

SAND HILL RIVER WATERSHED DISTRICT

November 2, 1998 Meeting Minutes

1. **Attendance:** Chairman Hanson called the November 2, 1998 meeting to order at 8:00 a.m. at the District Office. Other managers present were Dan Wilkens, Harold Vig, Jim Krogstad, and Irvin Vigness. Others in attendance were Naomi Jagol-Administrative Assistant, Jim Larsen-SHRWD Engineer, Jim Todahl-SH Advisory Committee Chairman, Clayton Engelstad, Mike Gunderson, Stuart Christian, Don Bakken, Don Ogaard, and Rudy Applequist.
2. **Agenda Review:** No changes to the agenda were noted.
3. **Minutes:** Motion by Manager Vigness to approve the minutes of the SHRWD regular Board meeting held on October 6, 1998 as mailed, Seconded by Manager Vig, Carried.
4. **Treasurer's Report:** Wilkens handed out and reviewed the Treasurer's report. Bills that had been submitted for payment were then reviewed. Motion by Manager Vig to approve the Treasurer's report and pay the bills as presented, Seconded by Manager Krogstad, Carried.

Payment Made to—Memo	Amount
Naomi Jagol--sec. services & exp. 10/1-10/15 (\$843.86), 10/16-10/31 (\$1,099.82)	\$1,943.68
Roger Hanson--meetings & expenses	63.79
Jimmie Krogstad--meetings & expenses	169.93
Harold Vig--meetings & expenses	127.58
Dan Wilkens--meetings & expenses	595.10
Ervin Vigness--meetings & expenses	67.04
Al & Laura's--Supplies	17.97
Anderson & Bailly--Project #12-98 & 148, Review small claims matter	362.50
American Linen--Rental Agreement	13.42
AT & T--Long Distance Charges (\$63.03 + \$51.77)	114.80
Christian Excavating--Liberty Township, Ditch #122	7,354.30
Culligan--Rental Agreement (\$3.72 + \$11.72)	15.44
Erickson Oil Company--120 gal. #2 fuel	83.88
The Fertile Journal--Meeting notices	3.84
First State Bank of Fertile--Soc. Sec./Med. deposit	530.24
Garden Valley Telephone Co.--November phone bill	93.66
Houston Engineering, Inc.--Meetings & Special Meetings, Site Investigation, Overall Plan, and Farmstead Ring Dikes	992.95
Laser Systems--Rebuild two toner cartridges for printer	98.00
Mahnomen County Auditor--Beaver Damage Control Program, Bejou township	18.00
Minnesota Association of Watershed Districts (MAWD)--Registration fee for annual meeting	300.00
Myron Manufacturing Corporation--100 pocket calendars for 1999	295.68
Olson & Sons--Project #1-Bear Park, beaver dam removal	50.00
Otter Tail Power Co.--November billing	146.27
Polk County Auditor-Treasurer--Beaver Damage Control Program, Garden township	24.00
Project #12-98 & 148 Bond Repayment – Leona Wilkens (\$560.00), Roger Ulseth (\$360.00), Donald or Joann Andringa (\$220.00), Gary Letnes (\$220.00), Roger or Lois Samuelson (\$520.00), Fern D. Letnes (\$800.00), Victoria Irwin (\$440.00), Sylvester Farms, Inc. (\$80.00), Jeffrey Nesvig (\$150.00), Dragseth Farms, Inc. (\$120.00), Lyle Abrams Farms, Inc. (\$333.00), Chandler Farms, Inc. (\$40.00), R & L Farms (\$100.00), LeMar Farms (\$160.00), Mr. or Mrs. Wayne Sorenson (\$80.00), G. M. Campbell Farms (\$240.00)	4,423.00

Red River Watershed Management Board--Tax Levy Reimbursement	6,430.18
Tony Dorn, Inc.--Maintenance	22.78
U.S. Postal Service--Box rent	12.00
MONTHLY TOTAL	\$24,370.03

5. Project Reports:

- a. Project #12, Co. Ditches 98 & 148: Hanson inquired whether a letter had been forwarded to the landowners regarding the right of way and seeding requirements. Jagol responded that this project would be completed during the winter months. Larsen stated that right of way markers should be installed soon. The delay was due to weather problems.
- b. Ditch #122: Clayton Engelstad, Jim Todahl, Don Bakken, and Stuart Christian discussed options regarding County Ditch #122. Polk County recently repaired the washed out road by Jerde's. Liberty Township is very concerned that if additional measures would not be taken, the road would wash out again next spring. Two options were proposed that could help alleviate this problem. The first option would be to construct a ditch north of Jay Stene's buildings west through Tony Jagol's and then south through Dan Downs'. This solution would give Jagol and Stene drainage and also take some of the headwater from County Ditch #122. This solution is presently on hold due to some landowner concerns. The second option would be to put a restrictor pipe at the top of the hill east of Jerde's driveway to prevent the water from the east from breaking out when the snow melts next spring thereby eroding the township road. It was decided that Liberty Township would apply for a permit from the Watershed District to install a 24" pipe at the high point to regulate the flow of water going over the hill thereby preventing severe erosion of the road. The permit from the Watershed District would be contingent on receiving consent from the county board. The county board meeting is scheduled to meet on November 3, 1998. Bakken will schedule a time at the county board meeting for Liberty Township to make their presentation.
- c. Ring Dikes: Larsen stated that Stromstad's ring dike would be dormant seeded this fall. The contractor has not yet been paid. Larsen noted that he would prepare the documentation for the December meeting.

5. Upcoming Meetings and Other Business:

- a. Mediation Update/Don Ogaard: The Red River Watershed Management Board met the previous week and discussed presenting a progress report on the mediation process to the individual watershed districts. It was decided that the Executive Director, Don Ogaard, along with a member of the RRWMB who has participated in the mediation process visit each district and present an individual progress report and the anticipated outcome. Several individuals are scheduled to give a presentation at the Minnesota Association of Watershed Districts (MAWD) in December. Also a major presentation will be given at the Northland Lodge on January 27, 1999 to all watershed managers, county commissioners, SWCD's and all other agencies involved in water management in the valley. The mediation process evolved as a result of legislative action to resolve permitting issues in the valley for flood damage reduction projects. The Winger dam in the SHRWD was one of the projects that brought about mediation. CDR Associates of Boulder Colorado were selected to facilitate the mediation process. The Red River Watershed Management Board (RRWMB), Department of Natural Resources (DNR), United States Fish & Wildlife Service (USFWS), Corps of Engineers (COE), Minnesota Pollution Control Agency (MPCA), Minnesota Center for Environmental Advocacy (MCEA), and the Minnesota Audubon Society were participants in the proceedings. Several principles have developed through the process. One aspect agreed on by the group was early coordination of all agencies in the permitting process. Another aspect agreed on was that flood damage reduction should be a state and federal priority in the basin. Also, the watershed districts will be the focal point at the local level

to accomplish the goals. In order to accomplish these goals, several changes will be made. One change will involve an all-inclusive overall plan by watershed districts that would include natural resource in addition to flood damage reduction goals. This approach would be modeled after the Netherland's methodology which puts the emphasis on the proposed plan, after a consensus has been reached. The RRWMB's spring conference will be the focal point for the upcoming activities of the year for each watershed district. The districts would discuss problems and they would be given a priority status. A multi-disciplined team would be assigned to address the problem from start to finish. The DNR's permitting process has been divided into various steps to assist in offering direction while keeping costs to a minimum. As a permit moves through the process, the applicant would receive assurance that all requirements have been met prior to the permit progressing to the next step. The group also established goals such as maximum protection for lives and property by diking or relocation. They also agreed to provide 10-year flood protection to farmland as a goal. The group also established a Technical and Scientific Advisory Committee (TSAC) which has reviewed key issues and prepared seven separate papers on the outcomes reached. Each agency participating in the mediation process is represented on the TSAC and they have reached agreements on several major issues. The mediation group has been meeting 4 days a month for the last 8 months with one final meeting scheduled for December 9th to finalize and sign the final agreement. The group also decided to continue meeting on a regular basis in order to monitor how the new process and to act as a dispute resolution committee as the need may arise. One of the major outcomes of mediation has been the elevation of the watershed districts in the Red River valley to the forefront of water management.

- b. Highway #9 Bridge: Hanson inquired about adding fill as a temporary measure to the dike where it is sloughing. It was decided that this area should be repaired and Hanson was instructed to contact Tim Olson to do minor repairs.
- c. Mike Gunderson: Gunderson inquired about the beaver dams in the Bear Park Project. Wilkens explained that Roy Van Den Einde stopped in the office recently and reported that the beaver had plugged the outlet structure. Wilkens stated that he contacted Tim Olson to remove the beaver dam and Olson also contacted another individual to set traps at the site. Gunderson stated that the site is always flooded and, in his opinion, the site does not work for retention. Hanson explained that we are in a wet cycle and that the area in question is very flat. The District made an agreement with the landowners several years ago, that they should contact the District and indicate where the beaver dam is and it would be removed. The District had experienced problems with individuals calling when there was high water and then when an individual was contacted to take care of the problem, no dam could be found. This policy has been working well for quite some time. Gunderson suggested the District should police the area for beaver dams rather than expect the local landowners to notify the District. Hanson explained that local landowners were in the best position to know when a beaver dam appears and that they agreed to notify the District. Wilkens added that the District has spent in excess of \$15,000 to remove beaver dams in this Project. Hanson asked Gunderson if this explanation was acceptable. Gunderson indicated that it was.
- d. Polk County Ditch Petition: Bakken stated that the County would be having an informational meeting regarding turning the ditches over to the watershed district in November at the Fertile High School gym. Bakken added that the District would be notified when the meeting date is scheduled. Vigness inquired of Bakken regarding the County Board's feelings on this issue. Bakken responded that the commissioners have no problem with this proposal. Bakken added that watershed districts have been designated by the County to manage the water. Bakken noted that the County could elect to turn over all the ditches at once to the watershed district, or one at a time. Once the information meeting is conducted, the County would have a better sense of which would be the most acceptable alternative. Vigness stated that individuals from the Nielsville area, would be in favor of this proposal by a 10 to 1 margin.

- e. Union Lake Sarah: Stuart Christian requested an update on the progress of the Union-Lake Sarah situation. Wilkens responded that the Lake Association is developing an options package in order for engineering firms to submit a bid. After a firm is selected, the options would be studied and recommendations to the Lake Association board would be given regarding which options should proceed. This process should be accomplished by the early spring of 1999.
- f. Office Furniture: Jim Todahl, Sand Hill Advisory Committee Chairman, requested the board to consider a proposal for new office furniture for the two offices located in the building. He explained that the current situation does not allow for efficient use of the space available. A second office has been made available since the AELC moved their administrative office to the Nature Center in the Fertile Sand Hills. Jagol presented a proposal from Gaffaney's for furniture for the two offices. Wilkens stated that the workload of the District has been increased significantly, and that a decent work environment is needed in order to provide the most efficient utilization of the space. The Sand Hill River Watershed District, in addition to the normal operations of the District, provides secretarial assistance to the Red River Watershed Management Board (RRWMB), the Red River Basin Board (RRBB), and also has documented all of the mediation proceedings. **Motion** by Manager Vig to approve the Gaffaney's proposal for office furniture, **Seconded** by Manager Vigness, **Carried**.
- g. The International Coalition (TIC) Conference: The TIC Conference is scheduled for November 19-20, 1998 in Fargo, ND. Chairman Hanson will attend and requested that the District send in his registration.
- h. Minnesota Association of Watershed Districts (MAWD) Conference: The MAWD Annual Conference is scheduled for December 3-5, 1998 in Alexandria, MN. All managers and staff will attend. Registrations will be completed and mailed.
- i. Drainage Forum: The Board of Water & Soil Resources (BWSR) will conduct a "Drainage Forum" on November 19-20, 1998, at the Civic Center in St. Cloud, MN. The following issues will be addressed:
1. What are the key issues/problems relating to the drainage law?
 2. How are the priority issues perceived?
 3. What are the strategies to address the issues/problems identified?
- Ron Harnack, Executive Director-BWSR, requested Naomi Jagol to attend the meeting, record the proceedings and prepare a final report. Jagol and Wilkens will attend the forum.
- j. Abrams/Suldahl Correspondence: A letter was forwarded to the District from Gary Abrams. The letter stated that Karen Suldahl would not bear any financial responsibility for ditching activity going past her property.
- k. City of Beltrami: Wilkens reported on the City of Beltrami's request to pay the Project #13-Reis-Scandia assessment over a 10-year period. Wilkens stated that he had contacted the County Auditor's office and they explained that cities have been allowed to pay these types of assessments over a 3-year period with no interest charges. The Auditor indicated that should the City of Beltrami need a longer period to repay the assessment, a schedule could be developed similar to individual landowner's assessments with interest charged to the account. Wilkens discussed the results with Dale Larson, of the Beltrami City Council.
- l. Rules and Regulations Review Committee: A committee was formed at a prior meeting to review the current rules and regulations of the District and make recommendations to the Board regarding any changes or updates needed. This committee will be activated during the winter months.

- m. Allan Dragseth Lawsuit: Wilkens reported that the District received a ruling regarding Dragseth's request to be paid for crop damages during the construction of Project #12-98 & 148. The court ruled in favor of the District. The court found that damages were paid by the District to landowners for both permanent and temporary damages, and that the renter would need to seek reimbursement from the landowner based on the rental contract regarding any damages incurred.
- n. Construction Account Budgeting: Manager Vig requested Manager Wilkens to explain the construction account. Wilkens stated that the anticipated income to this fund for 1999 is \$57,650. The construction account is used to pay the District's share of the costs of projects relating to flood control within the District. These funds have been used for erosion control projects and water retention dams. The Board plans on establishing an annual budget for erosion control projects in order to prioritize projects of greatest concern.
- o. Access to the District Office: The main entrance lock was recently replaced due to a malfunction. Due to the District sharing office space with the AELC, several keys were in circulation to the District office. Since the AELC no longer shares office space with the District, the Board determined that it was appropriate to restrict access to the office. The Board designated Dan Wilkens and Naomi Jagol as key holders.

7. Permits:

a.) Four permits came before the Board and were approved as follows:

- 1998-46 Liberty Township - Install culvert in Section 12.
- 1998-47 Ken Stuhaug – Install culvert in Woodside township, Section 35.
- 1998-48 Richard Krienwald – Install culvert in Winger township, Section 33.
- 1998-49 Allen Potvin – Install culvert in Rosebud township, Section 3.

8. Adjournment: The next regular meeting of the SHRWD will be 8:00 a.m. Tuesday, December 1, 1998. As there was no further business to come before the Board, the meeting was adjourned at 11:55 a.m.

Jimmie Krogstad, Secretary

Naomi L. Jagol, Administrative Assistant