

WILD RICE WATERSHED DISTRICT

11 Fifth Avenue East

Ada, MN 56510

Ph: 218-784-5501

SPECIAL MEETING

Permits, Violations, N.C. #37 & DNR Meeting

November 3, 2008

Approved Minutes

1. A special meeting of the Wild Rice Watershed District Board of Managers was held on Monday November 3, 2008. Managers in attendance include Diane Ista, Bob Wright, Warren Seykora, Mike Christensen, Don Vellenga and Joe Spaeth. Absent: Dave Vipond. In addition the following persons were in attendance: Administrator Dalen, Engineer Jerry Bents, Attorney Elroy Hanson, via teleconference, Loretta Johnson, Michele Puchalski, Duane Erickson, Curtis Borchert, Brent Kappes, Marijo Vik, Perry Ellingson, Mark Harless, Paul Harless, Mark Weber, Ronnie Guttormson, Warren Olson, Rob Myers and Brian Borgen.

2. Chairman Seykora called the meeting to order at 8:45 a.m.

PERMIT APPLICATIONS

3. A motion was made by Manager Ista and seconded by Manager Vellenga to approve the following permit applications with conditions listed. Carried.

- Del Schnabel, Sections 12/13, Hendrum Township. Permit Application # 11-3-08-1 to renew a permit to extend and raise an existing ring dike in Sections 12/13 of Hendrum Township, with the condition that the dike elevations will be no more than 2.5 feet above the existing ring dike and the culvert on the new section of dike will be 18 inches or smaller.
- Doug Kettner, Section 3 of Pembina Township. Permit Application # 11-3-08-2 to install drain tile outlets to part of the City of Mahnommen Drainage Project in Section 3 of Pembina Township, with the condition that the combined capacity of the three additional lines not exceed 0.5 cfs, and the district office receives a tiling plan prior to the construction that shows the location and sizes of the drain tiles and the district receives notice that the NRCS and the Mahnommen SWCD approves of the tiling project.
- Ray Bisek, Section 3, Pembina Township. Permit Application #11-3-08-3 to install drain tile outlets to part of the City of Mahnommen Drainage Project in Section 3 of Pembina Township, with the condition that the District office receives a tiling plan prior to construction that shows the location and sizes of the drain tiles and the district receives notice that the NRCS and the Mahnommen SWCD approves of the tiling plan.
- Ellingson Farms, Section 36, Hendrum Township. Permit Application #11-3-08-4 to install a centerline culvert and construct a new ditch in the county road ROW in Section 36 of Hendrum Township, with the condition that the culvert is a 24 inch and that the 24 inch culvert to the east is blocked or removed, with a recommendation that the applicant gets approval from Norman County for the new ditch work in the County Road ROW.

4. Norman County Ditch #37, Cleanout Sections 33, 34, 35 Winchester Township. Attorney Hanson was present via teleconference. Engineer Bents reviewed a ditch maintenance request for work on N.C. #37 in Sections 34-35 of Winchester Township submitted by Ruth Hanson. Bents stated that the survey indicated that the ditch should be cleaned in Sections 33-35. A series of soils borings were taken in 1989, to verify the channel bottom, and it was determined that the culvert located on the line between Sections 34/35, is approximately 2.15 feet below the ditch grade, therefore the ditch cannot be cleaned to the bottom of the culvert under a regular cleanout, the process of an improvement to the ditch system would be necessary. Mark Harless stated that he would withdraw the request if the cleaning cannot be to the bottom of the culvert, as it would cost more than it was worth. Several landowners in attendance also indicated that they were opposed to the cleanout at this time. A motion was made by Manager Vellenga and seconded by Manager Wright to deny the maintenance request based on the perception from landowners that the cost was prohibitive for the amount of work that could be done and the original applicant chose to withdraw the request. Carried.

VIOLATIONS

5. Joseph Kuechle, Complaint, Section 4, Wild Rice Township. Joseph Kuechle submitted a complaint for an alleged berm installed without a permit causing a block in natural drainage from his property. Mark Aanenson and Warren Seykora did an on site investigation and stated that it clearly showed that diking had occurred. Engineer Bents questioned Attorney Hanson if there was a statute of limitations as the work was done some time ago. Hanson replied that if the work was done without a permit, the District can still pursue it as a violation. Consensus of Managers was to invite both Kuechle and Mark Chisholm, landowner to the north, to a watershed meeting, giving both the chance to discuss the complaint.

6. Eugene Vik Violation/Permit Section 35/36 Hegne Township. Curtis Borchert and Duane Erickson met with Managers to discuss the Vik violation and the proposed project that they are working on for landowners in the area. Seykora stated that the issues are separate, one the complaint/violation and the other the proposed project for the area that the SWCD and landowners are working on. Borchert requested that the District not pursue the complaint until spring, giving them additional time. Chairman Seykora stated that at the regular meeting of the Board on November 12, 2008, Roger Kurpius, the complainant in this matter, will have a decision on whether he wants to continue to pursue the complaint at this time or table it until spring.

7. October 30, 2008, Meeting with DNR Commissioner Holsten. Administrator Dalen stated that he would like input from each Manager to summarize his or her thoughts of the meeting held with Commissioner Holsten. Chairman Seykora stated using the process as is to move forward; Manager Spaeth felt a lot of the District questions were answered; Manager Wright stated that mitigation is still unclear; Manager Vellenga commented on and agreed with Vipond's statement asking if the DNR would stand in the way of District projects; Manager Ista stated that the District should keep a good relationship with DNR personnel; Jerry Bents felt that the District should make sure the two issues of Project #42 and the Twin Valley Dam were separated. Manager Vellenga suggested that the District do a follow-up letter to Commissioner Holsten, explaining why the entire Board cannot hold a meeting out of the area and invite him and his entourage to come to a place within the district to meeting with the Board. A motion was made by Manager Wright and seconded by Manager Spaeth to send correspondence to Commissioner Holsten and his party, thanking everyone for the meeting. Carried.

There being no further business to come before the Board of Managers a motion was made by Manager Spaeth and seconded by Manager Christensen to adjourn the meeting. Carried.

Chairman Seykora adjourned the meeting at 10:15 a.m.

Don Vellenga, Secretary