

**MINUTES**  
**Regular Meeting**  
**Okabena-Ocheda Watershed District Board of Managers**  
**July 10, 2018**

The regular meeting of the Okabena-Ocheda Watershed District Board of Managers was called to order at 4:00 p.m. Present were managers Casey Ingenthron, Rolf Mahlberg, Jay Milbrandt and Jeff Rogers. Also present were: Bob Demuth, Jr, county commissioner; Brad Harberts, county ditch inspector; Keith Schroeder and Doug Anton advisory committee members; Julie Buntjer, Globe reporter; and Dan Livdahl, administrator.

The minutes of the June 2018 regular board meeting were reviewed. Milbrandt moved to approve the minutes. Ingenthron seconded the motion. Affirmative: Ingenthron, Mahlberg, Milbrandt, Rogers. Opposed: none. Motion carried.

The Treasurer's report and bills payable were discussed. Deposits in the Worthington Federal money market account exceed the FDIC limit so the first half of the district's 2018 levy was deposited in the checking account at Wells Fargo. Worthington Federal can insure deposits greater than \$250,000 through a reciprocal deposits agreement with other banks. A brochure describing their Insured Cash Sweep (ICS) program was reviewed. Paperwork to use the ICS will be completed soon. Ingenthron moved to approve the Treasurer's report and pay the bills. Rogers seconded the motion. Affirmative: Ingenthron, Johnson, Mahlberg, Milbrandt, Rogers. Opposed: none. Motion carried.

**OLD BUSINESS**

The draft plan for the Lake Ocheda dam and fish barrier was reviewed. DNR staff have agreed to review them soon. Josh Kavanagh volunteered to apply for the DNR and Army Corps of Engineers permits for the structure.

The Prairie View project spillway was damaged during the June 20-21 rain event. An email from Duinick states they will not fix the spillway under the contract's warranty. They blame faulty engineering for the failure. A meeting will be held on site on July 16<sup>th</sup> between the project engineer, the Flexamat representative, Duinick, the city engineer and the district to discuss the needed repairs and costs. The Flexamat company will pay for the matting and materials needed to replace the product. A special meeting to resolve issues on the spillway will be held at 4:00 p.m. on August 18, 2018 in the Nobles County Public Works building.

**ADMINISTRATOR'S REPORT**

Lake water levels after the June 20-21 storm are the highest observed since 1993. Lake Ocheda is still approximately 0.9 feet above the ordinary high water level more than two weeks later.

Shirley Dykstra stated she wants to hay the Lake Ocheda property this year to prevent fire. Water levels will need to recede before haying.

Livdahl met with Steve Robinson to view his crossing of the Sunset Bay inlet stream. The concrete culverts came apart and much of the crossing washed away during the June rain event. The managers will issue a permit to replace the culverts when Robinson applies for one.

Mahlberg and Livdahl met with John Landgaard about the feasibility study for a water quality pond on ISD 518 property. The school board reviewed the concept and are generally supportive of building a water quality structure on the site.

A conditional use hearing will be held on July 25<sup>th</sup> for a permit application from Henning Construction to build a laydown lot on the east side of Okabena Creek south of 240<sup>th</sup> Street. Henning Construction and the county planning and zoning staff were informed that this is a sensitive location and the district will require a permit for the project.

**NEW BUSINESS**

The 2017 financial audit report was discussed. Rogers moved to accept the auditors report, noting the need to be sure

district deposits are secured by FDIC insurance. Ingenthron seconded the motion. Affirmative: Ingenthron, Mahlberg, Milbrandt, Rogers. Opposed: none. Motion carried.

The 2019 budget was discussed. The district must hold a budget hearing and certify its 2019 levy by September 17<sup>th</sup>. The draft budget and hearing notice will be reviewed at the August meeting.

### **PERMITS**

Ingenthron moved to approve the following permit applications:

**Shawn Elsing** – to remove a concrete stairway and replace concrete riprap with field stone on Lake Okabena’s shoreline at 1139 West Lake Avenue.

**Brad Brickson** – to cover concrete riprap with field stone and install pavers to replace metal sheeting and wood chips on Lake Okabena’s shoreline.

**DK Buildings** – to perform sediment and erosion control during construction of a new home in the Homewood Hills 11<sup>th</sup> Addition, Worthington

Milbrandt seconded the motion. Affirmative: Ingenthron, Mahlberg, Milbrandt, Rogers. Opposed: none. Motion carried.

### **ADJOURNMENT**

A special board meeting to discuss repairs of the Prairie View project spillway will be scheduled for July 18, 2018 in the Nobles County Public Works Building at 960 Diagonal Road. The next regular board meeting will be at 4:00 p.m. on August 7, 2018.

Meeting adjourned.

**MINUTES**  
**Special Meeting**  
**Okabena-Ocheda Watershed District Board of Managers**  
**July 18, 2018**

The special meeting of the Okabena-Ocheda Watershed District Board of Managers to discuss issues regarding repair of the Prairie View project spillway was called to order at 4:00 p.m. Present were managers Casey Ingenthron, Les Johnson, Rolf Mahlberg, Jay Milbrandt and Jeff Rogers. Also present were: Bob Demuth, Jr, County Commissioner; Julie Buntjer, Globe reporter; and Dan Livdahl, administrator.

Johnson, Ingenthron, Livdahl and Dwayne Haffield attended a meeting at the Prairie View site with the Bryce Crucey, project engineer, Duininck staff and a representative from the Flexamat company on Monday. Wenck agreed to create a plan for the spillway repair and send it to Duininck for a bid price. The Flexamat company will provide the mat needed to repair the spillway.

The managers reviewed the spillway repair plan, the engineer's projected costs and a bid sheet for the repair. The information was emailed to Duininck, but a bid price has not yet been received.

The managers discussed the rain event that occurred on June 20-21. Approximately 5.6 to 6.5 inches of rain were received in the project watershed during a 24 hour period. Whether the spillway should have been able to survive the runoff from the event without damage was discussed. Possible contributors to failure include defective design, defective construction and the extreme flow before vegetation was established in the Flexamat.

Discussion was held on paying for the repair. The costs of the repair may be eligible for FEMA funding. Money in the project account from Worthington could pay a portion of the costs. District money could also be used. Johnson argued that the costs should be covered by the contractor's warranty or the project engineer. More discussion will be held when a repair bid is received.

A special board meeting will be scheduled to further address Prairie View spillway issues at 4:30 p.m. on July 25, 2018 in the Nobles County Public Works Building at 960 Diagonal Road.

Meeting adjourned.

**MINUTES**  
**Special Meeting**  
**Okabena-Ocheda Watershed District Board of Managers**  
**July 25, 2018**

The special meeting of the Okabena-Ocheda Watershed District Board of Managers to discuss issues regarding repair of the Prairie View project spillway was called to order at 4:30 p.m. Present were managers Les Johnson, Rolf Mahlberg, Jay Milbrandt and Jeff Rogers. Also present were: Bob Demuth, Jr, County Commissioner; Julie Buntjer, Globe reporter; Doug Anton and Keith Schroeder, advisory committee members; and Dan Livdahl, administrator.

A cost quote from Duininck to repair the spillway was not received before the meeting.

Livdahl attended the FEMA/Minnesota Homeland Security and Emergency Management damage assessment meeting in Rushmore on July 23<sup>rd</sup>. Disaster assistance for the Prairie View spillway repairs will likely be available if the state's application is approved by federal government. More information will be available in four to six weeks.

Worthington hired Justin Klabo, Water Resources Project Manager, Advanced Engineering and Environmental Services, Inc., to do an assessment of whether Flexamat is an appropriate material to use on the Prairie View spillway. His memo was reviewed.

Hiring legal representation to review the contracts for Duininck and Wenck and advise the district about who is responsible for paying for spillway repairs was discussed. An email from attorney, Kirk Schnitker, was reviewed. It was decided to get the cost quote from Duininck before making a decision about the need for legal representation.

Mahlberg moved to adjourn the meeting. Milbrandt seconded the motion. Affirmative: Johnson, Mahlberg, Milbrandt, Rogers. Opposed: none. Meeting adjourned.