maps based off of the ditch inspections. Manager Hanson asked that a GPS data collection be utilized for spraying, and if they do not have that capability, they will be required to map the areas sprayed.

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9. **Sand Hill River Golf Course Land**:

Mark Berhow, President of the Sand Hill River Course stated that the Golf Course has started a petition opposing the sale of the land North of the Golf Course. He stated about 250 people have signed it, many from the Fertile area. Berhow confirmed that the purpose of the petition opposing the district purchasing the land is to maintain the view and be free from obstruction. It was reiterated that the petition was not personal against the watershed district, and the petition was meant to represent members of the Golf Course who want to maintain the view of the course when entering Fertile. The Golf Course members cautioned the district regarding the approach that is there for access, stating it is supposed to be removed and suggested difficulty obtaining an access point.

It is believed that the sprinkler system is nearby the property and part of the Golf Course parking lot is on City property. Golf Course representatives stated that their frustration isn’t with the watershed district. The Golf Course has taken care of maintenance on the property since its origination and are dissatisfied with the City being willing to sell without first offering to the Golf Course.

Swenby stated that upon her discussions with the City officials, it was agreed upon that certain restrictions would be implemented to avoid obstructing any view, especially the “Fertile Flowers”. Restrictions would be implemented during the permitting process.

Mark Berhow stated that other properties within the City are always placed on bid when for sale. Gary Reitmeier stated that the Golf Course is asking the district to withdraw their request to purchase the land. It is not the intent of the Golf Course to enter into a bidding war with the district. Mark Berhow agreed with Reitmeier regarding the position of the Golf Course and confirmed their intent for the discussion today was to ask the district to withdraw their request for purchase.

The Golf Course representatives left, thanking the managers for their time to hear their position. The managers discussed at length the pros and cons of continuing their efforts towards purchasing the land that City agreed to sell. At the end of the discussion, a **Motion** was made by Manager Vesledahl to withdraw their request to purchase the land North of Golf Course, **Seconded** by Manager Hamre, **Carried**.

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10. **Administrator Report**:

**Calendar and March Work Plan**: Swenby highlighted her calendar for July.
MAWA: Swenby attended the Minnesota Association of Watershed Administrators in Moorhead. Much emphasis was placed on the success of the legislative session this year. Many watershed administrators have asked MAWD to set a priority of asking legislations to increase the Admin levy. Metro Administrators have suggested all watershed district ask the counties to support such legislation in conjunction with watershed efforts. As an example, Roseau River Watershed does not need an increase, but Swenby was told that Halstensgard stated her board will be supporting the efforts of the increase but wouldn’t utilize the increase of the levy at this time.

BWSR also gave a 2019 Legislative Session Summary, which was provided to the managers. BWSR also presented on the watershed-based funding program development. Much of this discussion was based around the metro districts. Handouts describing the watershed-based funding program were provided to the managers.

MAWD is working on hosting a Governance 101 Training in Minneapolis on September 12 & 13 for new administrators. Additionally, BWSR Academy will have sessions for watershed administration.

Minnesota Ground Water Association Foundation (MGWAF): The district received a check for $1,000 and was awarded the MN Ground Water Association Foundation Grant that Swenby applied for in January. Swenby will send a thank you to the foundation.

Banner/Public Relations: The banner was received and is displayed. The EnviroScape® Watershed/NPS education model was ordered June 17. If the district does not approve of the model, it must be returned within 30 days from the purchase date. Consensus was made to return the model, as it is meant for a classroom setting, not a tradeshow setting. Swenby will continue to look for a more independent, hands-on model. The Polk County Fair is July 10 – 14. Managers are asked to let Swenby know what time and date they are available to sit at the booth.

FDRWG: Swenby met with Rodger Hemphill regarding the involvement of the district in the FDRWG. The district's representation comes from the RRWMB and Hemphill confirmed that watershed district’s individually do not have a seat at the table. Swenby offered to assist on two committees, and Hemphill would pass it along. Discussion was held on how the district can maintain an active role in the FDRWG strategic plan. Handbook training review is something Hemphill believes will come out as a result of the strategic planning. Member information, fact sheets about processes, and meeting schedules were provided to the managers.

Audit: The district continues to move forward with recategorizing the audit report. Swenby has approved the categories that the auditors will be adding to our audit report.

LSOHC Grant/Fish Passage: Swenby and Herrmann met with Nathan Olson and Jeff Tillman to tour additional areas for possible habitat in the Sand Hill River. Due to lack of timing the CWF were sent back to the state. We are exploring the possibility of using LSOHC money to add more rock near the culverts where the first structure was removed. The corp. continues to review this area as well.

CWF and OHF funded projects on the Sand Hill River were selected for assessment this year in the Legacy Fund Restoration Evaluation Program. The tour was held June 4. The information collected by their team will be brought to the Restoration Evaluation Panel after the field season is over and it will be published in their 2019 report.

RRWMB Meeting: Swenby and Manager Hanson attended the RRWMB meeting on June 18 in Ada. Some of the highlights include incorporating water quality into the RRWMB’s focus, threatened employment litigation, farmstead ring dike monies availability, increase RRWMB expenses to about $80,000 for legislative efforts (was $40,000), new staffing salary & furniture/equipment, multi-year automatic cost of living wage increases, and the Red River Basin Coordinator contract increase. The meeting packet that was distributed was provided to the managers.
Union Lake Pumping Easements:

Anderson Trust: Greg Holmvik, spokesperson for Anderson Trust, has reported that Louise Anderson has accepted the 50’ permanent easement for $2500 an acre. Easement paperwork has been sent to the attorney.

Bryan Boll: The district is awaiting formal confirmation that there are no WCA concerns before moving forward.

Steve Ness: The attorney is drafting up the proper documents.

Jack Doyle: Houston Engineering has developed property descriptions. Easement paperwork has been sent to the attorney.

Permit Database: The online permitting application process went live the week of June 24, 2019. Swenby asked the managers to encourage any landowners to submit for a permit using this process.

Watershed Boundary – Onstad Township: The letter approved on June 4, 2019 was given to MnDOT. There has not been a response from MnDOT. The Red Lake Watershed District confirmed they did authorize a permit for the installation of the culvert, noting that the culvert was in place prior to the new boundary. Herrmann has been asked to check to see if that area was reviewed in depth and if it was changed at all during the boundary revision.

Project # 24: Met with Dave Hauff June 6. He will help draft an enforceable letter for the corn stalk issue on Project # 24 that coincides with statute. Hauff is also drafting up a process for us to follow to add a NW 80 of Hubbard to the assessed area and assess an outlet fee for Project # 24.

Verdell Olson Dam: The dam safety permit has been applied and paid for. The MN DNR is asking for an Operations and Maintenance manual. The district nor the landowners did not have one. Houston Engineering is checking their records, and if there isn’t one, an O & M will need to be drafted. Herrmann has developed cost estimates for the completion of the project.

Rules and Regulations: Swenby met with Dave Hauff June 6 to review the tiling portion of the rules and Section 6 regarding obstructions. He is suggesting amending the Rules and Regulations additionally, adding a variance procedure. This may possibly be a winter 2020 action item.

WRAC: Swenby attended the Water Resource Advisory Committee meeting in Crookston on June 19, 2019. Minutes from the March 12, 2019 meeting were provided to the managers.

Ditch Surplus Funds: Swenby met with Ron Denison on June 19, 2019 at the Polk County Courthouse to discuss the handling of the surplus of funds on Project #17 and Project #20. The County Commissioners passed a motion that the surplus be forwarded to the district for maintenance on the systems. Project #17 has received $75,753.38 and Project #20 has received $45,480.57. A breakdown was provided to the managers.

Rock Riffles: A final pay request submission has been submitted to the SWCD.

LID Gauge: Dan Wilkens has met with Lonnie Paradis and Richard Rock and has provided the information needed to make the gauge.

US Army Corp Drop Structures: While the US Army Corp has not provided an exit contract, but they have submitted final records with a confirmation letter stating that the project has been closed.

MN DNR – Groundwater: Bob Guthrie and Danica Derks from the MnDNR ecological and water resources department have asked for locations on all of the tiling permits authorized within the district. They are researching the relationship between irrigation and tiling.
**Beaver Trapping:** Beaver trapping reports are as follows:

**Carlson Coulee:** Waiting until downstream is all trapped before removing this dam. The blaster has been sent GPS coordinates of the dam and photos. He said that because there are equal levels of water on both sides of the dam, the best explosives can do is loosen up the dam for higher water to flush it out later. It takes more explosives (thus higher costs) and will give less than ideal results. He is open to blasting it, but wanted the board to have realistic expectations. He also said that waiting a bit to see if the water levels decrease may expose more of the dam, thus providing a better result.

**Bear Park:** Trappers set 60 traps between the structure and Rindahl. June 13 a landowner reported high water upstream of the structure, indicating that water had raised a foot in 1 ½ weeks time. Swenby verified this with two other landowners who concurred the reports. On June 14, Benbo was asked to scout the area from the county line to the structure. Benbo reported dams were in the channel, but nothing substantial to hold back the water or to make it raise within a 1 ½ weeks time. He also did not see any new beaver activity. Because Ben Buchholz was scheduled to blast on June 15 in the area, he flew a drone over to ensure that there was not a dam holding back the water. His findings were the same as Benbo’s. He stated he’s been called to many areas this spring where the water levels were/are higher than normal and dams were suspected. Many of the areas he was called to did not have beaver activity, but just high water from spring run off.

Swenby has asked Benbo’s team for GPS locations of all of the dams under water so they can be removed from the channel. Benbo stated that below the structure to Rindahl is incredibly weedy. They will be pulling out soon. They estimate that this year they have pull about 40 beaver out of the area that is under the court order. They have GPS’d all of the dam locations. They have located one that is under water upstream of the structure and several that are below the structure to Rindahl. Only one is above water and can be accessed by a back hoe. The rest are all under water and must be blasted. Manager Vesledahl suggested that the district wait until the water goes down before blasting the dams and the managers agreed.

**Farmstead Ring Dike Funding:** There is money available for farmstead ring dikes. BWSR/DNR Construction & Engineering 50%, RRWMB Construction & Engineering 25%, remaining 25% to be divided between the individual watershed district and landowner as determined by the local watershed district. There is limited funding and it is a first come first serve. A **Motion** was made by Manager Vesledahl to invest up to $5,000 to submit a preliminary plan to the RRWMB for a ring dike, if the landowner is interested in the program, **Seconded** by Manager Bartz, **Carried**. Manager Hanson and Hamre recused himself from voting.

**Statute Training:** John Kolb, Rinke Noonan, has offered a one on one training session in St. Cloud on a crash course of 103.D and 103.E. He estimated that the cost would be around $750 ($285 per hour) and would like to do the training in July or August. A **Motion** was made by Manager Vesledahl to authorizing the training, **Seconded** by Manager Hamre, **Seconded**.

**2018 Annual Report:** The 2018 Annual Report is presented. A **Motion** was made by Manager Vesledahl to approve the report as presented, **Seconded** by Manager Hanson, **Seconded**. This will be presented to the PC Commissioners July 23. To print additional copies professionally a quote from Brander has been obtained and they are about $2 a piece. A **Motion** was made by Manager Hanson to print 125 copies professionally, **Seconded** by Manager Hamre **Seconded**. In the past the district has not met with Mahnomen County or Norman County, the managers suggested mailing a copy to Mahnomen and Norman.

**Ditch Mowing:** An ad for ditch mowing and spraying was placed in the Valley Shopper, 13 Towns, and in the Fertile Journal. Houston Engineering will develop ditch mowing maps and spraying maps based off of our ditch inspections.
**Vesledahl Wetland Mitigation:** Swenby has not heard from Mark Johnson. Swenby asked if the board would like a letter writing confirming their position and request on the transfer of the land. The discussion was tabled until new information from BWSR or Legislature is available regarding the transfer of the land to the district or to BWSR and the action that the district should take.

Throughout the month there was a landowner complaint regarding staking by MnDOT. A written response to the staking was provided by MnDOT and it was provided to the managers. Swenby was asked to forward this onto Mark Morvig.

**Harold Slager:** Slager would like the district to investigate the purpose for permit #2013-20 (the permit was attached). Swenby and Manager Hanson reviewed the area. The drainage area was small and is estimated to be a half section. The manager suggested that Slager apply for a protected waters permit to clean the channel.

**Building Project Discussions:** A Motion was made to hire Milt Yergens to begin drafting up a plan to remodel the existing structure, Seconded by Manager Hanson, Carried. Manager Bartz recused himself from voting, as he is a neighbor of Yergens.

**Spring Flooding – Ditch Maintenance:**

Project # 17: The Beltrami Fire Department blasted from the ditch side of the culvert to push the gravel out. They have requested that the culverts be cleaned before moving forward. Attached are pictures that include debris on output side causing poor drainage, power washing culvert, and one after washing on input side. They spent an hour and half and 2500 gallons water in 2 trucks. They verify they barely got the 1st culvert to flow because there is debris inside and a large build of gravel on input side. They believe that the gravel on input side should be removed before they attempt anymore cleaning because they fear the gravel will continue being washed inside culvert. They are willing to return and finish once the entrance to each culvert after they have been cleaned so they don’t continue to be an issue. A Motion was made by Manager to clean the culvert by Manager Vesledahl, Seconded by Manager Bartz, Carried.

Hammond Township repaired the washouts on Section 19 and Section 20 and 29 along Project # 17. Herrmann is researching permanent solutions to this to avoid washouts like this in the future.

Sand Hill Ditch: Swenby and Herrmann continue to have discussion with the US Army Corp of Engineers regarding the impacts of the culverts downstream of where the first drop structure was removed. They are still in the review process to make a determination of the impacts on the culverts. They did a 2 day site tour on June 17 and 18.

Bear Park – spillway maintenance: Houston Engineering has been asked to review the spillway to ensure that the grade was reset back to the original design.

**Six Month Employee Performance Review:** Swenby provided a detailed time sheet beginning January 1, 2019. According to the hours worked, she has only been unpaid for 18 hours for hours worked above the 40 hour work week requirement since the beginning of January. The managers did not have suggestions for Swenby for changes or improvement.

**Other Agency Reports:** Drainage Work Group priorities were made available for review.

11. **Manager and Public Comment:**

**JR Dale:** JR Dale has asked the board to engage in discussions regarding water from Section 2 of Spring Creek passing onto a neighboring landowner Section 35 of Liberty. This is the area where trellises are being installed by the SWCD (plans attached as a refresher). Swenby and Manager Hanson toured the area. Herrmann has reviewed the area, LiDAR maps and the planned trellises.
He has made a recommendation. It would appear the best action would be to clean the south road ditch that separates JR Dale’s property with the south landowner to keep discharge from the new terrace project in the ditch rather than breakout out to the north onto Dale’s land. The ditch currently appears plugged with sand and has very little capacity.

Swenby can confer with the Norman County SWCD to discuss the option of adding in the cleaning of the south ditch as a requirement of the sediment project. The district is unable to statutorily require the cleaning but can send a letter of recommendation to the south landowners. Dale felt that the problem was created years ago when a culvert was removed and feels that this is a financial responsibility of the landowners. Manager Hanson suggested Dale offering a cost share for cleaning the ditch with the neighboring landowner.

12. PERMITS:

Four permits were presented to the board. A Motion was made by Manager Hanson to approve the following permits, Seconded by Manager Bartz, Carried.

Houston Engineering has reviewed the permits.

2019-15: Paul Engelstad – Reis Township – Section 13– clean existing ditch and install culvert
2019-16: Paul Engelstad – Liberty Township – Section 21– clean existing ditch and install culvert
2019-17: Paul Engelstad – Russia Township – Section 36– clean existing ditch and install culvert
2019-18: Matthew Vig/Vig Farms – Sletten Township – Section 25 – Install erosion control structure

Five permit extensions were presented to the board. In the past we have allowed for an indefinite number of extensions per permit. Our new rules still allow for an indefinite number of extensions, the work has been “substantially commenced.” However, if the work has not been substantially commenced by the end of the second permit year (two years), it may not be extended, and the landowner will need to make a new application. Because the language reads “may” the district has asked Swenby to relay the new rules to the applicant and approve the extensions.

A Motion was made by Manager Vesledahl to approve the following permit extensions, Seconded by Manager Hanson, Carried.

2011-13: Craig Engelstad, Liberty Twp. Replace Culvert
2015-20: Craig Engelstad, Liberty Twp. Clean existing Ditch
2016-12: Craig Engelstad, Onstad Twp. Clean existing ditch
2015:21: Craig Engelstad, Onstad Twp. Clean existing ditch
2015-27: Craig Engelstad, Liberty Twp. Construct new ditch

Permit 2015-29: A June 15, 2019 deadline was set for the plug installation by the landowner. Swenby called the landowners 2 weeks before the deadline, and toured the site on June 17. The plug is in and it look like all specs were met, except for the height. The intent of the plug is to divert water, forcing it to flow North, not into Project # 24. At the present height, water will over top. An additional letter with a new request was provided for discussion. The managers authorized sending the letter of enforcement.

There have not been any additional baling permits for presentation to the board.

13. ADJOURNMENT:

The next regular meeting will be held Tuesday, August 6, 2019 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 12:23 PM, Seconded by Manager Vesledahl, Carried.