

## 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 9<sup>th</sup> 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 Mahnomen 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.

<b>Date</b>	<b>Vendor</b>	<b>Memo</b>	<b>Open Balance</b>
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
			<b>36,703.15</b>