

WILD RICE WATERSHED DISTRICT

11 Fifth Avenue East
Ada, MN 56510
Ph: 218-784-5501

REGULAR MEETING

April 8, 2008
MINUTES

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday April 8, 2008. Managers in attendance include Diane Ista, Jim Wagner, Bob Wright, Warren Seykora, Mike Christensen, and Joe Spaeth. Absent: Dave Vipond. In addition the following persons were in attendance: Administrator Dalen, Engineer Jerry Bents, Attorney Hanson, Tim Halle, Loretta Johnson and members of the public whose names are attached at the end of these minutes.
2. Chairman Seykora called the meeting to order at 8:40 a.m.
3. A motion was made by Manager Christensen and seconded by Manager Wright to approve the agenda with the following changes: Remove D.J. Excavating, as he is out of town. Carried.
4. Open Microphone. Dave Stumbo suggested that the board begin using an administrative session. Brian Borgen asked the status of the J.D. 51 Cleanout. A motion was made by Manager Ista and seconded by Manager Wright to add that item to the May agenda. Carried.
5. Twin Valley Dam Steering Committee. Manager Christensen reported that the committee is working on the PowerPoint Presentation which will be presented to Managers at the May meeting of the Board.
6. Heitman Coulee Access. Attorney Hanson reported that an alternate route to affect the cleanout has been made possible by Heitmans, who gave permission to obtain access by crossing their property. A motion was made by Manager Christensen and seconded by Manager Wright to proceed with the project, authorizing Attorney Hanson to prepare an access easement and Administrator Dalen to negotiate with Heitmans on an agreement. Carried.
7. Mahnomen West Side Drainage. Administrator Dalen and Engineer Bents discussed a possible alignment change as requested by landowners on the Mahnomen Drainage.
8. Project #42. Administrator Dalen discussed meetings held with landowners on the Becker Dam sites and the positive response received. Dalen suggested moving ahead with the soils analysis on the Upper Becker Dams modification sites. A motion was made by Manager Christensen and seconded by Manager Wright to approve the soil boring cost estimate for \$33,172 submitted by American Engineering for 15 locations and lab testing and completion of the final report. Carried. Administrator Dalen distributed an organizational chart illustrating the land acquisition process. A motion was made by Manager Wright and seconded by Manager Spaeth to approve the chart as distributed. Carried with Manager Ista opposed.

9. Project Team Appointment. A motion was made by Manager Spaeth and seconded by Manager Wright to add new members John Austinson and Duane Erickson to the Project Team. Carried.

10. Citizens for Farmland Preservation. Dave Stumbo discussed correspondence sent to the District outlining Citizens for Farmland Preservation points on future projects and alternatives. A motion was made by Manager Spaeth and seconded by Manager Wright for the District Managers to hold a joint meeting with the Citizens for Farmland Preservation after the spring planting. Carried. A motion was made by Manager Spaeth and seconded by Manager Wright authorizing Engineer Bents and Administrator Dalen to meet with Dave Stumbo to discuss various possible holding sites. Carried.

11. Upper Felton Project. Manager Wright is not taking part in this discussion. Engineer Bents distributed a draft report of a list of planning steps to be used for the Upper Felton Sub-watershed. A motion was made by Manager Ista and seconded by Manager Wagner authorizing approval of the document. Carried with Manager Wright abstaining.

12. A motion was made by Manager Ista and seconded by Manager Spaeth to recess the meeting. Carried.

13. A motion was made by Manager Christensen and seconded by Manager Spaeth to open the hearing on J.D. #53 Main for the purpose of consideration of the Engineer's Report. Carried.

J.D. 53 Main, Hearing

Chairman Seykora called the hearing on J.D. #53 Main to order at 10:15 a.m.

Engineer Bents provided a PowerPoint Presentation on recommended repairs/modifications to the project.

The proposed repairs to Judicial Ditch #53 generally consist of realigning and resloping the ditch for an approximately 800-foot reach as necessary to prevent further deterioration and restore the effectiveness of the drainage system. The resloping will provide a minimum of 6:1 slope on both sides of the ditch. The total estimated cost of the proposed work in Section 29 of Shelly Township is \$45,520. This estimate is for construction only and does not include any costs associated with engineering, design, construction observation, or required right-of-way acquisition.

A motion was made by Manager Spaeth and seconded by Manager Wright to order the following repair to J.D. #53 Main, including land acquisition at a fair marketable price. Carried by unanimous ballot.

ORDER OF BOARD OF MANAGERS OF WILD RICE WATERSHED DISTRICT AUTHORIZING REPAIR OF J.D. #53 MAIN

A meeting of the Wild Rice Watershed District Board of Managers was held on April 9, 2008, at the district office in Ada, Minnesota, at 10:00 a.m. A quorum of the board was present including the following: Mike Christensen; Bob Wright; Joe Spaeth; Warren Seykora; Diane Ista; and James Wagner. Also present were the district administrator, Steve Dalen, the district engineer, Jerry Bents, and the district's legal council, Elroy Hanson. Members of the public were also present.

Discussion was had regarding a repair petition filed by Julian Aamodt on September 20, 2007, regarding the functioning of the J.D. #53 Main.

Discussion was had regarding an engineer's report dated March 10, 2008, with certain recommendations.

Public comment was invited by the board from members of the public and the public discussed with the board/district's engineer their concerns.

Discussion was had that the estimated costs to perform the work would be approximately \$45,520.

NOW THEREFORE, based on the above discussion, the board makes the following Findings of Fact:

1. That a repair petition was filed with the board of managers by Julian Aamodt regarding J.D. #53 Main.

2. An engineer's report dated March 10, 2008, was filed by the district's engineer and said report is incorporated into these Findings of Fact by reference.

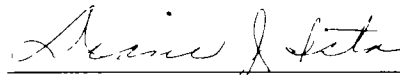
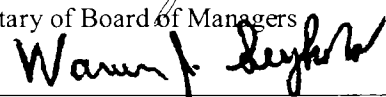
3. The board finds that the proposed repairs exhibited in the Engineer's 3/10/2008 report to be in the best interests of J.D. #53 Main.

Based on the above discussion and Findings of Fact, the board makes the following Order:

1. That the requested repairs identified in the engineer's report are hereby authorized.

2. The district's administrator, in cooperation with the district's engineer, are hereby authorized to take such action as may be reasonably be needed to give effect to the Order and proceed with the authorized repairs.

Dated this 9th day of April, 2008.


Secretary of Board of Managers

Chairman of Board of Managers

A motion was made by Manager Ista and seconded by Manager Wright to adjourn the hearing. Carried. The hearing was adjourned at 10:35 a.m.

14. A motion was made by Manager Spaeth and seconded by Manager Wright to reconvene the regular meeting. Carried.

15. Chairman Seykora called the meeting to order.

16. Wild Rice River COE Feasibility Study. Engineer Bents reviewed the draft Project Study Plan dated March 25, 2008, for Phase 2 of the Feasibility Study. The total estimated costs to complete Phase 2 of the study are \$2,404,380, of which the District is responsible for one-half or \$1,202,190. A motion was made by Manager Spaeth and seconded by Manager Wagner authorizing staff to obtain additional information regarding possible funding sources which would assist in paying the District's share. Carried.

17. Moccasin Creek Operation and Maintenance Plan. A motion was made by Manager Ista and seconded by Manager Wright to resubmit the proposed revised O & M Plan to Larry Kramka, DNR for consideration. Carried.

PERMIT APPLICATIONS

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

Menholt Farms, Section 10, Viding Township, Permit Application #4-9-2008-1, to construction a new ditch and an 18" culvert and trap, with the condition that the outlet of the pipe is a minimum of 1.5 feet above the ditch bottom and that the applicant is responsible for any erosion control measures necessary to stabilize the ditch slope during and after installation of the culvert.

Terry Guttormson, Section 19, Hendrum Township, Permit Application #4-9-2008-2, to install 2,906 feet of 4" perforated drainage tile with the conditions that the applicant obtains permission from the adjacent landowner if the outlet or any part of the tile line is on the adjacent property and that the applicant is responsible for any erosion control measures necessary to stabilize the outlet during and after installation of the tile.

Norman County Highway Department, Sections 9-10, Wild Rice Township. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve Permit Application #4-9-2008-3 of the Norman County Highway Department to remove and reconstruct a bridge over the Mashaug Creek in Sections 9-10 of Wild Rice Township, as submitted. Carried.

19. Mowing and Spraying. A motion was made to table mowing and spraying bid action until the May 14, 2008, Meeting. Carried. A motion was made by Manager Ista and seconded by Manager Wright to approve the proposal submitted by Peterson Farms for mowing on the Lockhart Flood Storage. Carried.

20. Twin Valley Dam Steering Committee. Raymond Hanson stated that he thought it was necessary for the Board to establish a goal and or mission statement indicating the direction for the Steering Committee. Other items for discussion were the brochures distributed at the April 5, 2008, meeting. Committee member, Manager Christensen stated this would be discussed at the upcoming meeting.

21. CD Audio Copies of Meetings. Kari Kujava reported that she has been researching programs to use in placing streaming audio of the meetings on the District's web page due to the amount of staff time involved in making audio CD copies of the meetings. Also discussed was trying to reduce staff time in minutes by condensing the verbiage and limiting to action items. A motion was made by Manager Christensen and seconded by Manager Wright approving the web audio feed for four months and condensing the minutes. Carried with Manager Ista opposed.

22. Soil and Water Conservation Districts Small Projects Funding. Loretta Johnson discussed a spreadsheet listing Mahanomen and Norman SWCD submittals for project funding to date. A motion was made by table action on the requests until the May meeting, allowing Engineer Bents to review project proposals. Carried.

23. Safety Deposit Box. A motion was made by Manager Ista and seconded by Manager Wright authorizing the District rent a safety deposit box at Community Bank of the RRV for storing back up tapes of the server with the District Treasurer, Steve Dalen, Kari Kujava and Loretta Johnson as signatures with access to the safety deposit box. Carried.

24. Approval of Billings. A motion was made by Manager Wright and seconded by Manager Wagner to approve the billings along with Managers per diems and expenses, with the exception of the J.B. & Asc. Carried.

25. Financial Report. A motion was made by Manager Christensen and seconded by Manager Wright to approve the financial report dated March 31, 2008, as presented by Accountant Marcussen. Carried.

26. May Reorganizational Meeting. A motion was made by Manager Spaeth and seconded by Manager Wright to advertise for consulting services for the Watershed District in the area newspapers for to be acted on at the May Annual Reorganizational Meeting. Carried.

27. Project Team Meeting. A motion was made by Manager Wright and seconded by Manager Spaeth authorizing a Project Team meeting for 10:00 a.m. on April 23, 2008, at the District office. Carried. It was noted that notices be sent to new members John Austinson and Duane Erickson.

28. Meeting Minutes Approval. A motion was made by Manager Spaeth and seconded by Manager Wright to approve the February 28, 2008, Special Meeting Minutes, as distributed. Carried. A motion was made by Manager Christensen and seconded by Manager Wright to approve the March 11, 2008, minutes as distributed. Carried.

29. Meetings/Conferences, Etc. Engineer Bents commented on the April 5, 2008, A Time to Build, Meeting and thought it went well and questions were good.

30. Other Items/Discussion. Brian Borgen requested an investigation in a parcel of land in Section 21, Fossum Township, which he felt would be a good storage area.

31. Meeting Recessed. A motion was made by Manager Spaeth and seconded by Manager Wright to recess the meeting to be reconvened at 9:00 a.m. on Monday, April 28, 2008, at the District and schedule a special meeting of the Twin Valley Dam Steering Committee Meeting at 11:00 a.m. on Monday, April 28, 2008, at the District office. Carried.

32. Chairman Seykora recessed the meeting at 2:30 p.m.

Date	Vendor	Memo	Open Balance
04/09/2008	AmeriPride	Rug Rental	43 86
04/09/2008	Arvid L Ambuehl	Channel Tree Removal Upper Reaches	2,750 00
04/09/2008	Bob Kinkade Catering	Catering Special Meeting 4-5-08	1,722 68
04/09/2008	City of Ada	Utilities	314 25
04/09/2008	Clay County Abstract Company	Radeck Abstract	278 00
04/09/2008	Clay County Auditor Treasurer	Special Assessments	166 75
04/09/2008	First National Bank	Vehicle Payment	869 45
04/09/2008	Genesys Conferencing	Conference Calling	123 25
04/09/2008	Houston Engineering, Inc	Engineering	14,689 08
04/09/2008	Independent School District ISD 2854	Auditorium Rental	50 00
04/09/2008	Index Printing Inc	Media Ads	83 75
04/09/2008	KRJB Radio	March Radio Spots for April 5 Mtg	500 00
04/09/2008	Loretel Systems	March Invoices	341 46
04/09/2008	Mahnomen Pioneer	Mowing & Spraying Ads	53 10
04/09/2008	McCollum Hardware, Inc	Supplies for Office	15 85
04/09/2008	Midwest Helicopters	Spraying Project	6,801 00
04/09/2008	Norman County Auditor/Treasurer	RE Assmts	859 88
04/09/2008	North Star Water	Water for Office	49 50
04/09/2008	Office Supplies Plus	Paper & Supplies	1,541 90
04/09/2008	Ralph's Food Pride	Lunch Supplies for Managers	24 09
04/09/2008	Renae Kappes	Cleaning	100 00
04/09/2008	Rinke Noonan	Legal Fees	2,748 00
04/09/2008	The Shopper	Mowing/Spraying Ads/special mtg notice	64 40
04/09/2008	The Union	Mowing/Spraying Ads/special mtg notice	100 00
04/09/2008	Tim Halle	Consultant Media Time	906 00
04/09/2008	Twin Valley Times	Mowing/Spraying Ads/special mtg notice	65 26
04/09/2008	Wambach & Hanson	Legal Counsel	1,441 64
			36,703.15

Wild Rice Watershed District
11 Fifth Avenue East
Ada, MN 56510

April 28, 2008, Reconvened Meeting Minutes

1. The reconvened meeting of the Wild Rice Watershed District Board of Managers was called to order at 9:10 a.m. on Monday, April 28, 2008. The following members were in attendance: Bob Wright, Diane Ista, Dave Vipond, Warren Seykora, Mike Christensen and Joe Spaeth. Jim Wagner came later. In addition the following were in attendance: Engineer Jerry Bents, Ray Hanson, Brian Borgen, Marijo Vik, Steve Dalen, Loretta Johnson and Doug Ackling, representing Burkel Turkey Farms.
2. A motion was made by Manager Wright and seconded by Manager Vipond to approve the agenda, with the addition of Administrative Review. Carried.

PERMIT APPLICATION

3. **Burkel Turkey Farms, Inc.** A motion was made by Manager Vipond and seconded by Manager Wright to approve Permit Application #4-28-08-1 of Burkel Turkey Farms to construct a runoff pond and install subsurface tiles related to the construction of barns for turkey production in Section 17, of Wild Rice Township with the following conditions: the approval is based on the submitted plans; tiles will be six inches in diameter or less, the rock basin will outlet to the coulee on the north side of the property, the applicant will be responsible for any erosion control measures necessary between the outlet basin and the Wild Rice River and the applicant avoids impacts to wetlands. Carried.
4. Mahnomen County West Side Drainage. Administrator Dalen and Jerry Bents updated the board on the current status of the project. Dalen will continue to work with the City of Mahnomen and landowner to obtain an option for land and try to bring it to the May meeting.
5. Project Team (PT) Update. Engineer Bents provided a brief report on the April 23, 2008, Project Team meeting. Bents stated that the PT was updated on the status of Project #42, Twin Valley Dam General Re-evaluation; Upper Felton Project. Bents stated that the NDR sees a lot of value in channel restoration and the District will work at gaining additional funding for the non federal portion of Phase 2 of the COE WRRFS. Administrator Dalen stated that he has had a lot of positive feedback for funding assistance from the agencies. Bents stated that discussions included switching to a state sponsor for the local share, which will be a topic of discussion at a meeting in St. Paul.
6. Manager Ista stated that she would like minutes from committee meetings to be brought back to the Board. Consensus of the Board was to have a short written summary of meetings with committees provided to the board.
7. Project #42. Engineer Bents reported that the authorized soil borings on the Upper Becker Dam sites are ready to proceed but due to road restrictions, the contractor is awaiting waivers. Administrator Dalen reported that he has contacted all landowners for acquisitions except one parcel owned by a landowner who is out of the area for the winter. Dalen recommended that the Board move ahead with an engineer's report on Upper Becker Dams. After considerable discussion the consensus of Managers was to table any action until the May meeting. Chairman Seykora polled the Managers asking if the majority of the board supports Project #42 in its entirety. All answered yes.

8. Administrative Budget. Administrator Dalen stated that he has been reviewing the administrative budget and will provide a report to the board.

9. Violations. Manager Spaeth asked if Permit Technician Mark Aanenson completed a site visit on the Darco complaint. Engineer Bents stated that Aanenson completed the visit and is working with Darco to arrive at a solution.

10. Upper Felton. Staff and agency personnel met with Dave Stumbo to review a possible small storage site proposed by Stumbo. A motion was made by Manager Ista and seconded by Manager Spaeth to proceed with engineering developing a conceptual design for approximately \$2,000, which would contain enough information to provide to agencies for review. Carried.

11. County Commissioner Meetings. Administrator Dalen stated that he has met with Mahnomen and Clay County Commissioners and will meet with the Norman and Becker County Commissioners to discuss Managers' appointment process. Dalen also stated that a County Commissioner meeting to discuss WMD is scheduled for May 12, 2008.

12. Administrative Review. Administrator Dalen distributed his administrator review to Managers for discussion prior to discussion at the May meeting.

13. Twin Valley Dam Committee Report. Mike Christensen, chairman of the Twin Valley Dam Committee stated that he feels it is important for the Board to develop a mission statement for the committee to follow. Christensen felt that a part of the committee is seeking only a dam which may never happen. A motion was made by Manager Christensen and seconded by Manager Spaeth to approve the following mission statement:

2007 Water Resources Development Act (WRDA)
SEC. 5096. WILD RICE RIVER, MINNESOTA.

The Secretary shall expedite the completion of the general reevaluation report, authorized by section 438 of the Water Resources Development Act of 2000 (114 Stat. 2640), for the project for flood protection, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), to develop alternatives to the Twin Valley Lake feature, and upon the completion of such report, shall construct the project at a total cost of \$20,000,000.

Wild Rice River General Re-Evaluation Report Committee Mission:

To build support for and promote completion of the General Re-Evaluation Report, including the development of alternatives to the Twin Valley Lake/Dam Project, for the purpose of flood control in the Wild Rice and Red River basins.

14. Beaver Control Contract. A motion was made by Manager Vipond and seconded by Manager Wright to approve the Beaver Control Contract with Jim Wagner as presented to the Board. Carried.

TWIN VALLEY DAM COMMITTEE MEETING

15. The Twin Valley Dam Committee met at 11:15 a.m. Members in attendance included Richard Ista, Ray Hanson, Mark Habedank, Curt Jacobson, Steve Jacobson, Mike Christensen and Dave Vipond.

Dave Vipond reported on a recent trip to Washington, DC. Vipond stated he met with Robin Goracke, Aid to Congressman Peterson, two times, but due to the status of the Farm Bill, was unable to meeting Congressman Peterson. Vipond asked Ms. Goracke for her recommendation on meeting with the North Dakota delegation to provide information on the Twin Valley Dam General Re-evaluation. She felt that the meeting should probably come from the Red River Watershed Management Board, although she may have meant Red River Basin Commission. Vipond stated that they had additional discussion on a more favorable cost share, lake versus alternatives and a copy of the appropriations. Goracke stated that Congressman Peterson is very aware of the controversial issues regarding a lake/dam, therefore looking at alternatives to the lake, which maybe more palatable and feasible were included in the verbiage. Vipond did stress to Goracke the necessity of the District having a meeting with Congressman Peterson.

The mission statement was discussed. A motion was made by Curt Jacobson and seconded by Steve Jacobson to add the wording "effective flood damage reduction" to the mission statement proposed by the Managers. Carried with Curt Jacobson, Dave Vipond, Steve Jacobson and Richard Ista in favor; Ray Hanson and Mark Habedank opposed. Carried by Majority Vote.

Ray Hanson made a motion to scrap and discontinue distribution of any brochures currently being used by the Watershed District to promote the Twin Valley GRR Process. It was seconded by Mark Habedank. Mike Christensen, Dave Vipond, Ray Hanson and mark Habedank approved; Curt Jacobson, Richard Ista and Steve Jacobson opposed. Carried by Majority Vote.

Richard Ista asked if it is legal to hold a committee meeting outside of the Wild Rice Watershed District boundaries. Attorney Hanson stated that question has recently been submitted to the Department of Administration for an answer. Also discussed was the possible conflict of interest in persons from City Counsels were to be on the committee, to which Attorney Hanson stated may be a conflict of interest.

A motion was made by Richard Ista and seconded by Ray Hanson to adjourn the committee meeting at noon. Carried.

16. Chairman Seykora reconvened the regular meeting. A motion was made by Manager Vipond and seconded by Manager Wright to add the word "effective to the Twin Valley Dam GRR Mission Statement to read as follows:

2007 Water Resources Development Act (WRDA)
SEC. 5096. WILD RICE RIVER, MINNESOTA.

The Secretary shall expedite the completion of the general reevaluation report, authorized by section 438 of the Water Resources Development Act of 2000 (114 Stat. 2640), for the project for flood protection, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), to develop alternatives to the Twin Valley Lake feature, and upon the completion of such report, shall construct the project at a total cost of \$20,000,000.

Wild Rice River General Re-Evaluation Report Committee Mission:

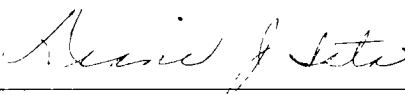
To build support for and promote completion of the General Re-Evaluation Report, including the development of effective alternatives to the Twin Valley Lake/Dam Project, for the purpose of flood control in the Wild Rice and Red River basins.

Motion approved. Carried.

17. A motion was made by Manager Ista to modify the current brochure. The motion was seconded by Manager Vipond, who later withdrew his second. A motion was made by Manager Seykora and seconded by Manager Wright to discontinue distribution of the current brochure and modify it to reflect the current mission statement. The current brochure will be sent back to the committee for the purposes of developing language. Carried.

18. COE WRRFS Phase II. Engineer Bents reported that the COE has a funding mechanism of \$100,000, with no match necessary, that is used occasionally used to investigate a possible Feasibility Study. A motion was made by Manager Vipond and seconded by Manager Christensen authorizing Engineer Bents to seek that funding mechanism with the COE for the District. Carried.

19. A motion was made by Manager Vipond and seconded by Manager Spaeth to adjourn the meeting. Chairman Seykora adjourned the meeting at 12:30 p.m. Carried.



Diane Ista, Secretary