

SAND HILL RIVER WATERSHED DISTRICT

Minutes – July 9/23, 1991 Regular Meeting

July 9, 1991:

1. Attendance: Roland Gullekson, President, called the July 9, 1991 meeting to order at 8:00 a.m. District Managers present were Roger Hanson, Orley Jevning, Francis LaVoi and Dan Wilkens. The District's Consulting Engineer Lawrence Woodbury and Executive Secretary Wayne Goeken were in attendance. Jeff Hemenway-SCS District Technician also attended.

2. Minutes: It was noted that on page 2 under item 5.b. that the name "Irene" should be changed to "Ila." Motion by Hanson, seconded by LaVoi to approve the June 4, 1991 meeting minutes as mailed with this correction being made. Motion carried unanimously.

3. Treasurer's Report: It was noted that as of July 1, 1991 an amount for withholding would need to be taken out of wage reimbursements to the Watershed Managers and Executive Secretary in the amount of 7.65% – (6.2% for social security and 1.45% for medicare). Motion by LaVoi and seconded by Wilkens that the current vouchers be paid. Motion carried unanimously.

Otter Tail Power Company	\$49.97
Garden Valley Phone Company	36.83
Andersen's Camera-slide proc.	9.90
Mac's Cafe-Fertile	26.00
Fertile Journal-envelope printing	39.90
City of Fertile-Utilities	41.58
Olson & Sons Excavating-Beaver Dams	50.00
East Polk SWCD-Lake Testing Program	1,000.00
Twin Cities Testing -water analysis	1,232.00
Houston Engineering -Winger Dam	4,956.00
Houston Engineering-Misc. & Special Mtgs	3,819.00
Lois Plante-custodial	20.78
Wayne Goeken-Secretarial & office expenses	530.27
Roland Gullekson-Meetings & expenses	1233.67
Roger Hanson-Meetings & expenses	91.81
Orley Jevning-Meetings & expenses	59.92
Francis LaVoi-Meetings & expenses-June*	63.80
Francis LaVoi -Meetings & expenses-July	62.37
Dan Wilkens-Meetings & expenses	97.29
Monthly Total	<u>\$13,421.09</u>

*Meeting & expense check for \$63.80 issued to LaVoi in June was voided.

4. Winger Dam

Wilkens reported on discussion at the June 18, 1991 meeting of the Red River Watershed Management Board related to the Winger Dam. Chairman Ogaard felt that the project was not proceeding as it should and that the Red River Watershed Management Board should be more involved. Ogaard noted that all requests, plans and dialogue related to the project should be in writing. A resolution was passed by the Red River Watershed

Management Board that Ogaard would proceed with contacting State agencies to get the Winger Dam project "on-track" and the RRWMB would be more involved.

Gullekson reported on his meeting in St. Paul with Ron Nargang-Assistant Commissioner-DNR Waters. Gullekson then read a letter dated July 2, 1991 from DNR Regional Administrator Merlyn Wesloh to the EPA and Army Corp of Engineers noting that the DNR will issue a Protected Waters Permit to the Sand Hill River Watershed District if dam safety, the operating plan and wetland/wildlife mitigation issues are resolved. The SHRWD has developed mitigation proposals and a draft operating plan to address these issues. The purpose of the letter was to request participation on a HEP team to evaluate the SHRWD mitigation proposals. Once this team is set up, further progress can be made in moving through the permitting process.

The six conditions identified in the June 3, 1991 letter from Pat Bloomgren of the MPCA were reviewed. Conditions 1 and 2 related to downstream discharge issues have been addressed via the District's Wenck study and operating plan. Conditions 5 and 6 are likely moot issues as enforceability is in question. These conditions relate to making the impoundment ineligible for future federal or state funding and requiring notification of prospective purchasers of land of the expected reservoir conditions. Conditions 3 and 4 related to best management practices to control erosion around the reservoir and upstream and nutrient loading of the reservoir is the area that the SHRWD is now addressing. The SHRWD Board agreed that measures that have been discussed should be compiled and an overall plan further defined. This may include shoreland management, mitigation measures, reservoir operating plan, water quality testing, green belt establishment and management, best management practices, SCS Cooperators, upstream filter strip incentives, park development plans and other related management options. It was noted that Polk County is currently rewriting its zoning ordinances and this would be a good time to adapt these ordinances to the Winger Reservoir. Brian Hauge, Polk Co. Zoning Officer will be invited to the next meeting to discuss such options.

5. Project Reports

a. Ogaard Project: SCS Technician Hemenway reviewed preliminary plans and project specs for the Ogaard wildlife project southwest of Winger. Since the pool will be over 50 acre feet, a DNR dam safety permit will be needed. As Ogaard is the owner, he will need to apply for the permit. The cost of the project is estimated at \$25,000-30,000. As the SHRWD will be the primary project sponsor, they will essentially be in charge of the project including advertising for bids. Hemenway will complete the draft plans and pass them on to Ogaard for review and approval. The SHRWD will contact Ogaard shortly thereafter to gather any comments.

b. Citizen Lake Monitoring: Goeken reviewed the status of the CLM Program noting that lake samples were taken in June and July. Results from these two sampling runs have not been returned yet. Good cooperation has been forthcoming from MPCA and MN Extension

plus the local entities involved in the project. The first project newsletter was handed out to Board members. The SHRWD had previously committed to purchasing a dissolved oxygen meter valued at an estimated \$1,500 that could be used for this project. Goeken reviewed an option whereby the DO meter already owned by the Maple Lake Improvement District would be used with the SHRWD funding being used to purchase a longer cable for the meter to cover Union Lake and the balance of funding to cover lab analysis costs so a more comprehensive testing program could be done to establish base line data for Union Lake and Lake Sarah. Motion by Wilkens and seconded by LaVoi that \$1,000 be paid to the East Polk Soil and Water Conservation District at this time to cover equipment costs and lab testing. The test results from Union Lake and Lake Sarah will be made available to the SHRWD.

c. Hanson asked if there was any further information on the Gast ditching project west of Kittleson Creek that was discussed at the June meeting. Woodbury estimated that a 42 inch pipe size would be needed to handle the runoff from this area, but field surveying would need to be done before specific project options could be diagramed and costs estimated.

d. Hanson had discussed the situation concerning the operation of a ditch crossing property owned by Ray Gullekson and John Lenz. Lenz indicated that he has never closed the gate. At this time, it will be requested that the notches that are in the gate be bent back so the gate is operational. The gate will then be padlocked and it will need to be determined whether access and control of the padlock should be controlled by the SHRWD and/or the two landowners.

e. Goeken noted that a three month extension was received from the DNR Division of Waters for the river clean-up project in the Fertile area.

6. Permits issued:

-1991-5 Ernest J. Norman. Sec. 35, Woodside Twp, Polk County. Excavate 3' ice ridge from 6'x 6¹ section of shoreline on Union Lake to allow access with dock and pontoon to lake.

7. Other Business:

Wilkens noted that he will be ordering a four drawer filing cabinet for the Red River Management Board and asked if he should order one at this time also for the SHRWD's files. Motion by Jevning, second by LaVoi to approve ordering and purchase of the referenced four drawer filing cabinet. Motion carried unanimously.

Recess: Due to the need to meet again soon to organize information and address issues related to the Winger Dam, the meeting was recessed until 8:00 a.m. on July 23 at the SHRWD office in Fertile at which time the regular SHRWD Board meeting will be resumed.

On July 23, 1991 the regular monthly meeting of the SHRWD Board was resumed at 8:00 a.m. at the District's office in Fertile. Board members present were Roland Gullekson, Orley Jevning, Francis LaVoi and Daniel Wilkens. Also present were District Executive Secretary Wayne Goeken, Polk County Zoning Officer Brian Hauge and DNR Area Hydrologist Mike Peloquin.

8. Winger Dam: Project background information was reviewed with Brian Hauge, Polk County Zoning Officer. The lake level will be at 1190' with flood storage of 6', thus bringing the flood pool to 1196'. The emergency spillway will be at 1197.5'. The SHRWD will purchase land to the 1200' level, creating a greenbelt/buffer zone from the 1196' to the 1200' level. Hauge noted that since this will be a man-made lake it is not considered a 'protected lake' in terms of zoning. The SHRWD can choose whichever classification of lake they feel would be appropriate. These could be natural, recreation or general with zoning criteria being strictest for lakes classified as natural. The standards for each classification relate to conditions such as lot size, setbacks, sewage disposal and shoreline treatment.

Polk County is now in the process of rewriting and combining their various zoning, land-use and flood plain ordinances. Changes in setback requirements, allowances for planned unit development and upgrading of non-conforming septic systems are being proposed. Ordinances can be adopted for specific lakes that will be more restrictive than the general countywide ordinances that are adopted. The new zoning standards will restrict vegetative removal—stressing maintenance of existing vegetation. The SHRWD would be responsible for planting vegetative cover, whether it be grass, trees or shrubs in the green belt/buffer zone between the 1196' and 1200' elevations if this is deemed an appropriate strategy.

Options of using the City of Winger's sewage treatment ponds downstream or pooling together several users per system around the reservoir were noted. Hauge noted current problems with non-conforming sewers in the County. The new ordinances will likely require that septic system installers be state certified. As there are no such installers certified in Polk County at present, this will likely be phased in over a several year period. Certification consists of a three day program of classes and demonstrations followed by a test.

Enforcement of county zoning ordinances is by the County Zoning Officer who first notifies the offending party. As needed the County Attorney, County Sheriff's Dept. and the Court system is utilized to enforce the zoning ordinances. There is also a Board of Adjustment that reviews individual cases and may grant variances. Enforcement authority could be delegated to a township, but not to a watershed district. Hauge stressed the need for Polk County residents to check with his office first to see whether their planned development is permissible and what permits if any are needed.

Hauge noted that some counties require a lot size large enough to accommodate two septic systems in case one fails. An example of standards for Winger Lake could be setting minimums at 60,000 s.f. for lot size and 175' for lot width. Septic systems and the lower

level of structures could be required to be 3' above the ordinary high water level or above the 1200' level. To accommodate varying slopes around the reservoir, building setbacks could be determined from either the 1200' level or 150' back from another level determined by the SHRWD.

It was noted that a basic road grid could be put in before development begins with related subdivision ordinances which developers would then have to guide further road access. It would be best if the SHRWD coordinated these options upfront with the County Zoning and Highway Departments and local township officials. A zoning district with geographic limits such as below Polk County Road #1 could be set up. This would likely coincide with establishment of the proposed Winger Lake Improvement District which would be a local governing body to coordinate future development and management of the reservoir and related issues. This could extend for instance 1,000' from the high water level with some considerations for squaring off with existing section lines. Land outside this shoreland district would fall under the county's land-use zoning rules.

Mike Peloquin, DNR Area Hydrologist, indicated he will provide the SHRWD current state standards and background information related to setbacks, sewer, wells, roads, etc. The SHRWD will review this information and identify preliminary standards for the reservoir along with rationale for choosing these standards. Brian Hauge and Mike Peloquin indicated they are available to assist the SHRWD in assessing this information and setting reasonable standards. The new county zoning ordinances are proposed to go to public hearing in October, thus it would be timely to incorporate special zoning provisions for Winger Lake into the County ordinances at this time.

9. Ogaard Project: The current design of the Ogaard project was reviewed with Mike Peloquin. Peloquin indicated that the preliminary plan that was available would be sufficient to proceed with further permit applications. He will submit the project to DNR's Dam Safety Division in St. Paul so they can proceed at the same time. Gullekson noted that Ogaard was opposed to the island design as it cuts off land access. As this is an important feature for waterfowl nesting to meet the USFWS's objectives, the SHRWD proposed the option to purchase the land from Ogaard and keep the island design intact, purchase for the project would be in excess of 40 acres of which 29 acres is in CRP. Gullekson and Wilkens made field measurements at the site and there appears to be discrepancies with the SCS drawings which will need to be verified. The question was raised regarding what the benefits to the SHRWD would be of the project. It was noted that the project would provide erosion and flood control and wildlife benefits. The project has been proposed as a mitigation option for the Winger Dam. A resolution was made to proceed with an option to purchase the property when mitigation credit is verified. Motion by Jevning and seconded by LaVoi. Motion carried unanimously.

10. Permits issued;

- 1991-6 Tim and Donna Curfman. Sec. 10, Rosebud Twp., Polk County. Put in driveway and culvert for access to a house that is to be built at this site.
- 1991-7 Fosston Hospital Assn. Sec. 10, Rosebud Twp., Polk County. Culvert and site access for developing property to provide storage for ambulances and facilities for functioning of ambulance service.

11. Other Business;

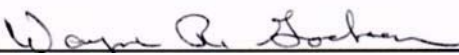
a. Contaminated Soils Disposal Site: Gullekson noted that he was informed by John Balstad of plans to establish a disposal site for soils contaminated with petroleum products from excavation of underground storage tanks. The Balstads have been working with the MPCA on reviewing the requirements needed to become a designated site. The proposed site is south of Sletton Hall in relative close proximity to the Winger Reservoir. Balstad indicated that it would be a commercial disposal site with four monitoring wells to be installed. Gullekson suggested that an additional monitoring well be placed in an area where downstream drainage would occur. At this time the MPCA has contacted the township regarding the project, but no contact has been made yet with the Polk County Zoning Office. Goeken was directed to call the MPCA to find out more about the status of this project.

b. Resource conservation and Development District conference; A RC&D Conference involving sessions on using natural resources for area development is taking place in Rochester on August 22 and 23. Motion by Wilkens and seconded by LaVoi to approve attendance by Gullekson, Goeken and other Board members that may wish to go. Motion carried unanimously.

12. Adjournment: As there was no further business to come before the Board, motion by LaVoi, seconded by Jevning to adjourn. Motion carried unanimously. Meeting adjourned at 12:30 p.m.



Daniel Wilkens, Secretary



Wayne R. Goeken, Exec. Secretary