

SAND HILL RIVER WATERSHED DISTRICT

April 2, 1996 Meeting Minutes

1. **Attendance:** Roger Hanson called the April 2, 1996 meeting to order at 8:00 a.m. at the District Office. Managers present were Dan Wilkens, Harold Vig, and Jimmie Krogstad. Others in attendance were Naomi Jagol-SHRWD Administrative Assistant, Lawrence Woodbury-SHRWD Engineer, Don Ogaard-RRWMB, Gerhard Ross-RLWD & RRWMB, Russell Sander-RLWD, Richard Sanders-Polk County Highway Department, Maynard Pick-Regional Director, District 7 for Congressman Collin Peterson, Dana Werner-Army Corps of Engineers, Orvis Lewis, and Maynard Johnson.
2. **Agenda Review:** No changes to the agenda were noted.
3. **Minutes:** Motion by Krogstad to approve the minutes of the March 5, 1996 SHRWD regular Board meeting as mailed. Motion seconded by Vig and carried unanimously.
4. **Treasurer's Report:** Wilkens handed out and reviewed the Treasurer's report. Wilkens stated the need to update the fund balances of the Project #10 West Mill and RRWMB accounts. This would be accomplished by submitting a bill to the City of Fertile for Project #10 investigation costs and disbursing a check to the RRWMB for tax levy reimbursement on behalf of the SHRWD. Bills that had been submitted for payment were reviewed. Motion by Vig and second by Krogstad to approve the Treasurer's report and pay the bills as presented. Motion carried unanimously.

Payment Made to - Memo	Amount
Wavne Goeken—consulting services, secretarial training & transition	\$277.05
Naomi Jagol—secretarial services & expenses	329.90
Raymond Baatz—reissue of check #5268 dated 6/13/95	53.67
Roger Hanson—meetings & expenses	600.92
Jimmie Krogstad—meetings & expenses	279.37
Harold Vig~meetings & expenses	131.58
Dan Wilkens—meetings & expenses	258.97
Al & Laura's—Supplies	31.42
Anderson & Bailly— Services rendered for Project #12, 98-148	4,778.45
Roger Beiswenger— Viewer expense, Project #12	579.25
City of Fertile-Utility bill	49.80
First State Bank of Fertile—Soc. Sec./Med. deposit	355.32
Garden Valley Telephone Co.— April phone bill	120.57
Mac's—Meeting expense 4/02/96	40.15
Otter Tail Power Co.— April billing	286.15
Red River Watershed Management Board—Tax levy reimbursement	17,902.22
MONTHLY TOTAL	\$26,074.79

5. Project Reports:

- a.) Orvis Lewis visited with the Board regarding the water damage he is experiencing on his property. Krogstad indicated he will investigate the situation and report back to Lewis.
- b.) Proposed Petitioned Project West of Beltrami: Rich Sanders of the Polk County Highway Department presented a map to the Board with a cross section showing a completed version of the proposed Ditch.

Sanders indicated that at the outlet where the Ditch enters the Sand Hill River, a rock riprap chute would be constructed and also that typically field entrances of approximately three per mile are supplied by the County. Krogstad inquired as to the maintenance responsibility of the Project. Sanders responded that the benefited landowners are responsible, however, some mowing will be done by the County. Sanders stated that the County will draw up a draft resolution stating the proposed costs of the Project and indicate the costs that the benefited landowners would be responsible for. With regard to the time frame of the Project, Sanders stated that if the bridge work isn't completed this summer, work would be started next spring due to the potential conflicts with the fall beet harvest. Hanson indicated that the District would prefer the Project be completed this summer.

Woodbury indicated that the total construction area will consist of 19.2 acres and that the benefited landowners will be responsible to pay right of way acquisition and power line realignment costs of approximately \$40,000.00. Woodbury stated that field inlet culverts are included in the cost estimate but that the locations of these culverts are not marked by engineers since the exact location cannot be determined until construction is underway. Gated field inlet culverts were recommended as the preferred practice by engineers as they help prevent siltation. At the outlet, Woodbury suggested that a drop pipe could be added with a dike across the top or possibly riprap a chute in an effort to minimize point disintegration. Woodbury proposed the installation of a concrete wall at the channel grade which would create a flat spillover, keep it from eroding back, and would meter the water across. Woodbury noted that a petition would be needed to establish the Project as a legal ditch and that a highway easement would be acceptable instead of acquiring ditch right of way as long as it has the filter strip.

- c.) Project #11-Beltrami Flood Control & Diversion: Woodbury stated that the Board agreed to request 2/3 of the funding for this Project from the RRWMB and inquired of Don Ogaard, Executive Director of the RRWMB, as to the funding potential. Ogaard stated that the SHRWD should present a proposal including the District's financial situation to the RRWMB for funding consideration. Gerhard Ross, also of the RRWMB, noted that a standard should be established stating certain criteria that needs to be met by watersheds requesting funding.
- d.) Sand Hill Ditch-Army Corps of Engineers: Woodbury reported that he had received a draft copy from the Department of the Army stating the proposed deauthorization of the Project. The letter states the Corps recognizes the sloughing problems and maintenance demands that this Project has encountered and also that the Corps has examined funding avenues to assist the SHRWD in rehabilitation of the Project. Woodbury noted that to correct the problem the costs would be several million dollars and, therefore, the Corps would be hindered by the cost/benefit criteria. Woodbury suggested that a public hearing be held to gain local support and that possibly an injunction may need to be filed. Deauthorization should not be allowed to be implemented without the public being made aware of this proposal.

Ogaard inquired as to the responsibility of the Corps once they've built a project. The annual maintenance agreement states that inspections must be done annually and recommendations made to the Board. Ogaard indicated that if the District can prove design deficiency of the Corps, the Corps could be held responsible to correct the problem and would not have to internally justify the cost/benefit ratio. Ogaard noted that if the Ditch is abandoned, it will eventually meander and get shallower.

Hanson stated that the Corps funding comes from an annual appropriation from Congress and questioned if the District could put pressure on Congress by focusing on design deficiency. Maynard Pick, Regional Director, District 7 for Congressman Collin Peterson, indicated that an overall narrative should be prepared from 1950 forward stating the design deficiencies of the Project and that once prepared he would take it to the Washington office.

Dana Werner, representing the Army Corps of Engineers, presented the options available to the Board with regard to the Sand Hill Ditch. These options include either deauthorization of the Project by the Federal government or the District can elect to uphold the current status of the Project whereby the District would retain their responsibility as Ditch authority. Werner stated that currently the Corps is responsible for annual inspections, after which the District receives a letter noting any deficiencies. Werner noted that the avenues examined for funding specifically, PL99 and Section 205 of the 1948 Flood Control Act, do not provide for long-term maintenance requirements or funding to accomplish any work of authorized projects respectively. The action of deauthorization involves submitting the request to the local Congressman and would eliminate all maintenance responsibilities of the District. The Project would, in effect, no longer exist on the Federal books and it would be like the Project was never done. Werner commented on the aspect of design deficiency by noting that when the Project was initiated, the Corps was aware of the fact that 1 to 5 slopes should have been used, however, in order to keep costs down 1 to 3 slopes were built. He stated that both the Corps and the District were aware of this problem, but in order to implement the project it was agreed upon that the 1 to 3 specifications would be acceptable. Werner indicated that the Corps feels the Project has outlived its "useful life" and in the future he would like to see each project assigned a specific expected life. In summary, Werner offered technical support and assistance from the Corps free of charge with regard to repair of the Project by the District as long as the Project is not deauthorized.

- e.) Winger Dam: The County indicated that the roads in that area are in poor shape and are in need of immediate attention and inquired as to the status of the Project. Woodbury stated that current funding is in jeopardy and that it may be three years or so before the Project goes through. Wilkens added that this is the best project the entire basin has in terms of flood control. Ogaard noted that on-stream projects are the hardest to get passed due to the potential disruption of wildlife habitat and that wetland mitigation could deter the Project.
- f.) Ditch 17-2: Krogstad stated that Pete Cerkowniak was assessed in the benefited area but actually does not receive any benefit from the Ditch. Krogstad inquired whether or not Cerkowniak could somehow get out of the assessed area. Ogaard responded that the only way to get out of an assessed area would be if there was a redetermination of benefits.

6. Upcoming Meetings and Other Business:

- a.) Krogstad made a motion to add Naomi Jagol to the signature card for signing checks for the District. Vig seconded and the motion was carried unanimously. This would meet the two signatures required on checks and save mileage and be more timely.
- b.) Wayne Goeken invited the Board to attend the Sand Hill River Watch Forum scheduled for April 16, 1996 at the U of M in Crookston. A review of the 1995 results would be presented by area students who analyzed samples from testing sights along the Sand Hill River.

7. Permits: No permits came before the Board for review.

8. Adjournment: The next regular meeting of the SHRWD will be 8:00 a.m. Tuesday, May 7, 1996. As there was no further business to come before the Board, motion by Krogstad and second by Vig to adjourn. Motion carried unanimously.