

SAND HILL RIVER WATERSHED DISTRICT

April 5, 2005 Meeting Minutes

- 1. Attendance:** Chairman Hanson called the April 5, 2005 meeting to order at 8:00 a.m. at the District Office. Other managers present were Bill Brekke, Stuart Christian, Gordon Sonsteli, & Harold Vig. Others in attendance were Daniel Wilkens-Administrator, April Swenby – Administrative Assistant, Lawrence Woodbury -Houston Engineering, Loren Sanderson-Red Lake Watershed District, Joyce Downs, Clayton Engelstad, Eric Engelstad, Allen Torpet, Jeff Larson and Jeff Broadwell.
- 2. Approval of the Agenda:** A **Motion** was made by Manager Christian to approve the agenda, **Seconded** by Manager Brekke, **Carried**.
- 3. Minutes:** **Motion** was made by Manager Brekke to approve the minutes of the SHRWD regular board meeting conducted on March 1, 2005, **Seconded** by Manager Vig, **Carried**.
- 4. Treasurer's Report:** Wilkens distributed the treasurer's report for the month of March. A **Motion** was made by Manager Vig to accept the treasurer's report as presented, **Seconded** by Manager Brekke, **Carried**.

Motion was made by Manager Brekke to approve and pay bills, **Seconded** by Manager Christian, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.
- 5. Ditch #122:** The Managers invited meeting attendees to tour ditch # 122. They looked at where the proposed project would be located in the upper end, the headwaters of ditch 122, the erosion at Lisburg's, the sediment at the town line, the restrictor crossings, west of Jerde crossing to the tile line, the Jerde/Taylor erosion control project, and the outlet to the proposed project. The board meeting resumed after the tour. Chairman Hanson asked Clayton Engelstad his opinion on the proposed project. Engelstad thought the elimination of the 18 inch culvert at the headwaters would not fix the problem at the outlet, but did think it could help with reducing the flow and the severe erosion. Overland flooding would still be a problem at the outlet when the 24 inch tile cannot handle the volume of water.

Downs expressed her concern with the issue of the plan not working. She asked the managers, who would pay for the flooding of basements or her well drying up? Because it would be a shallow ditch, the managers did not believe this would be an issue, but explained there would be funds available for future maintenance.

Larsen asked the managers what the disadvantages of the project could be. The concerns that have been brought forth were as follows: low spot by highway # 1, being able to cross the ditch, trees being removed, water in landowners basements (Downs', Hanson's, Netland's), and wells drying up (Downs). Wilkens told Larsen that Netland's have not expressed concern for their basement in regards to this issue and that Hanson's currently have water issues if a beaver dam plugs the channel south of Highway # 1. Hanson's basement is approximately 2 feet higher than the culvert under Highway # 1 and Robertson's basement is four feet above the culvert. Downs had water in their basement in 1997. He explained that the current proposed project begins at the airport road and ends at the river.

Torpet was asked what the Township's position is and if they would possibly pay for part of the cost of the project if it protects their road. Torpet explained that in prior years they have negotiated with the county to pay for partial repair of ditch # 122 west of Lisburg's. If the Township derived a benefit they would be obligated to pay, but he could not speak for the board. At this time no cost estimate is available. There are many variables that would affect costs from total volunteerism to complete assessment.

Downs told the managers that to her knowledge this project is illegal. Chairman Hanson assured her that the district has had our lawyers involved in our process and they have concluded that the Watershed is taking all legal measures

needed and that we are pursuing this correctly. Under 103D, the Sand Hill board is given authority to initiate a project using a unanimous resolution of the board. If the board initiates the project, the engineer would be instructed to do a preliminary engineers report in preparation for a preliminary hearing and at that time it would be decided if the project is feasible. The board can then ask the engineer to prepare a final engineers report and viewers would be hired to determine benefits and damages. A final engineers report and viewers report would be given at the final hearing. When the process is completed, then the project could begin. Downs was told that the district has completed many projects in the district using this section of 103D.

Downs explained to the Managers that if this project goes through, she feels that this will hurt their home and property. She explained if the land is too dry, they will be unable to grow crops. She also is worried about being flooded under different circumstances. It was explained to her that if this project was constructed it will not affect her basement, her well, nor her cropland. She could still flood during catastrophic events – which is what currently happens. Downs would still like to see this water taken south to the river. Wilkens explained to her that the cost to install pipe upwards of 19 feet deep for that distance with a major power line and phone line involved would be prohibitive.

Eric Engelstad asked what the deepest cut would be through Downs' property. Woodury estimated it to be 2 to 4 feet. There would be several drop structures installed for erosion control. Engelstad stated that in tile research the lateral effect is not very far too either side. That is why tile lines are placed 40 to 50 feet apart. If that is the case the ditch will only affect the subsurface water 25 feet on either side of the ditch and only at a shallow depth. The ditch would be following the lowest areas which are already very wet so he could not see how the statement that this ditch would dry up the field could have any merit. Downs argued by saying that if the surface water is removed, the ground water will be affected. Chairman Hanson reminded Downs that other factors are charging the ground water.

The managers asked the landowners if they are still considering volunteering their time and equipment to construct the ditch. Clayton Engelstad said he would like to see this project done on a hire basis. He shared his experiences with volunteering with this type of project. He was concerned about the construction falling on the shoulders of a few.

Clayton Engelstad suggested to the board a different alternative which involves installing pipe from Lisburgs driveway west through the erosion problem area. He thought this may be a more cost effective plan rather than the proposed plan. He also stated that there is a major problem at the outlet to ditch # 122. The tile is very old and undersized. The tile needs replacing and upsizing or a new ditch needs to be built going straight west. Wilkens reminded everyone that Engelstad's alternative would involve an improvement petition on Ditch # 122. After discussion, a **Motion** was made by Manager Christian to table this discussion until Engelstad's alternative is reviewed by the engineer – piping down hill by Lisburg's and making a grass waterway between Todahl's and Bernice Engelstad, **Seconded** by Manager Brekke, **Carried**. Stuart Christian recused himself as he has property in the area.

7. Engineer's Report:

Beltrami Slough: A **Motion** was made by Manager Brekke authorizing Chairman Hanson and Secretary Brekke to sign the contracts which award the contract for the project to Spruce Valley Corporation of Middle River, Minnesota for the sum of \$67,180.00, **Seconded** by Manager Christian, **Carried**.

8. Dan's Monthly Report:

Project Team: The project team is scheduled to meet on April 12, 2005 at the district office in Fertile.

RRWMB: The RRWMB met on March 15 at the district office in Fertile.

RBFDRWG: The RBFDRWG met on March 30 in Crookston.

RRBC: The RRBC met on March 3 in Grand Forks.

PROJECT 17: The final hearing was held on Monday, March 14 at 9:00 am at the Climax Community Center and was recessed until Friday, March 18. The board ordered project # 17 in.

Legislative Breakfast: Wilkens, Chairman Hanson, Manager Vig, and Manager Sonstelie attended the Legislative Breakfast.

March Conference: The March Conference was held on March 31, 2005 at the Northland Inn in Crookston. Chairman Hanson and Wilkens attended.

7. Other Business:

Jeff Broadwell: Broadwell requested a letter of support regarding a permit he applied for in Section 13 of Rosebud Township. He explained that the NRCS office feels he deepened the ditch and he does not feel he did. Broadwell has sent a petition to the state level which has now been placed on hold until he provides further documentation proving his case. The land is classified as a farmable wetland. The managers agreed to have Wilkens write a letter of support as Manager Vig has viewed the property and agrees that the ditch has not been deepened.

Dan Skanson (Fair Booth): A **Motion** was made by Manager Sonstelie to donate \$500 to the Fertile Fair Board to be used for the environmental education of children during the fair, **Seconded** by Manager Vig, **Carried.** .

Viewers: The managers asked Wilkens to send a thank you letter to the viewers recognizing their excellent performance in viewing project # 17.

Website: A **Motion** was made by Manager Christian to hire Prairie Ag to create the Sand Hill River Watershed District's website and to hire Houston Engineering to update the permit database, **Seconded** by Manager Sonstelie, **Carried.**

Computer Hardware: A **Motion** was made by Manager Brekke authorizing Swenby to purchase a wireless mouse, a jump drive, and an extra memory disk for the digital camera, **Seconded** by Manager Christian, **Carried.**

Digital classes: A **Motion** was made by Manger Brekke authorizing Swenby to attend PhotoShop I and II classes in Fargo as needed to maintain the district's website, **Seconded** by Manager Christian, **Carried.**

Projector: A **Motion** was made to purchase a projector based on the cost estimate given to the managers by Manager Christian, **Seconded** by Manager Brekke, **Carried.**

Document Imaging Software: The document imaging software discussion was tabled.

Loren Sanderson: Sanderson gave the board a short presentation on the boundary issues in section 19 of Onstad Twp and section 13, 23, and 24 of Russia Twp. There has been a history of complaints in this area in the past. Wilkens had given a presentation to the Red Lake Watershed Board explaining what actions are needed to correct the boundary problems in this area. Sanderson explained that the Red Lake District had met with area landowners

and the Red Lake District would be overseeing removal and relocating of culverts and construction of a ditch that would bring the water north into the Burnham Creek on the west side of section 13 in Russia Twp. Sanderson asked the Sand Hill River WD to take the lead and direct water west in section 23 along the north township road. The water could be redirected on either the north or south side of the road. The Sand Hill board agreed to correct this boundary problem.

8. Permits: The following permits were approved:

2005-04 Garden Valley Telephone, Directional Bore under Sand Hill River along Hwy # 59 south of Winger,
Section 27 Winger Twp

9. Adjournment: The next regular meeting of the SHRWD will be at **8 a.m. on Tuesday, May 3, 2005.** As there was no further business to come before the board, a **Motion** was made by Manager Christian to adjourn the meeting at 12:15 p.m., Seconded by Manager Brekke, **Carried.**

Robert Brekke, Jr., Secretary

April Swenby, Administrative Assistant