

**WILD RICE WATERSHED DISTRICT**

**11 Fifth Avenue East**

**Ada, MN 56510**

**Ph: 218-784-5501**

**REGULAR MEETING**

**October 11, 2006**

**APPROVED**

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on October 11, 2006. The following members were present: Warren Seykora, Joe Spaeth, Bob Wright, Jim Wagner, Sr., David Vipond, Jim Skaurud and Diane Ista. The following members were absent: None. In addition the following persons were in attendance: Engineer Jerry Bents, Attorney Elroy Hanson, Administrator Steve Dalen, Secretary Loretta Johnson, Court Reporter Sandy Bjerke and various landowners.
2. Chairman Seykora called the meeting to order at 8:35 a.m.
3. A motion was made by Manager Spaeth and seconded by Manager Vipond to approve the agenda for October 11, 2006. Carried.
4. Board Direction. Administrator Dalen distributed correspondence sent to legislators thanking them for their support in obtaining funding for Project #42. Dalen stated that it was brought to his attention that a cloudiness has developed regarding the District's direction and the correspondence speaks clearly about providing information to legislators, other elected officials and landowners.
5. Kaleidoscope. Jim Birkemeyer, KRJB Radio, met with Managers to discuss short radio spots to provide information to the public. Tim Halle and Birkemeyer suggested various options. A motion was made by Manager Skaurud and seconded by Manager Wright to approve the proposal submitted by Halle/Birkemeyer for one month. Carried.
6. MAWD Resolution. Administrator Dalen distributed a draft copy of a resolution to MAWD requesting the legislature to impose a penalty and/or fee of up to \$1,000 against persons who violate the District's permitting rules. A motion was made by Manager Ista and seconded by Manager Spaeth to submit the resolution to MAWD. Carried.
7. Project Team Meeting. Consensus was to schedule a Project Team meeting for Wednesday October 24, 2006, at 10:00 a.m. at the District office. An agenda and meeting notice will be mailed to all members.
8. Project #42. The following landowners met with the Managers: Joe Kroshus, John Germolus, Brent Kappes, Helen & Raymond Renfrew, Ron Guttormson, Warren Olson, Don Gunkel, Jerry Kappes, Shawn Crompton, Allan Christensen, Wayne Lee, Norman Dahl and Randy Pallum.

Wayne Lee presented a petition signed by approximately 200 landowners who are opposed to Project #42. Considerable discussion followed by property owners regarding their position on the proposed project.

9. South Branch Wild Rice River Petition for Repair. Manager Wright is not taking part in any of this discussion. Discussion was held regarding the petition for repair in Sec. 24/25 Mary Twp.; Sec. 30/36 Winchester Twp.; Sec. 1 Felton Twp. Ron Guttormson stated that he signed the original petition along with other landowners, but that after seeing the results of the previous project repair, he no longer wanted to do this repair. Attorney Hanson stated that the Managers have an obligation to keep projects in repair; a petition for an investigation was brought to the Managers; now the same property owners are saying it doesn't need repair; but does it or doesn't it. Hanson stated that if property owners say that the benefits aren't worth the costs, these are legitimate concerns. Engineer Bents asked Hanson if because a petition was filed with the District, ditch funds were used to investigate, should all owners on the system hear the results of the request. Bents stated that a hearing would allow the District to follow the rules and give all property owners the opportunity to voice an opinion. Manager Ista stated that if sediment will continue to fill in on the South Branch, maybe the hearing should be delayed until spring of 2007. John Germolus asked if the sediment shouldn't have been considered prior to the previous repair project; should not the Managers have looked at the outlet of the ditch system. Engineer Bents stated that drainage law requires the District to act on a request or petition for repair but not look at the whole system, due to costs which are estimated at about \$15-\$20K per five miles. Attorney Hanson recommended that the Board keep the hearing scheduled as close to the repair report as possible. A motion was made by Manager Ista and seconded by Manager Vipond to hold a hearing within 30 days; approve the viewers' report; approve the engineer's repair report. Upon further discussion regarding the fall harvest schedule it was felt that the hearing should be delayed. A motion was made by Manager Ista and seconded by Manager Vipond to rescind the previous motion. Carried. Manager Wright did not vote.

#### **PERMIT APPLICATION**

10. USFWS General Permit Application. Scott Kahan and Larry Hanson, USFWS, met with Managers to discuss an application for a general permit by the USFWS for wetland restorations. A motion was made by Manager Skaurud and seconded by Manager Vipond to approve a general permit application by the USFWS for wetland restoration within the Wild Rice Watershed District for a period of one year. Carried with Manager Spaeth opposed.

11. Consider Billings. A motion was made by Manager Wright and seconded by Manager Wagner to approve the billings for October 11, 2006, along with Managers expenses and per diems. Carried.

12. South Branch Storage Project. Engineer Bents reviewed the preliminary report for soil investigation on the project. Nine preliminary soil borings were performed in Felton and Hagen Townships of Clay County to evaluate soil conditions for construction of a dike which would create a floodwater impoundment used for temporary storage. Alternative Site #3 is located along the north border of Clay County approximately two miles west of Highway 9. Soil borings were performed in Sections 1, 12 and 13 of Felton Township and Sections 5 and 18 of Hagen Township. Engineer Bents' recommendation was to terminate any further action on Alternative #3 as a result of the soil borings report not being favorable. Additional borings will be done for Alternative #4. Manager Ista questioned if there was willingness by landowners to do the soil borings. Bents stated that borings have only been done on sites where permission has been granted by landowners, however the District only asked for permission to bore on their land, not if they were willing to sell their land for a project.

13. Upper Felton Project. Also discussed was the issue of support on the Upper Felton Project. Managers were reminded that they should not give the public the impression that there was total landowner support for that project as there were also people there who were opposed. Bents stated that it is unfortunate that the LIDAR information is not available.

14. Manager Skaurud left the meeting at 11:10 a.m.

15. COE WRRFS Update. Engineer Bents reported that COE staff has been on the Wild Rice River to Mahnomen and South Branch past Ulen testing for sediment analysis. They will also be looking back at historic cross sections on the river.

16. COE FS Work In Kind Update. Engineer Bents stated that the COE agreed to cost share on the 11 soil borings for the proposed off channel site near Ada east of County Road #24. Bents stated that it was his and Midwest Testing opinion that only boring sites 1 and 11 are suitable for construction and recommended that no additional funds be spent on the Ada off channel site. A motion was made by Manager Vipond and seconded by Manager Wagner to terminate any further investigation on the Ada off channel site at this time. Engineer Bents will inform the COE. Carried.

17. Warren Seykora left the meeting at 11:50 a.m.

18. A.C. Heiraas Lawsuit. Attorney Hanson distributed a settlement agreement prepared by Attorney Von Korff that states Mr. Heiraas will not appeal any conduct or action by the District prior to the settlement if the District will agree to wave all costs and disbursements resulting from the lawsuit. A motion was made by Manager Spaeth and seconded by Manager Wagner authorizing the execution of the settlement agreement with Heiraas. Attorney Hanson will hold the settlement agreement until he obtains confirmation from the insurance that they will pay costs related to the lawsuit. Carried.

19. Heiberg Dam Pay Request. A motion was made by Manager Ista and seconded by Manager Wagner approving Pay Request #6 in the amount of \$112,323.61 and a change order for an increase of \$11,179 to Landwehr Construction for the Heiberg Dam Repair Project. Carried.

20. Green Meadow Dam Repair Pay Request. A motion was made by Manager Spaeth and seconded by Manager Ista approving Pay Request #2 in the amount of \$47,853 and a change order for an increase of \$600 to Geray Construction. Carried.

21. A motion was made by Manager Wagner and seconded by Manager Vipond to recess the meeting to be reconvened at 8:30 a.m. on Wednesday October 18, 2006. Carried.

22. Vice Chairman Wright recessed the meeting at 12:45 p.m.

**October 18, 2006**  
**RECONVENED MEETING**

23. The reconvened meeting of the Board of Managers was held on Wednesday, October 18, 2006. The following members were in attendance: Joe Spaeth, Warren Seykora, Dave Vipond, Jim Wagner, Sr., Diane Ista, Bob Wright and Jim Skaurud. The following members were absent: None. In addition the following persons were in attendance: Court Reporter Sandy Bjerke; Engineer Jerry Bents; Attorney Elroy Hanson; Administrator Steve Dalen and Secretary Loretta Johnson.

24. Chairman Seykora called the meeting to order at 8:30 a.m.

25. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Wagner to approve the agenda for the reconvened meeting on October 18, 2006, with the following additions: South Branch Storage, taping of meetings and Annual Report 2005. Carried.

26. Annual Report 2005. Tim Halle asked if Managers had reviewed the 2005 annual report as previously distributed. A motion was made by Manager Ista and seconded by Manager Wagner to approve the 2005 Annual Report as distributed. Carried.

27. Taping of Meetings. Manager Ista brought up the issue of taping of meetings, stating that Brian Borgen previously submitted a request to do so. Ista stated that she didn't think citizens should have to pay for Court Report Bjerke's transcription of meetings. Attorney Hanson stated that he had concerns about the increase in expense taping might bring to the District. Manager Seykora stated that he had discussions with various other Watershed Districts and they did not think it was necessary. Seykora stated if private citizens want to continue to have a court reporter at the meetings, they may do so, but felt it was unnecessary to tape the meetings. Manager Skaurud questioned what the added expense would be and also felt that each manager would need separate microphones. The question was raised if the recordings would be transcribed verbatim or if they would only be kept on file. Manager Ista stated that the Wild Rice Watershed District does not necessarily have to do what other Districts do and can tape meetings if they choose. Ista also felt if there was a major conflict or future research the taping could be very important. Attorney Hanson agreed to contact other government entities and determine their procedure and possible added costs.

28. Meeting Minutes. A motion was made by Manager Skaurud and seconded by Manager Spaeth authorizing approval of the August 23, Regular Meeting Minutes, with the following addition. On Page #5, Paragraph #23, add "in both crossings." Carried.

Managers will take action on the minutes of the September 11, and 13 and reconvened meeting on September 20, at the November regular meeting.

**PERMIT APPLICATIONS**

29. Matson Farms, Section 6, Waukon Township. Upon a motion by Manager Skaurud and second by Manager Spaeth Permit Application # 09-13-06-2 of Matson Farms to lower an exiting culvert was tabled. The District Board of Managers is requesting a survey of the pipe and downstream ditch or the downstream landowners signature approving the permit. As soon as the requested information is received, the permit will be considered for approval. Carried.

30. Mark Chisholm, Sections 6 and 7 of Strand Township. Mark Chisholm, Corey and Floyd Hanson and Randy Chisholm met with the Managers to discuss the two permit applications of Mark Chisholm in Sections 6 and 7 of Strand Township to increase the culvert size from a 48 inch to a 60 inch in Section 6 of Strand and increase an 18 inch culvert to a 30 inch culvert in Section 7 of Strand Township. Mark Chisholm stated that he was getting a considerable amount of additional water from the east due to three culverts in the railroad grade east of Highway #32. Randy Chisholm stated that he already has flooding problems and additional drainage would need to be done downstream before any increase of culvert sizes in that area. Floyd and Corey Hanson stated that too much water comes from the east now and comes too fast, by increasing culverts they would get even more water. The sandy soil and additional water would cause increased washing of the soil. Corey Hanson also stated that with the poor integrity of the Green Meadow Dam and near overtopping in the spring of 2006, additional water could cause severe damages. Engineer Bents stated that engineering would tell you that there is no question that there would be an increase of water with the larger culvert sizing. A motion was made by Manager Ista and seconded by Manager Wright to table Permit Applications # 9-13-06-2 and 7 of Mark Chisholm to increase culvert sizing in Sections 6 and 7 of Strand Township. The District will make an effort to put the Upper Green Meadow Storage on the fast track to be completed as soon as possible. Carried. Floyd and Corey Hanson requested that the minutes reflect that fact that they want to be notified of any meetings in which action may be taken on these permit applications. Hansons and Chisholms left the meeting.

31. Wild Rice Township, Section 30, Wild Rice Township. Upon a motion by Manager Spaeth and second by Manager Skaurud, Permit Application #9-13-06-5 of Wild Rice Township to install 12 inch non perforated drain tile in Section 30 of Wild Rice Township, was approved with the condition the tile size is reduced to eight inches. Wild Rice Township will be responsible for erosion control of the tile outlet. Carried.

32. Doug Krogstad, Section 2, Lee Township. Upon a motion by Manager Ista and second by Manager Wagner, Permit Application #9-13-06-4 of Doug Krogstad to raise the ring dike around his farmstead was approved. Carried.

33. COE Sedimentation Analysis. Engineer Bents discussed the sedimentation analysis that is currently being done by the COE on the South Branch and Wild Rice River, which will show historical volume changes and estimated impacts of future projects of sediment in the lower watershed. Bents stated that within the next few days a map will be provided by the COE indicating the areas of the river where cross sections need to be taken, at which time the District will do notifications to all landowners with a consent form enclosed. A motion was made by Manager Skaurud and seconded by Manager Vipond authorizing staff to determine where it would be beneficial for Managers to contact landowners and to prepare notification correspondence and mail to all affected landowners. Carried.

A motion was made by Manager Ista and seconded by Manager Wagner authorizing a submittal be sent to COE requesting Houston Engineering to do the on site surveying on behalf of the Wild Rice Watershed District as Work In Kind, with sites and cost to be approved by the COE. Carried.

34. Don Johnson Complaint Section 23 Winchester Township. Don Johnson, Ernie and Larry Hilde and Mark Harless met with Managers regarding a complaint filed by Don Johnson alleging a violation in Section 23, Winchester Township. Don Johnson and Ernie Hilde both addressed the Managers with their concerns. Engineer Bents stated that upon investigation by staff on September 26, 2006, and LIDAR information that is available, it was his assessment that the complaint is valid, however to date there has not been a violation; but if additional work is done, a watershed permit would be required. A motion was made by Manager Ista and seconded by Manager Vipond to notify landowners involved that there is no violation of District rules as of September 26, 2006, however no future additions to the dike may be done without a watershed district permit. The Watershed District staff will assist landowners in an attempt to resolve the flooding problems. Carried.

35. Upper Reaches Project Redetermination of Benefits. A motion was made by Manager Ista and second by Manager Spaeth to table any action on the redetermination of benefits at this time. Attorney Hanson stated there is ongoing research by Attorney Von Korff. Carried. Wayne Lee stated that he is withdrawing his offer to obtain signatures petitioning for the redetermination until there is a resolution to Project #42.

36. 2006 Water Resources Development Act (WRDA) Request. Richard Ista gave a short presentation on the investigation that he and a committee have been working on for a future Twin Valley Dam Project. With the information Ista and a committee have developed, along with meetings with Congressman Collin Peterson, they will be submitting a request to Peterson for federal assistance from the WRDA bill for funding the proposed Twin Valley Dam project or a revised version of the project. The proposed plan would include hydroelectric capabilities for uses of renewable energy and economic development, but no specifics are being addressed at this time. Ista stated that a decision would be made by the congressman on the exact verbiage of what would be included in the WRDA bill within the next two weeks.

Discussion continued regarding the proposed verbiage for the WRDA request to be submitted to Congressman Peterson. A draft including Project #42, Upper Felton Storage and the proposed Twin Valley site was distributed for review. Steve Jacobson addressed the board stating that if Congressman Peterson can appropriate funding for onstream storage, it is great and he requested that the District get behind it and support the request. Jacobson stated that Congressman Peterson will not support funding for storage on farmland. Manager Wagner stated that none of the Managers are opposed to Ista's proposal for a dam at Twin Valley but you need to be realistic, because farmland would be used at Twin Valley for a dam site, no different than any other storage site. Administrator Dalen stated that he did not see any reason not to support the reevaluation on Twin Valley.

Manager Ista read from a draft letter that she intends to send to Congressman Peterson. Ista also stated that Project #42 should be split into two different projects, the upper sites and the lower off channel storage site. She stated that she doubted if Congressman Peterson would support the proposed off channel site due to residents' opposition and because he felt that 3,000 acres of farmland should not be taken. Ista stated that we as a board need to stop spending money boring sites in places that are not going to be useable.

Administrator Dalen stated that he was incorporated into a meeting with Congressman Peterson and Peterson did not state that he would not support or include Project #42 in the WRDA bill. Dalen also stated that due to the misunderstanding and interpretation of the meetings with Peterson, he had requested a representative of Peterson's to attend today's meeting, however it appeared that no one was free to attend.

Chairman Seykora felt that the board should not focus too narrowly and should submit the verbiage as distributed and allow Congressman Peterson the opportunity to support all or any part of the proposal. A motion was made by Manager Ista to split Project #42 into upper and lower sites. Manager Wagner asked Attorney Hanson if this is possible. Manager Skaurud stated that the agreement for landowners in the Ulen area was that the lower site goes along with the upper sites and he didn't think that the upper landowners will support the upper sites if the lower site is dropped. Skaurud stated that he felt a responsibility to the landowners in the Ulen area and he could not go against their wishes and would not support splitting the project. Manager Wagner seconded the motion. Engineer Bents questioned if this motion is an intent to replace the original resolution, to which Ista replied yes. Chairman Seykora called for a vote. Managers Wagner and Ista voted, yes; Managers Wright, Spaeth, Skaurud and Seykora opposed. Manager Vipond abstained. Motion failed due to lack of a majority vote.

A motion was made by Manager Spaeth and seconded by Manager Wagner to submit the following draft verbiage for the WRDA bill funding to Congressman Collin Peterson.

***“WRWD Project #42 - Borup and Ulen, Minnesota (South Branch of the Wild Rice River).***

*The project is for flood damage reduction and environmental enhancement near Borup and Ulen, Minnesota, along the South Branch of the Wild Rice River within Wild Rice Watershed District.*

*The project shall include the design and construction of a series of flood retention structures within the South Branch of the Wild Rice River Basin providing a minimum of 21,450 acre-feet of flood retention. The structures should consist of five or more sites in the upper basin (above the historic Lake Agassiz beachridge) in combination with one large off-channel storage (retention) site in the lower basin below the beachridge.*

*The project currently has an estimated total cost of \$21,000,000, with an estimated Federal cost of \$15,750,000 and an estimated non-federal cost of \$5,250,000 based on a 75-25% split.*

***Upper Felton Storage Project, Felton, Minnesota***

*The project is for flood damage reduction and environmental enhancement, Felton, Minnesota, Wild Rice Watershed District.*

*The project shall include the design and construction of one or a series of flood retention structure(s) on the Felton Ditch providing a minimum of 7,100 acre-feet of flood retention.*

*The project currently has an estimated total cost of \$15,000,000 with an estimated Federal cost of \$11,250,000 and an estimated non-Federal cost of \$3,750,000 based on a 75-25% split.*

***Wild Rice River, Twin Valley, Minnesota***

*The project for flood damage reduction and other purposes near Twin Valley and Ada, Minnesota, and other areas downstream along the Wild Rice River within Wild Rice Watershed District.*

*The project shall include a reevaluation of the Twin Valley Lake project, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), using current planning criteria and policies, to develop, design and construct a project capable of providing equal flood damage reduction and other benefits as the previously proposed Twin Valley Lake project.*

*The project currently has an estimated total cost of \$50,000,000, with an estimated Federal cost of \$37,500,000 and an estimated non-Federal cost of \$12,500,000 based on a 75-25% split.”*

The submittal letter will include the following statement: Assistance that you could provide for any/all or part of these projects would be greatly appreciated by the Board and residents of the Wild Rice Watershed District. Carried. Manager Ista opposed. Manager Vipond abstained.

37. Soil Boring Easements. Landowners Brent Kappes, Ronnie Guttormson and Joe Kroshus returned the checks for the soil boring easements and indicated that they did not want any more soil borings on their property.

38. Ueland Violation, Section 25 of Shelly Township and Sections 29 and 30 of Good Hope Township. Attorney Hanson stated that he notified Ueland of the violation in Section 25 of Shelly Township and Sections 29 and 30 of Good Hope Township, in which he stated that this is a violation for work done without a permit and constitutes a violation of the District's permitting rules as well as a civil trespass, nuisance and criminal trespass. Hanson stated that the Board may want to have a committee of 2-3 people to meet with Ueland if he chooses to come and discuss the violation, and suggested that Administrator Dalen coordinate the meeting, and notify Ueland that all costs and expenses incurred by the District with this meeting and/or any past or future meetings, will be paid by him. Consensus of Managers was for Staff to coordinate with Ueland if he requests a meeting.

39. Attorney Hanson left the meeting at 12:30 p.m.

40. City of Mahanomen/Mahanomen County Drainage Issue. Mahanomen County Engineer Jon Large and representatives from the City of Mahanomen met with Managers to discuss a drainage issue of the City of Mahanomen that is causing storm sewer problems due to excess water for the city. They have looked at several alternatives and options but are requesting assistance from the Watershed District to solve the problem. A motion was made by Manager Skaurud and seconded by Manager Vipond authorizing staff to work with the City of Mahanomen, Mahanomen County and landowners in seeking a solution. Carried. Managers Skaurud, Vipond and Spaeth volunteered to assist.

41. Monthly Financial Report September 30, 2006. Doug Marcussen presented the September 30, 2006, financial report. A motion was made by Manager Ista and seconded by Manager Vipond to approve the September 30, 2006, financial report for entry into the record. Carried.

42. USGS Sediment and Turbidity Monitoring. Engineer Bents reported that he met with personnel from the MPCA and USGS regarding real time monitoring on the South Branch and Wild Rice River. They indicated at the end of the five year sedimentation monitoring program, the cost of the final report would be approximately either \$15,000 for a minimal report or \$31,000 for the full report. A motion was made by Manager Skaurud and seconded by Manager Wagner authorizing Engineer Bents to respond to the USGS and inform them that at this time the District does not intend on needing a final report. Carried.

43. Project #42. A motion was made by Manager Ista and seconded by Manager Vipond to remove Site #1 on the corner of Borup for consideration and move forward with one site in the Borup area. Carried.

A motion was made by Manager Ista and seconded by Manager Vipond that the Board make a decision between Sites #2 and 4. Manager Wright questioned if the Board has enough information available to provide to the COE for alternatives. Engineer Bents stated that it might be nice to have a good path of information in order to determine how the last sight was chosen. Manager Wagner stated that the decision could wait one more month. When called for a vote, Manager Ista voted for the motion and all other managers voted against. Motion failed for lack of a majority.

44. J.D. #51 Slide Repair. Engineer Bents reported that the bid was awarded to Roger Hennen for the slide repair on the north edge of the City of Ada. The completion date is June 15, 2007. Bents has been in contact with Hennen who agreed to move the dirt for levee repair south of Ada. The City of Ada will hire a contractor to move the storm drain.
45. COE PL 84-99 Levee Repair Assistance. Engineer Bents stated that the COE determined that the levee repairs were not eligible for federal funding. Ziegler Construction will begin work on the five sites within the week. A repair report for Section 22 of McDonaldsville Township was distributed for review. Engineering recommendation was to set back the levee in Sections 22/23 of McDonaldsville Township. A motion was made by Manager Skaurud and seconded by Manager Vipond authorizing Manager Wagner and Administrator Dalen to contact landowners Mike Roesch and Paul Larson to work at obtaining the necessary right-of-way from them. Carried.
46. Green Meadow Dam Repairs. Administrator Dalen reported that he and Engineer Bents met with the contractor on site at Green Meadow regarding a dispute in the quantity of clay hauled for the repair. To verify and determine exactly how much clay was hauled the borrow pit was surveyed. The project will be completed in the spring of 2007 with some minor cleanout.
47. J.D. #51 Cleanout. Administrator Dalen reported that Manager Wagner secured the necessary easements from Grivno and Brandt; Dalen met with Ronnie Baker who indicated he was not interested in signing a construction easement at this time. Consensus of Managers was for Administrator Dalen to notify Baker that agreements have been reached with other landowners for easements for the proposed repairs. A motion was made by Manager Wagner and seconded by Manager Wright authorizing the cleanout to proceed as planned. If Mr. Baker refuses to sign the easement, the cleanout will stop at the edge of his property. Carried.
48. Farmstead Ring Dikes. Administrator Dalen reported that funding is available from the DNR and RRWMB to complete the Haskins ring dike. Dalen stated that the DNR did not accept the recommendations provided by the RRWMB for the distribution of the farm dike funds. As a result the RRWMB will need to reevaluate the allocations to all of the Districts. The RRWMB is also interested in pursuing funding to complete all ring dikes requested and needed in the valley.
49. Request Section 3, Mary Township. A motion was made by Manager Wright and seconded by Manager Wagner authorizing up to \$1,400 for a tree removal and cleanout in Section 3 of Mary Township. Wagner will do a site visit prior to the cleanup. Carried.
50. Upper Reaches Dike Access. A motion was made by Manager Ista and seconded by Manager Vipond authorizing Manager Wagner to do an on site investigation of District access on areas of the Upper Reaches Project. Carried.
51. Office Purchases. A motion was made by Manager Ista and seconded by Manager Vipond authorizing a Watershed District credit card for the purpose of office purchases. Limit not to exceed \$5,000. Carried.
52. Office Upgrade. A motion was made by Manager Ista and seconded by Manager Wright authorizing an estimate on the electrical wiring of the district office. Carried.
53. MAWD Annual Meeting. A motion was made by Manager Wright and seconded by Manager Skaurud authorizing Managers and staff attendance at the MAWD Annual Meeting scheduled for November 30-December 1, 2006. Carried.

54. Project #42. Tim Halle questioned if Project #42 would be on the agenda at 9:00 a.m. at reconvened meetings. Consensus of Managers was that the 9:00 a.m. agenda item for Project #42 would be scheduled for the regular monthly meeting, only, not at reconvened meetings.

55. FEMA 2006 Project #30. It was reported that no further work will be done on the Project #30 repair until FEMA notifies the District of the funding coverage.

56. County Commissioner Funding Meetings. Administrator Dalen reported that he will schedule meetings with the Becker, Clearwater and Polk County Commissioners to discuss possible funding options of the District and also do a follow up with Norman, Clay and Mahanomen County Commissioners.

57. Partnership Funding Project. Administrator Dalen discussed meetings with local Soil and Water Conservation Districts and the NRCS for possible funding option assistance from the District for small flood damage reduction projects. A motion was made by Manager Ista and seconded by Manager Spaeth authorizing a one time commitment of \$10,000 for District SWCDs to be used primarily for flood damage reduction and erosion projects. A listing of the projects is to be provided to the District prior to the work being done. Carried.

58. Cary Sip Violation. Administrator Dalen stated that due to the harvest no meeting has been held with Sip and Hanson; however Dalen will meet with both parties later and review the survey elevations taken by staff.

59. Drainage Complaint Form. A motion was made by Manager Ista and seconded by Manager Vipond authorizing staff to prepare a complaint form to be used when all complaints and violations are reported. Carried.

#### **PERMIT APPLICATIONS**

60. Keith Chisholm, Section 31 Pleasant View Township and Section 36 of Anthony Township. Engineer Bents reported that he reviewed the revised Stormwater Model Culvert Analysis in Section 31 of Pleasant View Township prepared by JB and Associates for the permit application of Keith Chisholm. Questions remain regarding the report submitted by Chisholm and the consensus of Managers was to provide a copy of the correspondence prepared by Houston Engineering to Chisholm recommending that the additional questions be answered prior to the Board making a decision on the permit application. Staff will also return the original permit application along with notification that Chisholm may resubmit the permit upon obtaining the additional information.

61. Clearwater County Highway Department, Reconstruction of CSAH 28 & 31 1 mile south of Bagley. Upon a motion by Manager Ista and second by Manager Wright Permit Application #10-18-06-1 of the Clearwater County Highway Department was tabled until the preliminary plan is complete. Carried.

62. Menholt Farms, Section 34, Mary Township. Upon a motion by Manager Ista and second by Manager Wagner, Permit Application #10-18-06-2 Of Menholt Farms to install a crossing with an 18 inch CMP in Section 34 of Mary Township was approved with the condition that the culvert be a 24 inch CMP, the District will set the grade of the pipe and landowner is responsible for the costs. Carried.

63. Jerome Slette, Section 31, 32, Marsh Creek Township, Mahanomen County. Upon a motion by Manager Vipond and second by Manager Spaeth, Permit Application #10-18-06-3 of Jerome Slette to construct a number of water and sediment basins for purposes of erosion control, will be returned to the applicant for resubmittal upon completion of the design plans. Carried.
64. Paul Houglum, Section 13, Lee Township. Upon a motion by Manager Spaeth and second by Manager Wright, Permit Application #10-18-06-4 of Paul Houglum to replace an existing 18 inch CMP with a 24 inch CMP in Section 13 of Lee Township, was approved with the condition that the property owner sign on the permit application. Carried.
65. Paul Houglum, Section 24, Lee Township. Upon a motion by Manager Wright and second by Manager Vipond, Permit Application #10-18-06-5 of Paul Houglum to replace an existing 18 inch CMP with a 24 inch CMP was approved with the condition that the property owner sign on the permit application. Carried.
66. Leon Johnson, Section 23/24, Pleasant View Township. Upon a motion by Manager Spaeth and second by Manager Wagner, Permit Application #10-18-06-7 of Leon Johnson to replace a 24 inch culvert with an 18 inch culvert was approved. Carried.
67. Stewart Purrington, Section 12, Anthony Township. Upon a motion by Manager Ista and second by Manager Wagner, Permit Application #10-18-06-8 of Stewart Purrington to lower a 30 inch CMP in the NW ¼ of Section 12 of Anthony Township, was approved with the condition that the culvert is lowered only 8/10 of a foot. Carried.
68. Keith Chisholm, Section 6, Green Meadow Township. Upon a motion by Manager Ista and second by Manager Vipond, Permit Application #10-18-06-9 of Keith Chisholm to install drain tile in the NW ¼ of Section 6 of Green Meadow Township was approved according to a 2005 application. Carried.
69. Graydon Larson, Section 28, McDonaldsville Township. Upon a motion by Manager Wagner and second by Manager Spaeth, Permit Application #10-18-06-10 of Graydon Larson to repair erosion on the field side of the Highway #9 road ditch and rebuild with riprap was approved. Carried.
70. Riceville Township, Section 6, Riceville Township. Upon a motion by Manager Ista and seconded by Manager Vipond, Permit Application #10-18-06-11 of Riceville Township to install an additional five foot culvert and build up the roadway with fill from the North Becker Dam Project was tabled pending a survey of the road. Carried.
71. Greg Zillmer, Section 10, Hagen Township. Upon a motion by Manager Spaeth and second by Manager Vipond, Permit Application #10-18-06-13 of Greg Zillmer to install drain tile in the E ½ of Section 10 of Hagen Township was approved with the condition that Bjerke sign on the permit. Carried.
72. Swenson Farms, Section 36, Shelly Township. Upon a motion by Manager Vipond and second by Manager Spaeth, Permit Application #10-18-06-14 of Swenson Farms to install two field approaches with 24 inch CMPs was approved. Carried.

73. Perry Ellingson, Section 23, Lee Township. Upon a motion by Manager Vipond and second by Manager Spaeth, Permit Application #10-18-06-15 of Perry Ellingson to change an 18 inch RCP to a 24 inch CMP in Section 23 of Lee Township was approved with the condition that an 18 inch culvert is installed at the same elevation as the original culvert. If the original culvert is damaged the District will be responsible for the costs, however if Ellingson is requesting a longer culvert, it will be at his expense. Carried.

74. Merlyn Merkens, Section 25, Shelly Township. Upon a motion by Manager Ista and second by Manager Wagner, Permit Application #10-18-06-12 of Merlyn Merkens to repair spoil banks on J.D. #53 to the original design in Section 25 of Shelly Township was approved with the condition that he raise the spoil only 50 feet on either side of the culvert to an elevation less than one half foot below the road elevation. Carried.

75. Board Direction. Administrator Dalen briefly discussed basic teamwork when serving on a board and presenting a unified position.

76. WRDA 2006. Manager Vipond questioned if all information requested by Congressman Collin Peterson and staff had been provided to him. Vipond stated that if there are federal funding dollars available to the District, it is important that everything is done to provide all available information to Peterson's staff. Administrator Dalen stated that everything requested by Congressman Peterson and staff had been promptly provided. Dalen stated that he would call Peterson staff members tomorrow, October 19, 2006, and make sure there was no additional information needed.

77. There being no further business to be brought before the Board of Managers Chairman Seykora adjourned the meeting at 5:00 p.m.

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Diane Ista, Secretary

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<b>Checking-CBRRV</b>				
10/09/2006	9968	Alltel Communications	Cell Phone & Antennae	323.26
10/11/2006	9972	AmeriPride	Cleaning Services	32.56
10/11/2006	9973	City of Ada	Utilities	243.32
10/11/2006	9974	David Vipond	per diem	138.53
10/11/2006	9975	Diane Ista	Per Diem	130.27
10/11/2006	9976	Farmers Publishing Company	Budget Hearing	70.00
10/11/2006	9977	Fertile Journal	Budget Hearing Notice	43.50
10/11/2006	9978	Francotyp-Postalia, Inc.	Postage Meter Scale Rental	99.05
10/11/2006	9979	G R Graphics-Maintenance	Copier agreement/scanner Agmt	189.04
10/11/2006	9980	Geray Dozing	Pay Req #2, Green Meadow	47,853.00
10/11/2006	9981	Gordon Construction	Inv. #2314	1,095.00
10/11/2006	9982	Houston Engineering, Inc.	Eng Fees & Midwest Testing	49,593.53
10/11/2006	9983	HSBC Business Solutions	Office supplies	116.51
10/11/2006	9984	Index Printing Inc.	Supplies & Proj. #42	151.72
10/11/2006	9985	James Wagner Sr-Mgr	per diem	351.74
10/11/2006	9986	James Wagner, Sr.	Beaver Control & Dam Removal	764.59
10/11/2006	9987	Jim Skaurud	per diem	156.33
10/11/2006	9988	Joe Spaeth	per diem	225.80
10/11/2006	9989	KRJB Radio	Upper Reaches Meeting	300.00
10/11/2006	9990	Landwehr Construction, Inc.	Heiberg Request #6	112,323.61
10/11/2006	9991	Loretel Systems	Utilities	375.36
10/11/2006	9992	Marcussen Accounting	September Billings	580.00
10/11/2006	9993	McCollum Hardware, Inc.	Cleaning Supplies	14.89
10/11/2006	9994	Midwest Testing Lab.	Soil Borings	15,918.40
10/11/2006	9995	MN Energy Res. Corporation	Utilities	45.00
10/11/2006	9996	MPCA	J.D. #51 Slide Repair	400.00
10/11/2006	9997	Norman Co Auditor/Treasurer	2 Atlas	84.00
10/11/2006	9998	North Star Water	Water/Office	55.50
10/11/2006	9999	Office Supplies Plus	Office Supplies/Color Toner	697.47
10/11/2006	10000	PERA	Oct 5th payroll	373.35
10/11/2006	10001	Petty Cash	Petty Cash	316.35
10/11/2006	10002	Ralph's Food Pride	Lunch Supplies	78.40
10/11/2006	10003	Renae Kappes	Cleaning	60.00
10/11/2006	10004	Rinke Noonan	Upper Reaches Legal	876.50
10/11/2006	10005	Robert E. Wright	Per Diem	130.28
10/11/2006	10006	Sun-flowers	Flowers	27.68
10/11/2006	10007	The Union	Budget Hearing	232.00
10/11/2006	10008	Tim Halle	Press Rel & Proj #42; Sed Study	984.00
10/11/2006	10009	Twin Valley City	Community Center Rental	55.00
10/11/2006	10010	Twin Valley Times	Proj. #42 ads	34.80
10/11/2006	10011	Unicel	Cell Phone	143.88
10/11/2006	10012	Warren J. Seykora	per diem	977.06
10/11/2006	10014	David Vipond	mileage\PERA reimb	54.53
10/11/2006	10015	James Wagner Sr-Mgr	exp reimb	43.17
10/11/2006	10016	Jim Skaurud	exp reimb\mileage	70.55
10/11/2006	10017	Joe Spaeth	mileage	69.42
10/11/2006	10018	PERA	Oct Managers	261.07
10/11/2006	10019	Robert E. Wright	mileage	35.60
10/11/2006	10020	Wambach & Hanson	Sept. Billings	3,618.74
10/11/2006	10021	Warren J. Seykora	exp reimb\mileage	994.03
10/11/2006	10023	Ziegler Construction	Proj. #20 Sec. 15, Viding	271.90
10/13/2006	10024	LeRoy & Verna Grivno	Easement on J.D. #51	<u>1,000.00</u>
			Total Checking-CBRRV	<u>243,080.29</u>