

# SAND HILL RIVER WATERSHED DISTRICT

June 6, 2017

1. **Attendance:** Chairman Stuart Christian called June 6, 2017 to meeting to order at 8:00 AM at the District Office. Other managers present were Scott Balstad , JJ Hamre, Roger Hanson and Phillip Swenson. Two staff members were present: Daniel Wilkens – Administrator and April Swenby – Administrative Assistant. Others in attendance: Dan Skanson – Polk County Fair, Gerald Paulson and Glen Paulson– Bear Park Landowner, Zach Herrmann – Houston Engineering, John Dahl – Landowner, Bill Downs – Landowner, and Joyce Downs – Landowner.
2. **Approval of the Agenda:** A **Motion** was made by Manager Balstad to approve the agenda as presented, with the addition of buffer strip decisions as requested by Polk County, **Seconded** by Manager Swenson, **Carried**.
3. **Minutes:** A **Motion** was made by Manager Swenson to approve the minutes from the May 2, 2017 **Seconded** by Manager Hanson, **Carried**.
4. **Treasurer's Report:** A **Motion** was made by Manager Hanson to approve the treasurer's report for May, **Seconded** by Manager Hamre, **Carried**.

The managers reviewed their expense reports and reported on activities for the month. A **Motion** was made by Manager Balstad, to approve and pay bills, except for the SWCD balances which are listed for informational purposes only, **Seconded** by Manager Hamre, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

## 5. **Engineer's Report**

**Nielsville Ring Dike:** Herrmann distributed fact sheets to Ron Harnack that he needed for lobbying for funding.

**Climax Ring Dike:** The project is 99% complete. MnDOT would like to redo the Highway 220 patch by milling a few inches off and overlaying the highway patch this spring. The contractor will use a different sub to perform this work. MnDOT held a bid opening on April 28, 2017 for this project.

A **Motion** was made by Manager Balstad to approve the following two easements: Kimberly Tweten in the amount of \$964.40 and Eric Swenson in the amount of \$413.00 for Right of Way for the Climax Flood Control project, **Seconded** by Manager Swenson, **Carried**.

**Rock Riffles:** Seeding will be established and inspected this summer. A final pay request will be made when it is inspected and approved.

West Polk SWCD held a meeting at the Sand Hill River Watershed District to brainstorm ideas of the best way to use the remaining grant funds. Herrmann displayed a map showing the areas that could use more riffles. The committee discussed improving the outlet at Kittleson Creek by installing a box culvert (Lessard Sams Funding) and adding more riffles downstream (Clean Water Fund Grant). Herrmann will survey of the area from 2 miles west of Highway # 9 easterly to where they already have information. With the survey, the district can then locate potential sites and can develop plans and begin the permitting process.

Houston Engineering flew the area with a drone. Drone footage was viewed and it will also be displayed on the web-site.

### **Targeted Watershed Demonstration Program (BWSR Funding):**

- **Carlson Coulee:** Herrmann stated that surveyors are working right now and expects bid

letting to be done in the fall for this project.

- Sediment Control Basins: The draft plan was presented to East Polk SWCD for prioritization.

RCPP (Upper Detention Sites): The Red River Retention Authority held a meeting last week in Fargo regarding the economic analysis solutions (cost/benefit) of the RCPP program. Herrmann presented a workplan for the district and a meeting schedule. A **Motion** was made by Manager Hamre to proceed with the schedule and work plan that Herrmann presented, **Seconded** by Manager Swenson, **Carried**.

Project # 24: Herrmann is developing a plan to deal with the outlet structure.

Annual Ditch Inspections: Herrmann and Wilkens performed the annual ditch inspections after the May meeting. He presented maps for brush spraying. He will also prepare a set for cattail spraying and ditch cleaning.

Ditch 9 and 119: Herrmann drafted a letter to the landowners in these two projects to summarize the informational meetings that were held. Those that attended asked the district to wait on redetermination until enough money was levied to pay for the buffer strips. The watershed district's attorney has reviewed the letters. Balstad suggested having the letters mailed certified. The managers agreed that sending them regular mail would be sufficient as all information is also posted on our web-site.

Project #5: A letter will be mailed to the landowners in project # 5 letting them know that at the informational meeting it was agreed to move forward with redetermination. A letter will also be sent to the viewers engaging them as viewers for the project.

Ditch 80: A letter will be mailed to the landowners updating them on the project status. The district is currently awaiting a revised petition to add a mile of ditch as an option.

A **Motion** was made by Manager Hanson to authorize the chairman to sign the Multi-Purpose Drainage Management Grant (BWSR contract) and execute the agreement, **Seconded** by Manager Balstad, **Carried**.

## 6. Dan's Monthly Report

**RRWMB:** The RRWMB met on May 16 in Fertile followed by a personnel committee meeting. Meeting highlights were given to the managers. The managers reviewed the details from their strategic planning session. The RRWMB has adopted a new structure which would include an Executive Director and an Assistant Director. A **Motion** was made by Manager Balstad to approve Phase 1 and 2 and the new organization chart presented by the RRWMB, **Seconded** by Manager Hamre **Carried**. Manager Hanson abstained from the vote. The Sand Hill River Watershed District managers will send a letter supporting this decision to move forward with Phase 1 and 2 and the new organizational chart presented by the RRWMB. Manager Balstad urged the RRWMB to be vigilant of the budget. It was explained that the current RRWMB spends just short of \$200,000 per year in administrative fees and consultants. Two employees would replace the current expenses that they have now.

**Beltrami Diversion:** Wilkens contacted Paul Engelstad, adjacent farmer, who agreed to do the dirt work to install a crossing to stop water from flowing north from the substation and then proceeding west into Beltrami. Wilkens will obtain a permit from the Polk County Highway Department to

install a crossing on Polk County # 213. A culvert and trap will be needed. If the county does not furnish the culvert then the district will need to purchase one for this site.

**RRBC:** The RRBC met in Fargo on May 31 and June 1 with tours of Maple River Dam, Upper Maple River Dam, and the city of Lisbon flood Control. Wilkens also toured the North Ottawa project.

**Vesledahl / Morvig legal system:** Wilkens met with DNR, BWSR, and MnDOT in Bemidji on May 30. The MN DNR has decided they do not want the property and have authorized use of the BWSR funds towards establishing a legal system. The MnDOT/BWSR are also making sure the property lines and seepage issue is taken care of and plan on installing tile to drain the Johnson property damage by the south quarter water structure. The district will need to schedule an informational meeting with all those affected as soon as the BWSR funds are available. MnDOT announced they intend to sell the property with the current easements. A BWSR letter of approval was just received.

Wilkens proposed scheduling an informational with landowners involved in the Vesledahl project and invite other interested citizens along with BWSR, MnDOT, and DNR to discuss the issues and ideas and discussing making this into a legal ditch system.

A **Motion** was made by Manager Balstad to move forward and have an informational meeting regarding the Vesledahl/Morvig legal system, **Seconded** by Manager Hamre, **Carried**.

**Fish Passage:** Wilkens was contacted on Friday, June 2 by Jamison Wendell, DNR, to inform the district that the contractor was doing the final seeding and that the project is essentially complete. Fish are coming upstream.

**Building upgrades:** K & S is starting on Tuesday with brick removal.

**Improvement of Ditch # 80:** Paul Engelstad has the new revised petition to present to the board. New lateral alternative involves landowners Paul Engelstad and Larry Walters. The board accepted the revised petition and directed the engineer to do the survey on this section and prepare new alternatives.

**MAWD Bylaw changes:** Stuart and Phillip are designated representatives. The board agreed that we should support moving forward.

**Buffer Law:** Polk County has requested the district let them know if we intend to enforce the buffer law on our ditch systems. A **Motion** was made by Manager Balstad that the Sand Hill River Watershed District Board of Managers intend to take over the enforcement of our own legal ditch systems in our district by adopting the following resolution, **Seconded** by Manager Swenson, **Carried**.

### ***A RESOLUTION REGARDING THE ELECTION OF JURISDICTION FOR THE MINNESOTA BUFFER LAW***

#### ***Sand Hill River Watershed District***

**WHEREAS**, provisions in Minnesota Statute 103F.48 (Buffer Law) allow a county or watershed district to affirm jurisdiction to carry out the compliance provisions regarding riparian vegetated buffers and alternative water quality practices for those waterbodies identified on identified on the Department of Natural Resources' Buffer Protection Map; and

**WHEREAS**, a watershed district with jurisdiction over a noncompliant site shall enforce corrective actions through a coordinated approach under the authority granted in the Minnesota statute 103B.101, subd. 12a, the Buffer Law and Minnesota Chapter 103D; and

**WHEREAS**, the Sand Hill River Watershed District agrees to carry out corrective actions on a parcel basis to ensure compliance with the buffer requirements, which may include an Administrative Penalty Order (APO) plan under the authority provided in Minnesota Statutes 103B.101, subd. 12a and 103F.48; and

**WHEREAS**, the Sand Hill River Watershed District is electing jurisdiction on all public drainage ditches for which it is the drainage authority identified on the Department of Natural Resources' Buffer Protection Map located in the individual counties as follows:

<i>County Name</i>	<i>Norman</i>	<i>Polk</i>
<i>Miles of 103E Public Drainage Ditch</i>	3.09	80.46

; and

**WHEREAS**, the Buffer Law requires that each Local Government Unit provide notice affirming jurisdiction and identify the rule, ordinance, or other official controls that will be used to carry out the compliance provisions of the buffer requirements to the Board of Water and Soil Resources, including a copy of the adopting resolution.

**THEREFORE, BE IT RESOLVED** that the Sand Hill River Watershed District hereby accepts the authority and administrative responsibility to implement the Buffer Law as the Local Government Unit within the legal boundaries of the Sand Hill River Watershed District for the water features identified above as of July 1, 2017 in accordance with Minnesota Statute 103F.48.

We will also need to notify BWSR by June 28<sup>th</sup> that we intend to enforce our buffers.

**Spokely's Wash Plant:** Spokely's have not cleaned the sediment from the ditch nor have they removed the stop logs from the structure. Wilkens will call them.

**DWG:** The next DWG meeting will be on June 8, 2017.

**Dave Aarends ROW concern:** Herrmann reported that Hauff did not send the original letter to Davidson Trust by certified mail. Hauff has sent the letter certified and received a receipt from the post office that they have received the letter. Hauff will give them additional time to respond.

**7. Other Business:**

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

**Bear Park:** The dams below the Bear Park structure has been blown. Paulson's said that they drove the roads near Rindahl, and there is no change in the water level. Gerald Paulson is very troubled as the levels show no signs of dams being blown. Paulson's are happy that measures are being taken downstream of the structure.

Paulson's felt that the process of blowing the dams could be done faster and shouldn't take a month to blow. Paulson suggested looking for a contractor who could blow the dams right away when requested. Wilkens will call Olson's and ask them to be vigilant.

Wilkens asked Tim Olson a few weeks ago to clean the debris from the control structure when he

came by. There were not obstructions, only floating cattails blown up against the structure.

Paulson's ask the board to be vigilant at requesting good service from the contractors hired. Because the work has been requested and hasn't been done, Paulson's have asked the managers to consider alternative contractors.

Wilkens will call the contractors and ask them to speed up their process to move forward quickly.

Paulson said that the road maintainer has obstructed the emergency spillway by leaving a 6" ridge on the east side of the road. The only time the water has reached this area was during 1997 and 2009 and then it only ran over for a few days. Paulson requests that the board maintain better vigilance for maintenance of this project.

Paulson asked if there is a plan set forth to monitor the river obstructions. Herrmann stated that the first step was to obtain the drone footage which shows two dams, one on each side of the Norman-Mahnomen county line road. Paulson's agreed that is a great step, but there are no results and they'd like to see results. Manager Swenson lives a couple of miles from the structure and offered to look at the river and monitor the river level.

**Fair Contribution:** Dan Skanson, representative from the Polk County Fair has asked the district for \$500 to support the Polk County Fair Reptile Zoo for adverting for the Sand Hill River Watershed District. Manager Hanson commented that we addressed this last month and declined.

Manager Balstad suggested each manager donate \$100 to support the Polk County Fair out of their own pocket.

**Polk County Fair Booth:** Swenby proposed displaying the drone footage of the Sand Hill River on a TV screen with a tape that loops at the fair. A TV will need to be purchased with USB hook up. A **Motion** was made by Manager Hanson to spend up to \$400 on a TV for the district for the Fair Booth display and authorize Houston Engineering to develop a video that will loop, **Seconded** by Manager Hamre, **Carried**.

**2017 Car Show:** The City of Fertile has requested the use of our vacant lot for the car show. Insurance proof was presented. There was no objection by the managers.

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

**2017-10:** John Dahl – Section 10, Bejou Twp. Install ditch on property line

9. **Adjournment:** The next regular meeting will be held **Tuesday at 8:00 AM on June 5, 2017**. Note the date change due to our regular meeting occurring on the 4<sup>th</sup> of July. As there was no further business to come before the board, a **Motion** was made by Manager Hanson to adjourn the meeting at 10:52 AM, **Seconded** by Manager Hamre, **Carried**.