

Minutes

PELICAN RIVER WATERSHED DISTRICT  
MEETING ANNOUNCEMENT  
Regular Monthly Managers' Meeting  
Wednesday, December 20, 2023  
12:30 PM

Wells Fargo Building, Second Floor Meeting Room, 211 Holmes St. West, Detroit Lakes, MN  
(218) 846-0436

AGENDA

12:30 PM

CALL TO ORDER

GENERAL HOUSEKEEPING

1. Approve Consent Agenda (Secretary Report—November 15, 2023 Regular Meeting Minutes; Administrator's Report; Ditch Inspector's Report; Rules/Permitting Report)
2. Pulled Consent Agenda Items
3. Public Comment Period—*Public may address the Board for up to 3 minutes each*
4. Treasurer's Report
  - A. Approve December 2023 Bills
  - B. Approve December Fund transfer
  - C. Review January-November 2023 Revenue & Expenses Report
  - D. CD Renewal (1/20/24)

1:00 PM

UNFINISHED BUSINESS

1. Request for Proposals for Legal and Engineering Consulting Services Process

1:05 PM

NEW BUSINESS

1. Final 2024 Budget, Levies, Special Assessments & Fees
2. PRWD 2023 Year End Interfund Transfers
3. Cost Share Program 2024
4. Personnel Policy— Sick and Safe Time Leave & Holidays - (MN Legislation)
5. PRWD By-Law Update (Regular Meeting Date)
6. 1W1P Grant—City of DL Pond Feasibility Study

2:30 PM

REPORTS

- ◆ Attorney Report
- ◆ Engineer Report
- ◆ Personnel Committee Report

2:45 PM

DISCUSSION ITEMS

- ◆ MN Watersheds Annual Meeting Delegate Update
- ◆ Office Coordinator Hire Update

2:50 PM

CONFIRM NEXT MEETING DATE AND TIME

- ◆ January Regular Meeting—January 17, 2024 at 8:30 a.m.
- ◆ Workshop - TBD

2:35 PM

ADJOURNMENT

(action items in bold face)

Zoom link available upon request by contacting the office by 3:30 PM 12/19/2023 at 218-846-0436 or email [prwdinfo@arvig.net](mailto:prwdinfo@arvig.net)

Manager Okeson attending electronically at 101 East Sioux Rd. #1183, Pharr, TX



DISTRICT ADMINISTRATOR'S MONTHLY REPORT  
DECEMBER 14, 2023

**Surface Waters Protection and Enhancement**

**1. Capital Improvement Projects/Structural and Non-Structural Practices**

- a. **Rice Lake Capital Improvement Project (CIP). Phase 2- Lower Structure.** The BWSR CWP Phase 1 grant extension (December 31, 2024) has been approved by BWSR.
- b. **Campbell Creek Project (CIP).** It was determined the District will be the responsible unit of government for the EAW. Project cost estimates are needed to complete the two-year workplan (Stantec and Becker SWCD are assisting with this effort) and we are hoping to wrap this up shortly!
- c. **MN DNR FEMA Otter Tail River HUC8 Watershed on a "Risk Map" project.** Nothing further to report. Next steps will be to place the story map and location maps on the District's website.

**2. Becker County Drainage Systems 11, 12, 13 and 14**

- a. **Ditch 11** - No activity to report.
- b. **Ditch 12** - No activity to report.
- c. **DITCH 13 (Little Floyd Lake to Big Detroit)** - No additional information to report.
- d. **DITCH 14 and BRANCH 1 (HWY 10 to St. Clair Lake to Pelican River)** - No activity to report.

**WATER MANAGEMENT RULES** - see enclosed report.

**3. HABITAT PROTECTION AND MANAGEMENT**

- a. **River/Stream Connectivity - Barriers to Fish Movement**
  - i. **Little Floyd Lake Structure Modification** - Next step is for a temporary construction easement and RFP for construction.
- b. **Aquatic Invasive Species Prevention and Management.** AIS management maps for MN DNR grant funding have been updated and applications for Curly-leaved Pondweed treatment on Floyd, Detroit, and Sallie have been submitted.

**4. EDUCATION AND OUTREACH (Website, Social Media, and Workshops)**

**a. Local Media/Mailings.**

**Hodge Podge Radio** - Guetter was the guest on the November 16<sup>th</sup> segment. She talked about Campbell Creek project, Little Floyd Lake project, office job opening.

**Social Media Posts (Facebook) - November 2023**

- 11-10-2023 - Salute to our Veterans
- 11-22-2023 - PRWD Request for Proposal - Legal Services
- 11-22-2023 - PRWD Request for Proposal - Engineering Services
- 11-29-2023 - Detroit Lake frozen - Nov. 27, 2023
- 11-29-2023 - Thank you from DL Public Schools for grants for elementary field trips

- b. **Conservation Education Meeting:** A second meeting was held on December 6 at M State and lead by Kelly Blackledge of Tamarac Wildlife Refuge. Unfortunately, neither Kemper nor Moses were able to attend, but will follow up to see what was discussed and how it could assist the District in educational activities.

**5. DISTRICT OPERATIONS/ADMINISTRATION**

- a. **Facilitator Work Sessions-** Aime Gourlay, LMCIT Collaboration Services Manager, will meet with managers on December 20 from 8:30 - 11:30 AM.
- b. **Contracted Services** - Requests for Proposal for Legal and Engineering Consulting Services. Guetter finalized the RFP's and posted on the District's website on 11/22/23. Managers will be working on evaluation criteria.
- c. **Office Coordinator** - Eight interviews were conducted from Dec 5-7<sup>th</sup> and two candidates were invited for second interviews.



DISTRICT ADMINISTRATOR'S MONTHLY REPORT  
DECEMBER 14, 2023

- d. **Policy Updates** – 1. MN legislature passed Sick and Safe Time (ESST) leave requirement and Juneteenth June 19<sup>th</sup> is declared a holiday. The Sick and Safe Time leave section of the personnel manual has been updated using the League of MN Cities Insurance Trust policy template and it has been reviewed by Attorney Skoyles. State statutes requires ESST to be implemented by January 1, 2024. 2. Holidays – June 19<sup>th</sup> added. 3. By-laws - As discussed at last month's meeting, the By-laws need to be updated to reflect current meeting dates. This section was updated.
- e. **Storage Building at Dunton Park** – Nothing further.

**Grant Oversight** - Campbell Creek Watershed Restoration (MPCA Section 319 Small Watersheds Focus Group C Grant Funding), FEMA Grant, BWSR Clean Water Rice Lake Project – Phase 1 & Phase 2. MN DNR – Conservation Partners Legacy Grant, Otter Tail 1W1P Implementation Grant.

**Otter Tail River 1W1P Partnership** – WEBSITE: <https://www.eotswcd.org/ot1w1p/>

- a. **1W1P Shared Shoreland Technician** — Colton Utecht
- b. **1W1P Grant West Area (“Fairgrounds”) Stormwater Study** -Guetter sent Kelcey Klemm the scope of work to review. A copy of the proposal is in the packet and will be on the December agenda for approval. This study will be funded by the Otter Tail 1W1P Implementation funds and PRWD matching funds. After approval, I will work the Otter Tail 1W1P to get the study moving forward.
- c. **1W1P Grant Urban Stormwater** – Guetter contacted Administrator Klemm and asked for a list of projects that may be eligible for the next round of implementation grant funding.
- d. **OTW Policy Committee** (Kral, Hansen-Alt). A Policy Committee meeting will be scheduled at the end of February 2024 to review project implementation progress and to review and approve the next funding request of \$1.5 M.
- e. **OTW TAC Committee** (Guetter). Nothing further to report.

#### **MN Watersheds Association**

- a. **MN Association of Watershed Administrators (MAWA)** –Guetter attended the November 28<sup>th</sup> meeting. Statewide meeting attendees reviewed proposed legislative resolutions, Watersheds Legislative Platform, Drainage policy updates, Stormwater policy updates, Summer Tour, proposed “housekeeping” updates to MN Statute 103D. Guetter will remain on the MN Watersheds Finance Committee serving as the administrator member.
- b. **MN Watersheds Annual Conference.** – Managers Kral, Olson, Hansen, Chris Jasken and Administrator Guetter and Kemper also attended the conference. Annual meeting was attended by PRWD delegates Kral and Chris Jasken and Administrator Guetter and Kemper. A conference and meeting update will be given at the board meeting.

#### **DATA COLLECTION AND MONITORING PROGRAM**

**Lakes and Streams** – Kemper is working on Vegetation Survey reports for Munson, Pearl and Long Lakes and starting to write the 2023 Monitoring report.

## **Weather**

### **November 2023 Temperatures**

Warm and dry describe the climate for Minnesota during this November. The statewide average temperature for the month (nearly 33.5°F) falls within the warmest 15 Novembers in history (back to 1895), while the statewide average precipitation for the month (around 0.38 inches) falls within the driest 12 Novembers historically.

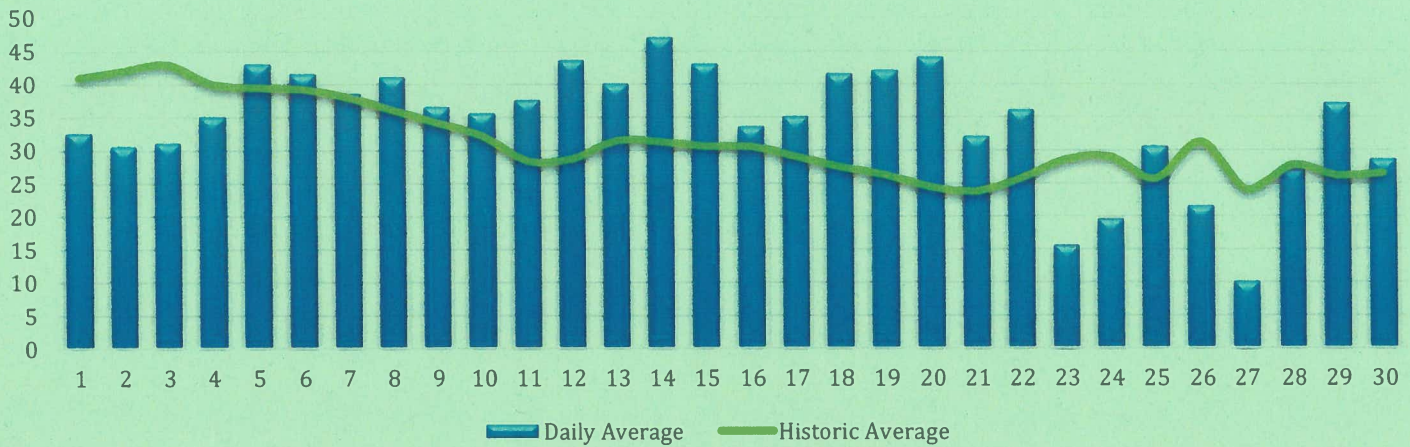
The November temperatures for Detroit Lakes were warmer than average during most of the month of with it dipping down below the average in the beginning of the month and towards the end of the month. Detroit Lakes reported 9 days averaged in the 40s °F and the lowest temp was 2°F. There were 8 days below the historical average and 22 days that were at or above the historical average, and 18 of them occurred on the 5<sup>th</sup> – 22<sup>nd</sup>.



DISTRICT ADMINISTRATOR'S MONTHLY REPORT  
DECEMBER 14, 2023

Hottest Day - 60°F – November 14<sup>th</sup>  
 Coldest Day - 2°F – November 27<sup>th</sup>  
 Monthly average temperate - 34°F  
 Daily average High for Detroit lakes is 44°F.  
 Daily average low temperatures are 25°F.

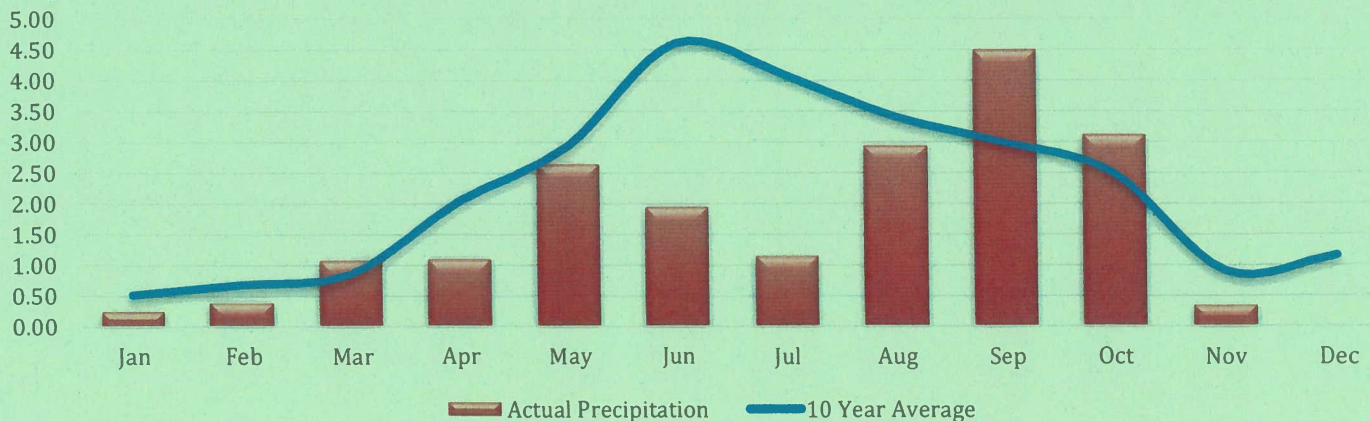
### 2023 November Temperature - Detroit Lakes, MN (Daily Average)



#### November 2023 Rainfall / Snowfall

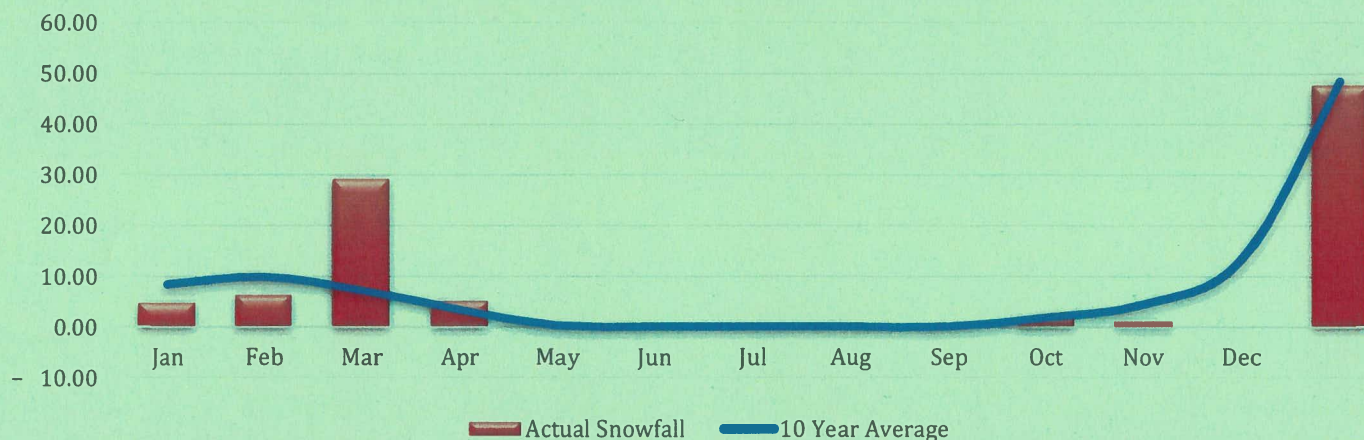
November precipitation was less than normal across the entire state. Only northeastern counties reported some monthly totals between 1 inch and 1.80 inches. Many climate stations reported one of their driest months of November in history, with numerous reports of less than a tenth of an inch for the month. In Detroit Lakes the total rainfall was 0.34 inches which is 0.56 inches less than the 10-year average of 0.90 inches. Most of the rain fell between the 5<sup>th</sup> and the 11<sup>th</sup> (0.17 inches). We received a total of 1.00 inch of snow (0.50 inches on the 10<sup>th</sup> and 0.50 inches on the 26<sup>th</sup>) which is down 3.47 inches from the 10 year average (4.47inches).

### 2023 Precipitation - Detroit Lakes, MN





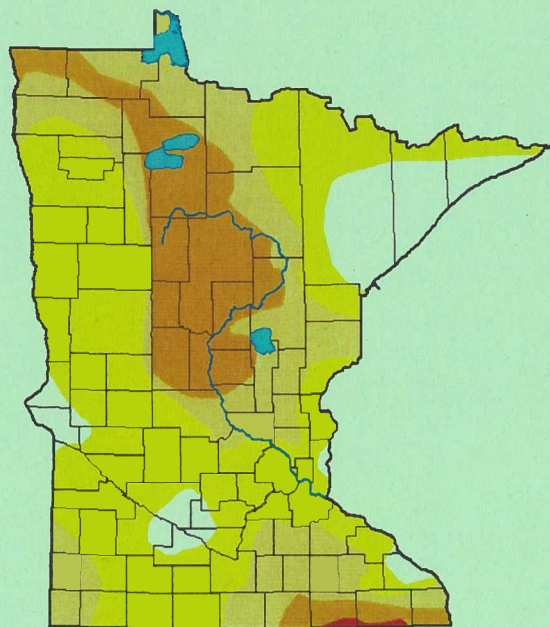
## 2023 Snowfall - Detroit Lakes, MN



### We have the best-looking drought monitor map for Minnesota in months!

Drought conditions continue. The majority of West Becker County is abnormally dry while a sliver of East Becker County remains in moderate drought conditions. This is the 19<sup>th</sup> driest year on record for Becker County in 129 years.

### U.S. Drought Monitor Minnesota



**November 28, 2023**  
(Released Thursday, Nov. 30, 2023)  
Valid 7 a.m. EST

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	10.16	89.84	43.65	18.01	0.25	0.00
Last Week 11-21-2023	10.16	89.84	43.65	18.01	0.25	0.00
3 Months Ago 08-29-2023	0.09	99.91	75.47	38.54	10.06	0.00
Start of Calendar Year 01-03-2023	29.19	70.81	44.90	15.91	0.00	0.00
Start of Water Year 09-26-2022	0.00	100.00	82.65	46.85	8.03	0.00
One Year Ago 11-29-2022	22.63	77.37	48.11	15.90	4.88	0.00

**Intensity**

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

**Author:**

David Simeral  
Western Regional Climate Center



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)



**PELICAN RIVER WATERSHED DISTRICT  
REGULAR MEETING BOARD MINUTES  
NOVEMBER 15, 2023**

**Managers Present:** Dennis Kral, Orrin Okeson, Chris Jasken, Charlie Jasken, Laurie Olson, Phil Hansen, Rick Michaelson (via IT-non-voting)

**Managers Absent:** NONE

**Staff:** Administrator Guetter, Moses, Kemper, Utecht

**Consultants:** Attorney Skoyles, Travis Kluthe (Stantec)

**Others:** Pete Waller & Henry Von Offelen (BWSR), Rob Bredeson (Wastewater Supervisor, City of Detroit Lakes), Birch Burdick, Mike Becraft, Jim Bond (Melissa/Sallie Lake Association), Chad Engels (Moore Eng.), Aimee Gourlay (LMCIT Mediator).

**CALL TO ORDER.** The Regular Managers' meeting was called to order by President Kral at 8:30 AM. Introductions were made by meeting attendees.

**APPROVE CONSENT AGENDA:** Motion to approve the Consent Agenda including the Secretary's Report – October 18, 2023, Regular Meeting Minutes and November 8, 2023 Special Meeting Minutes, November 2023 Administrator's Report, November 2023 Rules/Permitting Report (except Soo Pass Ranch Proposed Conservation Subdivision and Strand Subdivision), and the November 2023 Ditch Inspector's Report (Hansen, Okeson), carried unanimously.

**TREASURER'S REPORT.**

- a. **Approval of November 2023 Bills.** Office Coordinator, Moses, reviewed the November 2023 claims in the absence of Treasurer Michaelson. **Motion to approve the November 2023 claims including (Checks 15164-15176 and EFT 2282-2286) in the amount of \$29,348.89 (Hansen, Olson), carried unanimously (attached hereto).**
- b. **November 2023 Fund Transfer.** Moses recommended transferring \$40,000 to cover the regular monthly expenses. **Motion to transfer \$40,000 from the Bremer Bank savings account to the checking account (Hansen, Olson), carried unanimously.**
- c. **Financial Report.** The January-October 2023 Revenues and Expenses Report was reviewed by the managers. **Motion to approve the January-October 2023 R & E Report (Kral, Okeson), carried unanimously.**

**ENGINEER REPORT.** Engineer Travis Kluthe, Stantec-Brainerd Office, introduced himself as the new Stantec contact. Mr. Kluthe updated the board on the Campbell Creek 319 grant project meetings with MN DNR and it was determined the District will be the responsible unit of government for the mandatory Environmental Assessment Worksheet (EAW) which will be completed by Stantec.

**ATTORNEY REPORT.** Attorney Skoyles reported President Kral consulted her regarding governance questions pertaining to current staff evaluation procedures, input from non-personnel committee (Managers/Public) and implications relating to the MN Government Data Practices Act and MN Open Meeting Law.

**PERSONNEL COMMITTEE:** The Personnel Committee will be meeting with Administrator Guetter to conduct her annual review. With the upcoming retirement of Moses in February 2024, Guetter noted the Office Coordinator position announcement is on the district's website and also advertised on the "HireClick" platform which disseminates the announcements to a number of on-line hiring sites.

**NEW BUSINESS.**

- a. **League of MN Cities Insurance Trust Mediator – Aimee Gourlay.** Ms. Gourlay presented her findings after conducting interviews with the board managers, staff (Guetter, Kemper) and consultants (Skoyles, Mackowick). The board generally agreed to move ahead with her services. Next steps include: (1) appointing two board managers with different perspectives to work with Ms. Gourlay to create an agenda and plan for facilitated work session; (2) full board participation in facilitated work sessions to address goals. Managers Michaelson and Chris Jasken were appointed to develop work session agenda and process. The first facilitated work session will occur in December.
- b. **League of MN Cities 2024 Liability Limits Resolution.** Managers notes this resolution is required to be approved on an annual basis for insurance liability coverage limits. **Motion to approve the Resolution for League of MN Cities Insurance Trust Insurance Liability Coverage Limits, attached hereto (Kral, Olson) carried unanimously.**



**PELICAN RIVER WATERSHED DISTRICT  
REGULAR MEETING BOARD MINUTES  
NOVEMBER 15, 2023**

- c. **Review draft request for proposals – Legal & Engineering Consulting Services.** The District annually appoints legal and engineering consulting services, but has not requested proposals for many years. Draft engineering and legal proposals were included in the packet for manager review and approval. The selection process will be to: (1) advertise for services (RFP's with a 4-week proposal response deadline); (2) score/evaluate the proposals and select up to 3 firms to interview; (3) conduct interviews, (4) and select/approve the engineering and legal consultants. It was noted these services should be reviewed on an annual basis. Guetter anticipates posting the RFP's before the Thanksgiving holiday. **Motion to advertise for Request for Proposals (RFP's) for Engineering Consulting Services with a 4-week submittal deadline, with the board of Managers conducting the proposal evaluations, firm interviews, and selection of the district engineer/consulting firm (Chris Jasken, Olson), carried unanimously.** Two drafts of the legal consulting services RFP's were sent out for managers review. It was generally agreed to use the more detailed RFP for legal services. The deadline for proposal submittal, proposal evaluation, firm interviews, and final selection will follow the same process as the engineering firm review timeline. **Motion to advertise for Request for Proposals (RFP's) for Legal Consulting Services (Olson, Charlie Jasken) carried unanimously.**
- d. Order of Agenda, Minutes, Meeting date and time. Managers discussed where the Open Forum portion of a meeting should be on the agenda. **Motion to move "Public Forum" to follow the Consent Agenda (Hansen, Charlie Jasken) carried unanimously.** A draft of a "Public Forum Guidelines" was included in the packet and will be discussed at a future meeting. Manager Hansen inquired if meeting minutes could be sent out soon after the meeting. Attorney Skoyles stated City minutes are distributed with the next board packet and not prior to that – no further discussion. Managers discussed the morning versus afternoon times for the 2024 board meeting schedule. Staff prefers a later afternoon time to allow more work hours, but managers reaffirmed the morning time is preferred. **Motion to approve the 2024 regular monthly meeting date as the third Wednesday at 8:30 AM (Chris Jasken, Olson) carried unanimously.** Manager Kral noted that District By-Laws should be updated with this change. The 2024 meeting calendar will be as follows:

**2024 PRWD Regular Board Meetings**

<i>Month</i>	<i>Date</i>	<i>Time</i>	<i>Note</i>
January	17	8:30 AM	
February	21	8:30 AM	
March	21	8:30 AM	
April	17	8:30 AM	
May	15	8:30 AM	
June	20	8:30 AM	Thursday – (Wed., June 19-Holiday)
July	17	8:30 AM	
August	21	8:30 AM	
September	11	8:30 AM	Public Hearing - 2nd Wednesday
October	16	8:30 AM	
November	20	8:30 AM	
December	18	8:30 AM	

- e. **Review violations, Violation Procedures/Surety-Escrow-Letter of Credit amounts for 2024.** Managers and staff agree that Rule violation procedures/guidelines and surety amounts need to be vetted/reviewed in early 2024. Staff handed out detailed timelines and actions taken by staff and legal counsel for the Nord, Eiler, Goetz properties.
- f. **Performance evaluation process.** Attorney Skoyles stated the District has a personnel committee to evaluate the Administrator and presents recommendations to the Board. Skoyles reiterated employee evaluations are private data and subject to the Open Meeting Law and Data Practices Act. Guetter said her door is open and encourages more communication. Clarifying the performance evaluation process may be a work session topic with Aimee Gourlay.



**PELICAN RIVER WATERSHED DISTRICT  
REGULAR MEETING BOARD MINUTES  
NOVEMBER 15, 2023**

- g. FEMA Study Update.** Managers commented that the maps were helpful and a number of areas were suggested for further review within the District. This study will be useful for obtaining future grant funding.

**UNFINISHED BUSINESS.**

- a. **Rules Update – City of DL Letter.** The letter will be reviewed during the Rules revision process. A follow-up discussion to last month's meeting regarding a clarification email (11/13/2023) from City Administrator Klemm stating he was going to present the letter at the October board meeting.
- b. **Office Coordinator Hiring Update.** Guetter provided a brief update (see Personnel Committee).

**PUBLIC FORUM.**

Jim Bond: provided positive comments on Ms. Gourlay's presentation and urged the managers to listen to one another and to staff.

**PULLED CONSENT AGENDA ITEMS.** No item for discussion.

**ANNOUNCEMENTS.** MN Watersheds Annual Conference & Trade Show Nov. 29 – Dec. 1 in Alexandria, MN

**ADJOURNMENT.** Motion to adjourn the regular meeting at 11:59 PM (Kral, Chris Jasken) was carried unanimously.

Respectfully Submitted,

\_\_\_\_\_  
Chris Jasken, Secretary

Meeting Approved: \_\_\_\_\_



**Pelican River Watershed District  
Claims Paid - November 2023**

	<u>Date</u>	<u>Num</u>	<u>Amount</u>
<b><u>Employee Expenses (ACH)</u></b>			
*Guetter, Tera	11/17/2023	EFT2282	75.00
*Moses, Brenda	11/17/2023	EFT2283	78.10
			<b>\$ 153.10</b>
<b><u>Vendor Expenses (AutoPay)</u></b>			
Bremer Bank	11/16/2023	ACH	18.50
Loffler Companies, Inc.	10/30/2023	ACH	176.91
			<b>\$ 195.41</b>
<b><u>Vendor Expenses (ACH)</u></b>			
Lakes Computer, Inc.	11/17/2023	EFT2284	190.00
Stantec Consulting Services Inc.	11/17/2023	EFT2285	2,119.00
Wells Fargo-Office Lease	11/17/2023	EFT2286	1,299.58
			<b>\$ 3,608.58</b>
<b><u>Vendor Expenses (checks)</u></b>			
^Goetz, Jordan & Marianna	10/25/2023	15164	15,000.00
Arvig	11/16/2023	15165	70.95
Bank of America	11/16/2023	15166	2,091.64
Campbell, Joshua	11/16/2023	15167	1,260.00
City of Detroit Lakes	11/16/2023	15168	853.95
County 6 Amoco & Bait	11/16/2023	15169	74.70
Detroit Lakes Public Schools	11/16/2023	15170	660.00
Forum Communications	11/16/2023	15171	45.07
Loffler	11/16/2023	15172	111.51
MN Watersheds	11/16/2023	15173	5,000.00
Office of MNIT Services	11/16/2023	15174	77.46
Premium Waters, Inc.	11/16/2023	15175	9.02
Ramstad, Skoyles,Winters & Bakken P.A.	11/16/2023	15176	137.50
			<b>\$ 25,391.80</b>
<b><u>Employee Compensation (ACH)</u></b>			
Supplemental Benefits	11/3/2023	EFT 2276-2278	3,018.60
Employee Payroll	11/9/2023	EFT 2279-2281	4,491.63
Federal Withholding	11/10/2023	ACH	2,300.24
Employee Payroll	11/22/2023	EFT 2287-2289	4,491.64
Employee Payroll	11/28/2023	EFT 2290	381.27
Federal Withholding	11/30/2023	ACH	1,650.06
MN State Retirement Systems	11/30/2023	ACH	5,676.00
MN Revenue	11/30/2023	ACH	591.00
PERA	11/30/2023	ACH	2,627.69
			<b>\$ 25,228.13</b>
<b>TOTAL NOVEMBER EXPENSES:</b>			<b>\$ 54,577.02</b>



## LIABILITY COVERAGE WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before their effective date of coverage. Email completed form to your city's underwriter, to [pstech@lmc.org](mailto:pstech@lmc.org), or fax to 651.281.1298.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. *The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.* The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: Pelican River Watershed District

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).

The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: November 15, 2023

Signature: Dennis Kral

Position: PRWD Board President



# RULES Report

## December 2023

### Permits Issued

<u>No.</u>	<u>Name</u>	<u>Address/Area</u>	<u>Approved Project</u>
23-92	Helgoe, Amy	13611 Barbara Beach Lane	SIZ: Remove dying tree, and replace with native species, install riprap toe with vegetation behind.
23-93	Vipond, David & Pamela	1168 South Shore Dr.	SW Mgmt Residential >25% impervious lot coverage. Mitigation For new home construction 26.99% impervious surface.
23-94	Leighton Ent.	804 Randolph Rd.	SW Mgmt Commercial >10,000 SF lot coverage. Installing 52'x16'x3' Pollinator/rain garden and plant native forbes in 9175 SF area in the tree line.
23-95	Strand Subd. Strand, Richard	13370 270th Ave.	SW Mgmt—Subdivision

### Permit Applications Pending

**Wallace Danielson**—685 South Shore Dr. Over 25% impervious surface coverage. **10/10:** Neither PRWD or City has received a site plan or issued a permit. We continue to work with the contractor.

### Violation \*\*\*\*\*

**Marty Solmon**, 12044 Cty Rd. 17: Work done in the SIZ without a permit. Permit 21-12 for riprap and grading has expired. A boulder wall >200 ft on the shoreline was constructed without a required permit from the MN DNR or PRWD. A Stop Work Order was issued on 6/29/23. Mr. Solmon applied for a MN DNR permit for the retaining wall which requires an engineered plan. He was informed he could add rock in front of the boulder wall and it would be considered rip-rap and not a retaining wall (a MN DNR permit is also required for this action due to the shoreline length. **10/18:** Kemper met on site with owner and Engineer and Engineer was to develop a site plan and Kemper has provided elevation shots to both Engineer and MN DNR. **11/8:** Kemper sent email to Engineer for update on the Engineered site plan, and is following up with MN DNR on their status. To date we have not received letter of credit from owner. **12/13/23:** Still no word from MN DNR or Engineer or letter of credit. Kemper will send out follow up emails again to all parties.

**Hausmann, Jeffrey & Diane**, 1670 East Shore Dr.: Work in SIZ without a permit including extensive vegetation clearing and excessive riprap. **12/12/23:** Permit has been issued for remediation work and planting continues on the site, however, it may not be completed until spring 2024.

**Eilers, Cary & Jill**, 15092 E Munson Rd., Attorney Skoyles sent the violation notice to the landowners. Vegetation restoration plan submitted along with Letter of Credit. Permit has been issued. **12/12/23:** Work continues on the site. Expected completion—spring 2024.

**Nord, Chris**, 15216 E. Munson Dr.; Attorney Skoyles sent the violation notice to the landowner. Vegetation removal and grading in the SIZ **9/19:** Owner requested an extension on the 9/22/23 date to complete soil stabilization to 9/29/22—approved; **9/29:** Owner requested another extension to stabilize the soils to 10/10/23 and an extension to plant the replacement trees by 6/1/24 with a \$500 escrow agreement—approved with the condition if the site is not stabilized by 10/10/23 a surety of \$5,000 would be required. **10/11:** Staff contacted Mr. Nord to see if the remediation work had been completed, but was informed it had not been done, however on 10/12 work had started. **12/12/23:** Work continues on site, trees will be planted and completion expected spring of 2024.

(see back page)



# RULES REPORT

## December 2023

### Permit Applications Expected

**Gehrig Properties/Southwood Shore Estates**– New development off of South Shore Dr. The City of Detroit Lakes did approve R-2 zoning for residential development and the Developer will begin with 7 lots. **8/9/23:** The City bid the infrastructure, however all were rejected because they were too high. Due to the late summer timing, they don't anticipate going out for more bids until next year. The County approved a site for a gas station, but we have not received that application yet. Still no application as of **12/12/2023**.

**City of Detroit Lakes-MN Flyers**– Met with architect and MN Flyers staff to discuss building addition and parking lot improvements. Nothing further to report at this time (**12/12/2023**).

**Zion Lutheran Church**– A preliminary on-site meeting was held to review potential stormwater management options depending upon what building direction they take (new building, addition, etc.). Nothing further to report at this time (**12/12/2023**).

### District Comments to Becker County Board of Adjustments— December 20, 2023

**12/12/23:** Kemper resent the following comments for the December 20th, 2023 BOA Meeting

**Soo Pass Ranch—Lake Sallie Bluff Area** :Here are the PRWD's comments for the BOA Meeting on December 20th , 2023.

**Applicant:** Soo Pass Ranch Inc. Lake Sallie Homes, LLC **Project Location:** TBD Lake Ridge Lane, Detroit Lakes

**Comment:** PRWD recommends when considering a conservation subdivision for this property, it was discussed at the tech review panel meeting to recommend including a special protection conservation easement on the bluff area (the toe of the bluff to the top of the bluff-bluff impact zone), and to conduct additional soil testing (Geo-Technical) as this area in the past has had structural slumping issues (see attached photo).

**Becker County Response to our comment:** The request for the November 9<sup>th</sup> meeting is just for dock slips. They will need to go before the Planning Commission for the proposed conservation subdivision. They have not yet filed that application. If and when they do, I can make sure that this letter is also included at that time. You will also be notified of that hearing.

**District Comments to City of Detroit Lakes Planning & Zoning— November 30, 2023—**No comments made.