

SAND HILL RIVER WATERSHED DISTRICT
October 5, 2010 Meeting Minutes

1. **Attendance:** Chairman Harold Vig called the October 5, 2010 meeting to order at 8:00 AM at the District Office. Other managers present were Bill Brekke and Roger Hanson. Daniel Wilkens – Administrator, April Swenby – Administrative Assistant, Stephanie Johnson– Houston Engineering, Lawrence Woodbury - Houston Engineering. Others in attendance were Molly MacGregor - PCA, Bob Borash – RMB Labs, Cary Hernandez - PCA, Jim Ziegler - PCA, Wayne Goeken – RRWMB water quality, and Erica Johnson – RMB Labs.
2. **Approval of the Agenda:** A **Motion** was made by Manager Brekke to approve the agenda as presented, **Seconded** by Manager Hanson, **Carried**.
3. **Minutes:** A **Motion** was made by Manager Hanson to approve the minutes of the SHRWD regular board meeting conducted on September 7, 2010, **Seconded** by Manager Brekke, **Carried**.
4. **Treasurer's Report:** A **Motion** was made by Manager Brekke to approve the treasurer's report for September, **Seconded** by Manager Hanson, **Carried**. Gary Lee, EPSWCD, will prepare a report and present it to the managers by year end.

A **Motion** was made by Manager Brekke to approve and pay bills **Seconded** by Manager Hanson, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

5. **Engineer's Report**

Project # 24: Woodbury reviewed the alternative of lowering the reservoir at the outlet to the improvement project. An EAW has been requested by the DNR. After the EAW has been completed and approved, a DNR permit can be granted to lower the reservoir. A **Motion** was made by Manager Hanson authorizing Houston Engineering to complete an EAW, **Seconded** by Manager Brekke, **Carried**.

Sand Hill River Restoration Project: The EPA has sent an official letter giving the district 14 days to respond to the changes they made to the proposed changes to the restoration project. The district is attempting to negotiate a timeline to complete the restoration in 2011 vs. the requested 2010 timeline by the EPA. It is too late to start work on the project this fall.

Ring Dikes: The following pay request was submitted: \$3,338.13 for Rodney Spokely (pay request # 3). A **Motion** was made by Manager Brekke authorizing payment of the pay request from Custom Earth for the Rodney Spokely ring dike, **Seconded** by Manager Hanson, **Carried**.

The DNR has given a grant for the Cities of Nielsville and Climax to aid in the final design process. Contracts have been given to the district.

Ditch # 55: Manager Vig asked to discuss the interpretation of the law regarding the City of Fosston permit. Vig focused on the cost to the district of denying the permit. Manager Hanson and Manager Brekke agreed that not following statute and our attorney's advice, a bad precedent could be set for the future managers if the permit is allowed. Chairman Vig does not agree to spending additional district dollars in defending the district's position. Manager Hanson and Manager Brekke both agreed that the district should continue to defend the district position because based on our interpretation of the law, which is backed up by our attorney's advice, and an attorney general's opinion this is the right position to follow.

It was reported that prior to the meeting Manager Balstad asked Wilkens to suggest to the board that the District, the City of Fosston, and the legal council of both entities set up a special meeting to find a solution rather than going forward with a lawsuit.

6. Dan's Monthly Report

Project Team: The district is still awaiting approval of the purpose and need statement from the COE so we can move forward on completing our Overall Plan and moving forward on our flood damage reduction project.

RRWMB: The RRWMB met in Thief River Falls. Meeting highlights were given to the board.

RRBC Commission: The RRBC did not meet this month.

Project # 20: The contractor hopes to begin this week.

LID: The district will coordinate with the county and our attorney to proceed. An LID meeting is scheduled for October 13 at Ness Café.

Project # 17: Mark Ulseth stated that there are two problem culverts along project # 12 in section 17 of Hammond Township. Both culverts need to be dug up and reinstalled.

Reis Township: There is no gravel on one mile of road between section 11 and 13 in Reis Township. Reis Township has a policy that asks landowners to pay for the first 240 yards of gravel and then they will take over maintenance of the road into the future. This road is along side of project # 20 and was built up using fill from project # 20 to improve the road. The district has asked the township to crown the road and gravel it. Currently it is very difficult to inspect the ditch due to the muddy conditions when it is wet. The Township denied the request. Manager Hanson, who sits on the Reis Township Board, asked the district if they were willing to cost share in graveling the road. The district denied the request to cost share at this time. It was felt that it is township responsibility to take care of their ROW and the district had already furnished fill to raise the field road when the ditch was constructed.

7. Other Business:

TMDL: The PCA and RMB Labs group reviewed the status of the TMDL study. The district has a choice to hire whom they choose to do the outreach portion of the project. RMB Labs gave a presentation highlighting what they have to offer pertaining to the work plan.

The managers decided to table the decision to hire RMB Labs until next month due to the shortage of board members.

Wayne Goeken stated that a state grant has been provided for state assessment purposes to expand the current testing. The Sand Hill River Watershed District is a target location for this grant. Goeken is preparing a proposal to apply for the grant and has asked if the district would prefer to apply using the Sand Hill's name and be involved in the process. A **Motion** was made by Manager Hanson allowing the grant to be applied for under the districts name, **Seconded** by Manager Brekke, **Carried**.

Public Relations: The managers reviewed possible public relations items. No new information was brought before the board.

Managers Report: The managers reviewed their expense reports and reported on activities for the month.

8. **Permits:** One permit was brought before the board. A **Motion** was made by Manager Brekke to approve the following permits, **Seconded** by Manager Christian, **Carried**.

2010 – 15: Liberty Twp – repair culvert – Liberty Township, Section 17/16

9. **Adjournment:** The next regular meeting of the SHRWD will be at 8 AM on Monday, November 1, 2010 (note the date change due to election day). As there was no further business to come before the board, a **Motion** was made by Manager Hanson to adjourn the meeting at 11:25 AM, **Seconded** by Manager Brekke, **Carried**.

April Swenby, Administrative Assistant

Scott Balstad, Secretary