

## SAND HILL RIVER WATERSHED DISTRICT

June 5, 2007 Meeting Minutes

- 1. Attendance:** Chairman Roger Hanson called the June 5, 2007 meeting to order at 8:00 a.m. at the District Office. Other managers present were Bill Brekke, Stuart Christian, Gordon Sonsteli and Harold Vig. Others in attendance were Brad Johnson – Houston Engineer, Pete Zavoral – Zavoral Construction, Glen Nelson and Terry Nelson – Nelson Excavating, Daniel Wilkens-Administrator, April Swenby-Administrative Assistant, and Lawrence Woodbury-Houston Engineering.
- 2. Approval of the Agenda:** Glen and Terry Nelson have asked to be placed on the agenda at 10 a.m. A **Motion** was made by Manager Vig to approve the agenda, **Seconded** by Manager Brekke, **Carried**.
- 3. Minutes:** A **Motion** was made by Manager Christian to approve the minutes of the SHRWD regular board meeting conducted on May 1, 2007, **Seconded** by Manager Sonsteli, **Carried**.
- 4. Treasurer's Report:** A **Motion** was made by Manager Vig to approve the treasurer's report for May, **Seconded** by Manager Brekke, **Carried**.

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

### 5. Engineer's Report

**Project # 20/Polk County # 46:** The district is planning on constructing the railroad bridge liner option along with the agreement with the railroad that should the plan fail, the project will cover the cost. The district attorney drafted the agreement and has received concurrence with the railroad's attorney. Woodbury reiterated that this is no different than any other project the district has been involved with, only this agreement is in writing. It has always been the district's policy to stand behind the projects success. A **Motion** was made by Manager Sonsteli to sign to the agreement drafted by Hauff, **Seconded**, by Manager Brekke, **Carried**.

Houston Engineering has checked over the bids received and recommends awarding the project to R.J. Zavoral Construction, the lowest bidder for the project. Zavoral Construction will deliver their bonds today. A **Motion** was made by Manager Vig awarding the project to Zavoral Construction, **Seconded** by Manager Christian, **Carried**.

Woodbury stated that Jeff Langen will be assigned the construction management position for the project. Langen has had previous experience working with Zavoral Construction on other projects. Brad Johnson will also be involved with construction management. He has had previous experience on Project # 17 and is familiar with the area.

Costs of the project and bond sale were discussed. The board went over the budget for the project and decided that the bond sale should net \$1,450,000. The final hearing estimated costs of \$1,950,000. The decrease was due to three things. Bids came in lower than engineers estimate, monies were approved for three township bridges, and the channel liner under the railroad vs. the complete bridge replacement with box culverts saved a substantial amount. This amounts to a 25.6% savings over original estimates. A **Motion** was made by Manager Vig to request Polk County to sell bonds for the project to net \$1,450,000. , **Seconded** by Manager Christian, **Carried**.

Pete Zavoral met with the managers and confirmed that the railroad bridge liner will be pre-cast. They decided on pre-cast to avoid the curing time required for poured in place concrete. On June 15<sup>th</sup> at 10:00 AM a pre-construction meeting will be held at the Sand Hill River Watershed District office.

**Project # 17:** Glen and Terry Nelson were sub contractors hired by Kern and Tabery. The area in question is along the east half mile of ditch # 9. The Nelsons feel that they have moved more dirt than what they were paid for from Kern and Tabery. They would like a GPS of the before and after to determine the actual yardage moved. Glen stated that the hubs were placed at the wrong grade. They stated that the change in the grade was unmarked. The measurements were not adding up to make the required slope fit. Terry Nelson would like the whole area (2 miles) surveyed.

Brad Johnson from Houston Engineering confirmed a staking error in the last 2000 ft. There was not a stake indicating the grade changes although the plans indicated the change. Johnson felt the cuts were correct and the hubs in that area were correct. Johnson indicated that lasers need calibration to confirm the laser readings and suggested that may be the possibility for the error. Houston Engineering agreed that errors were made, but also added that the errors were caught in time before the dirt was moved. Houston Engineering also feels that readings were taken from a correct hub. Houston Engineering reiterated that excavation was made according to an incorrect laser reading and fault does not lie with Houston Engineering. Nelson Excavation disagrees with that statement and feels that the hubs on the last mile of the ditch installed by Houston Engineering were incorrect.

The district explained the chain of command: The district has a relationship with the county who contracted with Kern and Tabery. Kern and Tabery subcontracted out a portion of the project to the Nelson Excavating. If the Nelsons feel they have a problem they need to contact Kern and Tabery.

Nelson Excavation would like the Watershed to support the GPS survey comparing the before and after and determine the quantities. The question remains as to who is responsible for the over excavation and Nelson Excavation feels the survey may prove the responsibility may be divided out. The district cannot authorize payment on a survey, as the local project owners would pay for that. The board feels this is an issue to be dealt with between the engineers and Kern and Tabery until legal council requires further action. The district has advised Nelson Excavation to contact Kern and Tabery and present their case to them.

## 6. Dan's Monthly Report:

**Project Team:** A project team meeting is not scheduled for June.

**RRWMB:** The RRWMB met in Ada on May 15. Meeting highlights were given to the managers. The next meeting is scheduled for June 19<sup>th</sup> in Warren with a tour following the meeting.

**RRBC:** The RRBC held a tour and a meeting the 6<sup>th</sup> and 7<sup>th</sup> of June. Meeting highlights were given to the managers.

**Fish Passage:** The West Mill may need some minor seeding and the rocks lowered in the approaches at the Beltrami site.

**Union Lake Erosion Control Project:** Dave Hauff is drafting easements and land purchase agreements. At their May 8<sup>th</sup> meeting, the East Polk County Committee stated that as long as the landowner has responsibilities they can be declared operators after the sale and CRP can continue. The district will try to complete the paperwork in June.

A **Motion** was made by Manager Vig to approve the chairman signing an extension of the grant, **Seconded** by Manager Sonstelie, **Carried.**

**Ditch # 65 Partial Abandonment:** Wilkens attended the hearing on the partial abandonment of ditch # 65. The Polk County board voted to not abandon the portion of ditch # 65 as requested. They did approve complete abandonment of RLWD ditch # 106 and partial abandonment of ditch # 72 just north of # 65. TNC will still pursue building the project using chapter 106E. They will apply for a permit from the district as soon as the plans are complete.

**Boundary:** The district has received a cost estimate of \$10,000 from Otter Tail Power Company, (estimate given to managers), to move the line in section 14 of Russia. Wilkens is gathering estimates from several contractors on costs to clean the ditch after the power poles are moved. A **Motion** was made by Manager Sonstelie to authorize payment to Ottertail Power after completion of moving the poles, **Seconded** by Manager Brekke, **Carried.**

**Project # 20/Polk County # 46:** The township bridge funds will install the three township crossings. No funds are coming for the two county road crossings. Because two landowners have not sent us their SS# or Tax ID# we have been unable to disperse the last two checks at this time.

One landowner refuses to give the tax information as he is dissatisfied with the amount of money offered per acre. David Hauff will be asked to draft a letter stating that nothing was said about the amount paid per acre for damages at the final hearing by anyone and that the appeal process is over and his check will be given to him when the required tax information is received.

**Mowing:** Leroy Reitmeier would like to see mowing or spraying along the ditch banks. Reitmeier was planning to spray his piece. Chairman Hanson reiterated the amount of complaints he hears regarding the lack of mowing. Hanson suggested advertising for mowing – the board agreed. The ad will be run twice in the local papers, including the shopper.

**Spraying:** Midwest Helicopters have increased their rates slightly this year for cattail and brush spraying. Wilkens and Hanson will tour the ditch systems and decide what needs spraying for cattails and brush. The board suggested advertising for spraying the ditch systems for weeds. The ad will be run twice in the local papers, including the shopper.

**Polk County Fair Participation:** The district has received a request to participate in the fair booth again this year. A **Motion** was made by Manager Vig to participate in the Polk County Fair Booth, **Seconded** by Manager Sonstelie, **Carried.**

**UND Grad Student:** Abigail Franklund, UND Grad Student is doing studies on stream bank stability and wanted 10-12 sites along the Sand Hill River to use in her work. Dan toured the area and showed her sites that may be of interest and gave her landowners names to contact for permission.

**Overall Plan:** The Kick Off meeting was held on Thursday, May 3, 2007 at 10:00 AM. We have also applied for an extension of the project as per Brian Dwight's request. The next meeting is scheduled for June 20<sup>th</sup> in Beltrami at 7:00 PM with region 1 and 2.

**Board Appointments:** Polk County notified us that Stuart Christian has been appointed for a three year term.

7. **Permits:** Four permits were brought before the board.

**2007 – 05** - Hubbard Twp - Replace Bridge - Section 23.

**2007 – 06** – Red River Valley Co-op Power. – relocate poles in Section 9 of Reis Twp. (Project # 20)

**2007 - 07** Polk County Highway Dept.- Removal of existing bridge, Replace with 3 span concrete, Section 24 Hubbard Twp.

**2007 – 08** Polk County Highway Dept. - Removal of existing bridge, Replace with 3 span concrete, Section 23 Hubbard Twp.

8. **Adjournment:** The next regular meeting of the SHRWD will be at **8 a.m. on Tuesday, July 10, 2007, PLEASE NOTE THE DATE CHANGE.** As there was no further business to come before the board, a **Motion** was made by Manager Brekke to adjourn the meeting at 10:20 a.m., **Seconded** by Manager Vig, **Carried.**

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Robert Brekke, Jr., Secretary

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April Swenby, Administrative Assistant