

SAND HILL RIVER WATERSHED DISTRICT

May 6, 1997 Meeting Minutes

1. **Attendance:** Roger Hanson called the May 6, 1997 meeting to order at 7:00 a.m. at the District Office. Managers present were Dan Wilkens, Jimmie Krogstad, Harold Vig, and Ervin Vigness. Others in attendance were Naomi Jagol-Administrative Assistant, Lawrence Woodbury-SHRWD Engineer, Rich Sanders-Polk County Highway Department Engineer, Gary Letnes, Roger Ulseth, Russell Simmons, Marvin Berhow, Elmer Hasty, Orley Jevning, Leona Wilkens, Bud Zimpel, Mark Sellin, Scott Sellin, Art Tobkin, Greg Hall, and Lyle Wilkens.

2. **Agenda Review:** No changes to the agenda were noted.

3. **Minutes:** Motion by Vig to approve the minutes of the SHRWD regular Board meeting on April 9, 1997 as mailed and also the minutes of the Ditch #95 informational meeting on April 17, 1997, Seconded by Vigness, Carried.

4. **Treasurer's Report:** Wilkens handed out and reviewed the Treasurer's report. Harold Olson presented a bill and gave the Board an update on the beaver situation in the Rindal area. Bills that had been submitted for payment were then reviewed. Motion to approve the Treasurer's report and pay the bills as presented by Vigness, Seconded by Vig, Carried.

Payment Made to--Memo	Amount
Naomi Jagol-sec. services & exp. 4/1-4/15 (\$417.61), 4/16-4/30 (\$515.62)	\$933.23
Roger Hanson— meetings & expenses	241.39
Harold Vig—meetings & expenses	242.90
Jimmie Krogstad—meetings & expenses	114.18
Ervin Vigness—meetings & expenses	125.21
Dan Wilkens—meetings & expenses	749.91
Al & Laura's— Supplies	38.91
American Linen Supply, Co.— Rental agreement	20.34
Anderson & Bailly-Project #12, Co. Ditches 98 & 148 litigation	546.30
Beltrami Mall Cafe—Meeting expense for Ditch #95 informational meeting	16.00
Fertile Bakery— Meeting expense	12.00
The Fertile Journal— Meeting notices	5.76
First State Bank of Fertile— Soc. Sec./Med. deposit	427.32
Garden Valley Telephone Co.— May phone bill	109.88
Houston Engineering, Inc.— Misc. work, SH Ditch, Boundary Changes, Mtgs & Spec. Mtgs., Overall Plan, Proj. #11 -Beltrami Diversion, and Proj. #13-	11,125.82
Mac's— Noon meal for 4/17 and 5/6	33.24
Harold V. Olson— Beaver control	120.00
Otter Tail Power Co.— May billing	186.10
H. Slager Construction— SH Ditch, Project Maintenance	1,275.00
Tony Dorn, Inc.— Maintenance contract & toner	338.36
MONTHLY TOTAL	\$16,661.85

5. Project Reports:

a.) Project #12, Co. Ditches 98 & 148: Roger Ulseth and Gary Letnes approached the Board and stated their desire to initiate this Project as soon as possible so that the area can have adequate protection for this year's crop. They also questioned if the original construction contract needs to be rebid. Hanson noted that the SHRWD received information from their attorney which stated that the Board is not obligated either way, to rebid or not. Hanson noted that if the Project were rebid, the District could most certainly expect it to come in at a higher price due to the increase in fuel and culvert costs. Due to the large amount of work associated with the spring flood and the great demand for contractors, greater costs could also result. If the Board did decide to rebid the Project, the time delay and costs associated with rebidding would need to be considered. Hanson also stated that the contractor had indicated that he would continue to honor his original bid. Wilkens explained that our attorney had advised us that the Project is ready to move forward, however, the SHRWD must wait for the appeal period to expire before work can begin. Wilkens said that if the Project opponents choose to appeal, it would be to the Supreme Court. The SHRWD attorneys stated that the Supreme Court only hears a select few cases. Letnes inquired if the bond needs to be renewed. Hanson stated that since this Project was ordered to move forward by the Board of Managers, renewal of the bond would not seem necessary. Hanson stated that the SHRWD would contact John Peters at First American Insurance Agency about release of the bond. Letnes asked how long it would take to complete the Project once work has begun. Hanson said he had been informed that the contractor could complete the job in approximately 20-24 days if construction continued around the clock or 40-50 days if 12 hour shifts are used.

The Board discussed the option of rebidding the Project. Lyle Wilkens appeared before the Board and indicated that he will continue his original bid at the same price. Lyle noted that his equipment is ready to go as soon as he receives notification to go ahead and that he plans to complete the job as soon as possible as Lawrence Woodbury, SHRWD Engineer, added that there is no legal requirement that the Project be rebid and copies of a handout from attorneys at Anderson & Bailly were distributed reiterating this comment. Hanson discussed the time constraint involved with rebidding the Project. Woodbury further listed the pros and cons for rebidding the Project. The pros included the chance of the bid coming in at a lower price because of a longer construction period should the Project be ready to go at the beginning of spring vs. the original short time frame. The cons consisted of the bids coming in at a higher price, the notion that the Board originally accepted a bid and they should not go back on this decision, and the increase in fuel and culvert costs and the tremendous workload brought on by the flood. Motion to rebid Project #12 by Krogstad, **Seconded** by Vig, and discussion was held. Chairman Hanson called for the question. Krogstad voted in favor of rebidding and Hanson, Vig, and Vigness voted to defeat the motion. Wilkens abstained. Motion defeated. Motion to accept Lyle Wilkens' original bid as presented by Vig, **Seconded** by Vigness, and discussion was held. Chairman Hanson called for the question. Krogstad voted against accepting the original bid as presented and Hanson, Vig, and Vigness voted in favor of accepting the original low bid contingent upon appeal. Wilkens abstained. Motion carried. Lawrence added that he will contact Lyle and get the construction bond in place as soon as possible.

The Board reviewed correspondence received from Anderson & Bailly regarding the notice and statement of costs and disbursements they filed with the Court of Appeals. The WD is entitled to recover some of the costs associated with the appeal from the opponents. These costs total \$821.54.

Motion to release the bond on Project #12 contingent that the case not be appealed by Vig, **Seconded** by Vigness, **Carried**.

b.) County Road #1 Upgrade/County Ditch #95: At 8:00 a.m. Rich Sanders, Polk County Highway Department-Engineer, distributed copies of preliminary construction plans regarding the upgrade of County Road #1 and County Ditch #95. The plans depict the elevations of the present County Ditch #95 overlaid by the elevations taken from the original ditch specifications. In most cases, the present ditch is up to one foot lower than it's original design. This has occurred primarily due to erosion. Wilkens asked how the field elevations are determined from the plans which would give the landowners the amount of fall from their field to the ditch bottom. Sanders stated they have not completed those plans as of yet. Lawrence Woodbury was asked at the previous Board meeting to conduct surveys in three different areas to see if it would be possible to pull excess flood water away from the Maple Creek drainage area and in to this Project. Woodbury passed out the results of their work. In the three proposed areas, there was not much fall from the north to the south, in fact, in most areas it started to rise as it approached the County ditch. The question was asked why the Board was looking at these particular options. Local landowners had made this request. Because Maple Creek is a protected waters with the DNR, solutions for flooding are severely limited. Local landowners wanted to know if it would be possible to pull excess flood water from the Maple Creek area south into County Ditch #95. Based on the surveys and Woodbury's recommendation, this idea appears not to be feasible.

Woodbury stated that there is 6 feet of fall from the end of County Ditch #95 to the substation. This should allow excess flood water to be easily diverted into Project #11 - Beltrami Flood Control & Diversion. Hanson stated that without an improvement project, present plans would not give additional drainage to Harlan Mosher and Harold Gast but would definitely keep the water from overflowing the channel onto their property as currently is the case, Wilkens inquired about the possibility of installing a gated culvert going south on the east • side of County Road #48 at the substation. Sanders stated that the WD should give the County a culvert size and they would install it at that location. Sanders will prepare the cross section in County Ditch #95 as soon as possible so the landowners can decide a course of action.

c.) Regrade of County Road #48: At 8:30 a.m. Dan Wilkens introduced Rich Sanders of the Polk County Highway Department. Sanders had requested the WD set up a meeting with the landowners in this area to try to come up with a way to drain the water from a point approximately 500 feet south of the junction of Section 14-15 and 22-23 in Russia township. The proposed plan would be to clean the natural waterway running west southwest across Section 22. Currently the water meanders across this Section to it's west boundary and proceeds south to County Ditch #119. The WD and local landowners would like to come up with a solution that would get the water to the same drainage system while at the same time keeping it in a grass channel to eliminate erosion. Presently, the watercourse traversing Section 22 meanders, and is poorly defined and entirely farmed. Sanders inquired about the possibility of cleaning this natural watercourse to allow drainage or if some other option could be arrived at. Wilkens drew a map of the affected area on the black board. Louis Cournia and Elmer Hasty who own Section 22 both requested to find a solution that would stop the waterflow across their property. The landowners suffer erosion problems in the spring and crop losses during summer floods. Sanders was asked about the possibility of taking this water straight south along County Road #48 to County Ditch #119. Sanders stated that at the corner of County Road #48 and County Road #41, the culvert draining south on the east side of the road is presently 2 feet higher than the existing County ditch. Plans call for lowering this culvert to the County ditch elevation which; would then leave this culvert approximately one foot higher than the culvert 3/4 of a mile north which drains west to the natural watercourse. This would then have the effect of allowing some of the flood water to go south on the east side of the road. Sanders stated that if the consensus was to try to keep water from traversing Section 21 and directing it south along the west side of County Road #48, that giving even a minimum of one foot fall to the south would require County Ditch #119 be lowered approximately 2 feet and then cleaned to the west until adequate fall is obtained. Another idea discussed was to run the water on the north side of County Road #41 west approximately 1/2 a mile and then allow it to go into County Ditch #119 at that point. Elmer Hasty was not in favor of this option because

of potential flooding to his property. The County let bids on April 15, 1997 and plans to start construction th middle of July. After lengthy discussion of all the alternatives, it was felt that the best solution would be to reslope the west ditch along County Road #48 to the south and go directly into County Ditch #119 at that point. The WD directed Houston Engineering to survey this location to see if this option is feasible. This needs to be done as soon as possible. Charles Wilder, who farms the south half of Section 14 in Russia township, which has approximately 60 acres that drains to the southwest corner, asked Engineer Sanders what size culvert the County intended to install at this location. Sanders stated that at the present time, the township has an 18 inch culvert located approximately 100 feet east of the section corner and the County intends to install an 18 inch culvert as part of the Project. Currently, there is no culvert in the County road right-of-way at this location, so with the installation of an 18 inch culvert, this should greatly improve drainage from this property.

d.)Project #11. Beltrami Flood Control & Diversion: Lawrence Woodbury-SHRWD Engineer opened bids at 10:00 a.m. The bids were opened in the following order:

	<u>Base bid</u>	<u>Alternate</u>	
1. Zimpel Construction Plummer, MN 56748	\$130,163	\$18,802	
2. Northland Contracting Shevlin, MN 56676	108,955	11,200	* Low bid
3. Plummer Excavating, Inc. Plummer, MN 56748	164,061	23,800	
4. SellinBros., Inc. Hawley, MN 56549	130,655	28,000	
5. Strom Const. Co. Moorhead, MN 56561	119,905	45,220	
6. Gladden Construction, Inc. Laporte, MN 56461	129,686	24,920	

Woodbury noted that the original Engineer's estimate was \$116,000. As indicated above, the low bid received was from Northland Contracting at \$108,955. **Motion** by Krogstad to accept bid contingent on Woodbury's further investigation, **Seconded** by Vigness, **Carried.**

e). Project #13. Reis-Scandia Township Ditch: Drop pipes need to be installed at all field inlets and as a representative from Gladden Construction was present at the meeting, Woodbury asked him to give the WD a cost estimate of installing these pipes prior to Project completion this spring. Gladden needs to come back this spring and repair the erosion and seed the entire Project area. /

Woodbury stated that the reach from County Road #232 north to the Old Sand Hill Channel still needs to be completed. Houston Engineering will stake this area prior to construction which is tentatively scheduled for sometime in July.

6. Upcoming Meetings and Other Business:

- a.) Boundary Change: Only one township has sent in recommendations. Wilkens asked that the boundary change be put on hold until more information is obtained.
- b.) Hammond Township, Section 33, Ditch #90: Roger Ulseth addressed the Board regarding his concern for the culvert that keeps washing out and questioned the possibility of installing a 36 inch culvert along side the existing culvert. Hanson stated that the WD would not be opposed to such an idea but that this was a County ditch and suggested that Roger visit with Blake Carlson.
- c.) Sand Hill Ditch: Hanson stated that several landowners in the Beltrami area expressed concern about damage done to the dike during the spring flood. After discussion, the consensus of the managers was to return the dike to it's original condition before the flood and not do any major repair. The ditch bank needs to be inspected by the Harlan Mosher and Harold Gast farms where Slager built up the dike to prevent overflow.
- d.) Drainage Workshop: Harold Vig stated that he attended the workshop put on by Kurt Deter of Rinke-Noonan on April 30 in Thief River Falls. He noted it was an excellent conference that was primarily a procedural information meeting and had several good handouts.
- e.) Orley Jevning: Mr. Jevning addressed the Board regarding his concern over cleaning snow from the Sand Hill Ditch early enough in the spring to facilitate drainage at snowmelt. He stated that the Sand Hill River ran through his yard for 10 days this spring. Hanson stated that this alternative was not economically feasible and that the County ditch systems that had snow removed were then faced with a record blizzard making the situation worse than ever. This year was the largest snowfall on record with the highest moisture content and hopefully future years will be more normal.
- f.) Overall Plan: Woodbury stated that a draft would be presented at the June Board meeting for review.
- g.) River Watch Report: Wilkens reported that he attended the River Watch Congress in St. Paul on April 9 & 10. Those representing the Fertile-Beltrami school were Christy Wilkens and Erica Chisholm whom Wilkens chaperoned. Total student participants were 111 which included 31 students from Russia. The first evening students set up individual booths from their respective schools and rivers and shared data and results of their efforts. The second day consisted of group presentations by all the participating river systems followed by extensive question and answer sessions. Wayne Goeken was responsible for organizing and conducting this first River Watch Congress and deserves to be commended for a job well done. Wilkens was very impressed with the effort put forth by the students and would very much like to see the River Watch program extend to all the river systems in the Red River Valley.

7. Permits:

- a.) Four permits that came before the Board for review were approved as follows:
 - 1997-01 Janelle & Eugene Klink - Construct a crossing for access to property in Woodside township, Section 35.
 - 1997-02 Polk County Highway Department - Regrade C.S.A.H. 48 from C.S.A.H. 51 North to C.S.A.H. 45.
 - 1997-03 Landsverk Farms, Inc. - Lower centerline culvert in Sletten township, Section 2.
 - 1997-04 Woodside Township - Upgrade one mile of township road in Woodside and Garden townships, Sections 32 & 5 respectively.

8. Adjournment: The next regular meeting of the SHRWD will be 7:00 a.m. Tuesday, June 3, 1997. As there was no further business to come before the Board, the meeting was adjourned by Chairman Hanson at 11:00 a.m.

Jimmie Krogstad, Secretary

Naomi L. Jagol, Administrative Assistant