

WILD RICE WATERSHED DISTRICT
11 Fifth Avenue East
Ada, MN 56510
Ph: 218-784-5501

REGULAR MEETING
February 13, 2008
UNAPPROVED MINUTES

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, February 13, 2008, at the District office located at 11 Fifth Avenue Main, Ada, MN. The following members were in attendance: Warren Seykora, Jim Wagner, Sr., Bob Wright, Dave Vipond, Diane Ista, Mike Christensen and Joe Spaeth. Absent: None. In addition the following persons were in attendance: Administrator Dalen, Engineer Jerry Bents, Jeff LeDoux, 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 Vipond and seconded by Manager Wagner to approve the agenda with the following changes: Manager Ista requested that all information regarding Project #42 be discussed at one time, and Marijo Vik questioned Item #8 being on the agenda as it was her understanding that it had been tabled until the March meeting. Carried.
4. Open Microphone. Paul Haik, Attorney for Eugene and Marijo Vik, discussed the District's request for an access easement across the Vik property for entry to and repair of Project #31, including the spreading of spoil. Haik felt that District actions have had an incremental impact over the last 25 years on the Vik land and wanted to establish a dialogue in looking at a bigger, broader picture which would provide Viks with an income in the form of an annuity or an installment approach.
5. Project #42. Jeff LeDoux gave a PowerPoint Presentation on the District's Overall Plan that provided information on the model developed, flow and runoff from twelve different subbasins within the District and the reduction of flow and discharge that storage at Twin Valley, South Branch and Felton Ditch would provide. Engineer Bents gave a PowerPoint Presentation on the chronology of the steps the District has taken to get to the current status of the projects. The final presentation existed of the estimated benefits that would be provided with projects at Twin Valley and the South Branch. He stated that the availability of LIDAR information, which illustrates elevation, provides a considerable amount of information that was not previously available.

Duane Erickson distributed information to the Managers on tiling and the waffle approach advocating the investigation into these methods as flood damage reduction tools rather than using tillable farmland for flood control. Erickson stated that landowners have initiated a group called "Citizens for Farmland Preservation" who intend to pursue these efforts. Engineer Bents stated that the RRWMB recently funded a study on tiling by Gary Sands at the University of Minnesota which will provide information on flow reduction as a result of tiling. Bents stated that the final report has not been published, to date.

Kim Syverson promoted the tiling approach and also stated that area landowners did not have anything personal against Bob Wright in a recent attempt to have him removed from the Board but stated they were looking for representation from a board member in their area. Erickson also stated that they want a board member who would represent their interests better.

6. Bus Tour, Red Lake Watershed District. Administrator Dalen stated that he had discussions with Myron Jesme, Administrator Red Lake Watershed District, regarding a bus tour of the RLWD flood control project. A motion was made by Manager Wagner and seconded by Manager Wright authorizing staff to work with Jesme and schedule a bus tour of the RLWD impoundment project as soon as spring weather permits. Carried.

7. Project #42. Dave Christianson and Dave Stumbo read into the record letters which are scanned and attached at the end of these minutes, stating opposition to selling their property or giving easements for their property for UN55 and CD 18.

Manager Vipond stated that he had heard support for the Becker Dams project and asked Engineer Bents how many acres he estimated would be required for mitigation on that project. Bents stated that he did not have those numbers available but stated that any project that would be built in an area of wetlands would require mitigation and consequently require farmland. Manager Ista commented that the EERC has had pilot waffle projects within the district, and they look good however they need individual property owners who agree to this. The question was raised as to how many acres the district is trying to save in the designated downstream area, which is approximately 60-80,000 acres. Loretta Johnson stated that at no time have the landowners in the area southwest of Ada ever asked that the total of 80,000 acres of their land be protected and at no time did the board ever expect to eradicate flooding in the entire 80,000 acres, rather the goal was to protect a percent of the land from flooding and for farming practices.

8. Project #31. Attorney Haik talked about his perspective in protecting agriculture for all citizens and methods he felt should be used to optimize agriculture. Engineer Bents questioned if Haik was referring to the 3.+ acres of land the District has requested to gain an easement for project repair. Attorney Hanson stated that he had communications with Haik, requesting that they convey an easement to the District of the property for ingress and egress together with a site for deposition of spoil. Haik stated that they are looking at the bigger picture and a larger solution. Ms. Vik stated that a major concern of the easement is more about the deposition of the spoil on their property and the fact that when the next flood comes the spoil will redeposit itself on the balance of their farmland. Vik also stated that the ingress and egress are limited to an ongoing CRP contract. Engineer Bents suggested that Viks look at maps along with Attorney Hanson and Bents to review options. Haik responded that he doesn't want a meeting at this time; rather he stated that the District needs to provide 3-4 options and send them to him for his review.

9. Main Stem Corridor Project. Administrator Dalen stated that since the summer flood of 2007, landowners along the mainstem southwest of Ada have expressed interest in a type of program that could fund easements on a portion of their property that consistently floods. Dalen said that Ron Harnack, RRWMB, is currently working on establishing a special type of government program for landowners along the Wild Rice River between County Road #24 and County Road #4 who suffer from repeated crop damages due to flooding. Manager Ista suggested establishing a committee to work on the main stem corridor issues. Administrator Dalen recommended waiting until Harnack notifies the District regarding the work he has done on a possible special program.

10. Twin Valley Dam. Manager Christensen stated that the Twin Valley Dam committee met on January 30, 2008, and is currently working on putting together promotional brochures for the proposed project. Manager Vipond stated that the committee is discussing the development of a PowerPoint Presentation to use when meeting with legislators from both Minnesota and North Dakota. A motion was made by Manager Ista and seconded by Manager Wagner authorizing funding for the PowerPoint presentation illustrating the proposed Twin Valley Dam. This appropriation is in addition to the original \$5,000 previously allocated. Carried. Also discussed was communication with Judy DeHarnais, COE, and Robin Goracke, Representative Peterson's office. Administrator Dalen distributed an appropriations request form to be submitted to Senator Amy Klobuchar. A motion was made by Manager Wright and seconded by Manager Wagner authorizing staff to submit the appropriations request to Klobuchar's office and to schedule a special meeting including a conference call with DeHarnais and Goracke. Carried.

11. Open Meeting Law. Attorney Hanson discussed the open meeting law as stated in MN Stat. 103D.01 and how it pertained to committees and suggested obtaining an opinion from the Department of Administration. A motion was made by Manager Spaeth and seconded by Manager Vipond authorizing Attorney Hanson to request an opinion from the Department of Administration regarding the open meeting law, location of meetings and committee meetings. Carried.

12. Manager Vipond left the meeting at 1:10 p.m.

13. Upper Felton Project. Manager Wright is not taking part in any of this discussion or voting. Chuck Larson met with Managers to discuss the sale of his family property to the District on the Upper Felton Project. Larson expressed concerns about the role the DNR has regarding environmental concerns and the length of time it has taken to move forward. He also stated that he has renters with government contracts that need to be addressed. Larson felt that this could be a worthwhile project for the District and his family could look back and say that they did something for the District and for the people. Administrator Dalen discussed pursuing outside funding for this project. A motion was made by Manager Ista and seconded by Manager Spaeth authorizing staff to resume negotiations with Larson and other willing landowners. The Larson property is available for Flood Damage Reduction only. Carried.

14. Bennett Litigation. A brief report was given on the recent court hearing concerning the Bennett litigation.

15. Legislative Lobbying. Chairman Seykora provided an update on the work he and Manager Wright have been doing lobbying.

16. Project #42. A breakdown of costs to date, which had been requested by Manager Ista was distributed to Managers for review.

17. Manager Wright left the meeting at 2:00 p.m.

18. SWCD Best Management Practices (BMP). Administrator Dalen discussed using the Soil and Water Conservation Districts' (SWCD) BMP Program for land management within projects. A motion was made by Manager Wagner and seconded by Manager Christensen stating that the Board of Managers of the Wild Rice Watershed District supports the BMP Program of the SWCDs. Providing information to landowners within the project and promoting the program will be the responsibility of the SWCDs. Carried.

19. WRWD Small Project Funding. A motion was made by Manager Spaeth and seconded by Manager Ista authorizing payment of \$12,473 to the Mahnomen Soil and Water Conservation District as a cost share for a small project on Pinehurst Resort. Carried.

20. Envirothon Requests. A motion was made by Manager Christensen and seconded by Manager Wagner to approve the request of the Norman County SWCD for \$100 to be contributed to the Envirothon. Carried. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the request of the Mahnomen County SWCD for \$100 to be contributed to the Envirothon. Carried.

21. March Meeting Date. A motion was made by Manager Christensen and seconded by Manager Spaeth to schedule the March regular monthly meeting for 10:00 a.m. on Tuesday, March 11, 2008. Carried.

22. Ambuehl Independent Contract. A motion was made by Manager Ista and seconded by Manager Christensen to approve the contract of Arvid Ambuehl with the condition that Ambuehl provide the District with Certificate of a \$1 Million insurance coverage with the District being named as the additional insured. Carried.

23. January 2008 Financial Report. A motion was made by Manager Christensen and seconded by Manager Spaeth to approve the financial report dated January 31, 2008, as presented by Doug Marcussen. Carried.

24. Attorney Hanson left the meeting at 3:00 p.m.

25. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Wagner to approve the billings as distributed in addition to Managers per diem and expenses. Carried.

26. February Project Team Meeting. A motion was made by Manager Wagner and seconded by Manager Christensen to cancel the February Project Team Meeting. Carried.

PERMIT APPLICATIONS

27. A motion was made by Manager Spaeth and seconded by Manager Wagner to approve the following permit applications. Carried.

- MN Dot, Shelly and Hubbard Townships. Permit Application #2-13-08-1 to replace a number of centerline culverts in Shelly and Hubbard Townships, in Highway #75 near the City of Shelly with the same sized culverts and at the same elevation with the condition that the culverts are replaced with culverts of equal capacity and are placed at the same elevation.
- Roger Kurpius, Section 27, Spring Creek Township. Permit Application #2-13-08-2 to install a 36" culvert and field approach; remove a 36" culvert and crossing and remove an 18" culvert and crossing in Section 27 of Spring Creek Township, with the condition that any resulting fill be placed on Kurpius' property and with a recommendation that the neighboring landowner be contacted regarding any work located across the property line.
- Natural Resource Group, Bear Creek and Moose Creek Township. Permit Application #2-13-08-3 to construct a 24" crude oil pipeline through the eastern part of the Watershed District in Clearwater County.

28. A motion was made by Manager Spaeth and seconded by Manager Wagner to table the following permit application. Carried.

- Robert Klemetson, Section 26, Walworth Township. Permit Application #2-13-08-4 to improve an existing trail by building up and widening the roadway and construct a new ditch on the east side of the roadway in Section 25 of Walworth Township.

29. Awards. Engineer Bents presented the District with a plaque and Honor Award by the ACEC of Minnesota for the Heiberg Dam, Fish Passage and Ice Control Project.

30. 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.

31. Chairman Seykora adjourned the meeting.

Diane Ista, Secretary

	Date	Num	Memo	Amount
Alerus Appraisals	02/13/2008	11241	Appraisals	-600.00
American Engineering Testing, Inc.	02/13/2008	11242	Inv #40162	-2,416.00
AmeriPride	02/13/2008	11243	Rug Rental	-43.86
ARC Lanes	02/06/2008	11236	Mgrs Lunch	-22.00
Arvid L Ambuehl	02/13/2008	11244	Inv #808752	-1,507.50
Becker Co. Auditor	02/13/2008	11245	Upper Becker Dams	-120.60
City of Ada	02/13/2008	11246	Feb Inv	-287.65
David Vipond	02/13/2008	11247	per diem	-180.08
David Vipond	02/13/2008	11274	mileage	-177.76
Diane Ista	02/13/2008	11248	per diem	-259.05
Diane Ista	02/13/2008	11275	exp/mileage	-431.74
G R Graphics-Maintenance	02/07/2008	11238	Inv #090626581	-267.58
Houston Engineering, Inc.	02/13/2008	11249	Feb 08 Billings	-20,239.97
ICS Agency	02/13/2008	11250	Inv #37154	-10,998.00
James Wagner Sr-Mgr	02/13/2008	11251	per diem	-142.48
James Wagner Sr-Mgr	02/13/2008	11276	mileage	-10.62
Jim's Locksmith Service	02/13/2008	11252	Inv #1683	-62.36
Joe Spaeth	02/13/2008	11253	per diem	-410.16
Joe Spaeth	02/13/2008	11277	exp/mileage	-316.82
Jon Schauer	02/13/2008	11254	Quick Books Support	-112.50
Loretel Systems	02/13/2008	11255	Feb Invoice	-341.60
Mahnomen Soil & Water Cons. District	02/08/2008	11256	Envirothon	100.00
Mahnomen Soil & Water Cons. District	02/13/2008	11256	Project	-12,573.00
Marcussen Accounting	02/13/2008	11257	February Invoices	-731.00
MAWD	02/13/2008	11258	Dues	-2,000.00
McCollum Hardware, Inc.	02/13/2008	11259	Feb Invoice	-20.37
Mike Christensen	02/13/2008	11260	per diem	-293.59
Norman County Auditor/Treasurer	02/13/2008	11261	Beaver control	-32.00
Norman County SWCD	02/13/2008	11262	Envirothon	-100.00
North Star Water	02/13/2008	11263	Inv #8391	-99.50
Office Supplies Plus	02/13/2008	11264	January Invoices	-524.27
Ralph's Food Pride	02/13/2008	11265	1-31-08 Inv	-61.10
Renaë Kappes	02/13/2008	11266	Jan & Feb Cleaning	-150.00
Rinke Noonan	02/13/2008	11267	Jan Invoices	-11,093.00
Robert E. Wright	02/13/2008	11268	per diem	-388.58
Robert E. Wright	02/13/2008	11279	exp/mileage	-168.93
Thomson West	02/13/2008	11269	MN Statutes	-21.30
Tim Halle	02/13/2008	11270	News Items	-626.00
USGS	02/13/2008	11271	Inv. #7-8607-00073	-13,000.00
Wambach & Hanson	02/13/2008	11272	Feb 08 Invoices	-2,302.89
Warren J. Seykora	02/13/2008	11273	per diem	-1,165.73
Warren J. Seykora	02/13/2008	11280	exp/mileage	<u>-1,273.96</u>
				<u>-85,473.55</u>

Feb. 13, 2006

To: Wild Rice Watershed Board
Regarding 55

We, the Christensen Family, (Rose, Roger
Dennis, Gordon, and David) have absolutely
no interest in selling or giving easement of
our land - Sec. 11 of Ulen Township to
the board or any one else.

Sincerely

Rose M. Christensen
David A. Christensen

To: Will Rice Watershed Board of Managers

We landowners actively farming land in Section 11 of Dooseprairie Township of Clay County Minnesota where the CD 18 project of the South Branch Water Storage Project is under consideration by the Will Rice Watershed Board do oppose in its entirety the construction of the CD 18 unit.

David Stamba 2-12-08

Kelly Schuty 2-12-08

Dan [unclear] 2-13-08