

The Board of Managers of the Sand Hill River Watershed District met for their regular monthly meeting on Tuesday, May 6, 1980 at 8:00 P.M. at the Fertile City Hall. Members present - Gullekson, Wilkens, Hanson, LaVoi, and Larson. Also present - Bob Muscha of Houston Engineering; Werner Mahlum and Marvin Reitmeier of the Advisory Committee; and interested public.

The meeting was called to order by Chairman Roland Gullekson. The secretary read the minutes of the April 1, 1980 meeting and they were approved as read. The treasurer's report was read and approved.

Roger Hanson had talked to the viewers for the Liberty-Onstad Ditch and asked them to be present at the hearing on May 8th.

Roger Hanson was going to try and negotiate with the Highway Department to get the bypass opened at the Beltrami bridge site so the local people could use it.

Dux Aggregates permit application was discussed. The permit was approved.

Roger Hanson made a motion to accept the following resolution, Francis LaVoi seconded the motion. Motion carried unanimously.

WHEREAS, The Board of Managers of the Sand Hill River Watershed District has previously determined to construct a flood detention dam on the Sand Hill River in Northeastern Norman County between Sections 11 and 12 of Bear Park Township, now therefore,

IT IS HEREBY RESOLVED that condemnation proceedings be employed, where necessary, for the procurement of permanent easements for temporary flood storage, and Stanley C. Olson of the firm of Olson, Oistad & Opheim of Ada, Minnesota, Attorney for the District, is hereby authorized to so proceed.

The secretary was instructed to mail back the signed copy of the Resolution Stanley Olson right away.

Phipip Swenson dug a ditch and should be advised he needs a permit for that.

The following claims were presented and approved and ordered paid:

Vernon Larson - Managers fee & mileage	\$96.60
Roland Gullekson - " "	154.75
Francis LaVoi - " "	44.00
Roger Hanson - " "	441.00
Dan Wilkens - " "	143.90
Pam Wilkens - Typing	52.40
Erlin Bennes	20.00
Verdell Olson	20.00
Austinson & Remark	125.00
Houston Engineering - Co Ditch 2 & 17	60.00
Houston Engineering	3,044.50

There being no further business, the meeting was adjourned.

Daniel Wilkens, Secretary

The hearing for construction of Project No. 3, Onstad-Liberty Ditch, was held on Thursday, May 8th at 8:00 P.M. at the Fertile Town and Country Restaurant due to a conflict at the City Hall. Chairman Roland Gullekson called the hearing to order and the Watershed attorney Stanley G. Olson explained the legal steps involved in the petition.

Watershed Board engineer Bob Muscha of Houston Engineering reviewed the engineer's report on the project in general and reviewed the cost estimate in detail. The alternatives to construction of the Onstad-Liberty Ditch were discussed. The map showing the benefited areas was explained. The ditch was designed for the 10 year storm or 126 C.F.S. The construction cost is estimated to be \$47,270.00. The total cost including contingency, engineering fees, damages, utility relocation, and legal fees is \$71,840.00. The benefits and damages are determined by the viewers. The report from the Water Resources Board regarding this project was read by Bob Muscha. The Director's report of the Division of Waters was read by Bob. Bob then explained the Viewers Report.

Then questioning and comment was received from the public. Muret Berhow expressed concern over additional water going south.

Marshall Guntzberger questioned his benefits. Oliver Moen had the same question for the whole Varnes Church area. Chairman Gullekson answered that he thought their question was valid and the Watershed Board would check into that. The viewers were requested to go back and look at that area again.

John Roue asked about the size of the culvert at the head end of the ditch and questioned if the ditch could take any overflow from Ditch 65. Engineer Muscha answered that the ditch would take double its present capacity after construction because of all the tail water that has no ditch to follow south. Mr. Roue questioned if enough of the water would go south to make any difference in the landowners on the north of the highway. Bob Muscha answered that the project was petitioned by landowners on the south side who have no outlet for all that water. All the water will not go south, some still will go west, but that will need another project to solve all the spillover.

Clarence Hanson asked what good he would get in Section 2 of Godfrey Township. Bob Muscha answered that if this ditch will take a large part of the water that presently flows in Ditch 65 and provide him with an outlet that does not make people's lands then the viewers view that he has benefits.

Robert Albers, who has land at the top end of Ditch #65 questioned his benefits also.

Muret Berhow expressed concern over the increased flow over a shorter time there was ten years ago. Bob Muscha answered that this appears to be true but is hard to develop historic data without gauging stations and the Sand Hill Watershed District is planning to start gathering data.

Lyle Gast asked if there would be anymore problems with the Sand Hill River with this extra water dumped in there in a shorter time. Bob Muscha answered that in a normal year the timing is such that the water that goes down Kittleson Creek is later than the peaks are occurring on the Sand Hill and in addition the Board has plans for two water holding projects on the Sand Hill right now and one with several thousand acre feet of water storage area could be built this year. This and other projects would tend mitigate the flow on the Sand Hill.

Burnice Engelstad expressed concern over the fact that the culvert by their home freezes up each spring. Bob Muscha and Roland Gullekson both said that this problem would be looked into.

Concern was expressed over additional ditching and drainage increasing the flow. Bob Muscha answered that any ditching of that much water would need DNR permit and a watershed permit. And the Watershed Board is going ahead on holding sites as fast as time and money allow.

John Roue representing the Crookston Gun Club stated that they thought that this ditch would not take enough water to make any difference in the 80 acres they own and did not see that they would receive any benefits. Bob Muscha suggested that the parcel be omitted now from benefits, but if it at any time is farmed, or pastured, or hayed, the Board could cause that that land would be brought into the levy at that time. The Board will look at this alternative.

A question was brought up about how the cost of \$5 per acre is spread out over time and how much would it be each year. Bob Muscha explained the bonding procedure.

Burnice Engelstad wondered why the creek has been running all spring when normaly it would have been dry by now. Roland Gullekson answered that one answer could be that the beaver dams are letting the water out slowly as with this dry spring it can't be coming from field drainage. Others expressed concern that without the beavers, Kittleson Creek couldn't take all the water.

Charlie Anderson wondered what the estimated flow of water from the north side of 102 will go through the road. Bob Muscha estimated approximately 1/2 to 2/3 of the flow on a ten year storm.

Bob Merritt of the DNR asked why the proposed alternatives to constructing the ditch were not viable, Bob Muscha answered that it is viable to put in a dam but it is a matter of timing and that is not what the petitioners asked for.

Muret Berhow asked how the state felt about impounding water on their land. Bob Muscha answered that they have been working with the DNR on flood detention projects with alot of cooperation on the DNRs part but this parcel of state land next to the ditch does not lend itself to this type of project.

Roland Gullekson explained that the Watershed is not building this ditch nor paying for it. The petitioners wanted this ditch and they will be paying for it.

Roland explained that it is impossible to put in a ditch and build a dam in the same operation. They are two different operations and impossible to tie together. We can build one at a time and we can build both but we can't build them as one. There is no way to fund them together.

Muret Berhow "brought up the subject of flooding the state land again and stated that he didn't think that 2 or 3 holding sites the Board is working on will be enough. Roland answered that the state was not very receptive to the idea of flooding this parcel when it was first brought up.

Clayton Engelstad said that we are spending this money to ditch to keep the water from getting into Maple Greek and after two miles in (Sec 16) the ditch, the high water spills over and goes back to Maple Greek. Bob Muscha said that we will look at that problem when we look at our outlet 5 far as our modified DNR report. Roland Gullekson asked Bob Merritt if the state and the SNR would allow diking in this area to keep the flow in the ditch. Bob Merritt answered they would if there was no greater than a 1/2 foot stage increase in the flow. Roland Gullekson suggested that the dikes be put in 40 yards away from the channel. Bob Muscha thought that would be about right - they would keep in the water but not raise the flow.

Clayton Engelstad also brought up some other problem areas where the water spills out. Bob Muscha said that they would be looked at.

John Roue asked about field drainage into the ditch and thought that only those who can drain into the ditch should have to pay for it.

Bob Merritt thought that if the detention dam was put in first, there would be not that much need for the ditch.

Since there was no further comment, the meeting was recessed until June 2, at 8:00 P.M. The viewers were instructed to check on some of these acres mentioned and the engineer will check on the problem areas.

Daniel Wilkens, Secretary

The continuation of the Liberty-Onstad Ditch hearing was held on June 2, 1980 at the Fertile City Hall. Members present - Gullekson, Wilkens, Hanson, LaVoi. Absent - Larson.

The hearing was called to order by Chairman Roland Gullekson. Engineer Gale Fraser pointed out on the map the parcels of land the viewers had recommended be deleted. The area included Howard Berg, Oliver Moen, Marshall Guntzburger and Varnes Church.

Murret Berhow and Leo Lindberg were concerned about the beaver dams being removed when they pose problems. The game warden Al Hanson had told them in the past not to call him.

Leo Lindberg was concerned that his parcel was in the green area and that no water got over the road on to his. Leo thought that he shouldn't be at the \$25/acre rate on his parcel because they only lost five feet along the edge to seepage.

Burice Engelstad was concerned about the culvert at her place and the engineer Bob Muscha explained that snow and ice was hard to predict with formulas because it can vary so much and he mentioned that possibly a gate could be put in at the railroad track culvert to hold the water when the area down stream was having problems.

Vernon Floan was wondering about the control structure. Vernon suggested that we put a smaller culvert at the bottom of the state land and hold a little water there.

Clarence Hanson was wondering what benefit there was for Section 2 of Godfrey Township.

Murret Berhow asked if this project was up for vote. Engineer Bob Muscha explained to him that it wasn't and that the decision was to be made by the Board of Managers who had the option to accept the viewers report or change the viewers report. Bob also explained to him the legal rights if they consider themselves aggrieved. They have the right to appeal to the District Court. Murret Berhow was wondering if we would be getting enough benefits from the amount of money cost.

Chester Aanden asked about the 40 that was in theirs. He wondered if any of the water cut off by this ditch would affect their land.

There being no further comments, Roland declared the hearing adjourned.

The Board of Managers of the Sand Hill River Watershed met after the hearing and voted unanimously to order the project in with the following stipulations: The Board will observe the operation of the project once installed and if a control gate is proven necessary, the Board will cause such gate to be installed. Also the project is ordered in contingent upon receipt of the DNR permit and the Rod and Gul Club land be exempt from benefits but if the land use of said tract changes to a higher use, benefits of at least equal to adjacent lands will be assessed against said tract and that the following lands be dropped from the viewer report: the N 1/2 of the NW 1/4 Section 11, Liberty Township; NE 1/4 of The NE 1/4 Section 10, Liberty Township; NW 1/4 of the NE 1/4 Section 10, Liberty Township; E 1/2 of the SE 1/4.

Daniel Wilkens, Secretary