

## WILD RICE WATERSHED DISTRICT

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

**DRAFT COPY**

### REGULAR MEETING

**August 13, 2008**

### Approved Minutes

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday August 13, 2008. Managers in attendance include Diane Ista, Bob Wright, Warren Seykora, Mike Christensen, Don Vellenga, Dave Vipond and Joe Spaeth. Absent: None. In addition the following persons were in attendance: Administrator Dalen, Engineer Jerry Bents, Attorney Hanson, Tim Halle, Loretta Johnson, Brian Borgen, Ron Thorsrud, Dave Stumbo, Paul Wannarka, Henry Van Offelen, John Austinson, Ron Guttormson, David Larson, Duane Erickson, Lawrence Woodbury, Duane Moench, Keith Chisholm, Marvin Peterson, Brian Borge, Wally Eid and Raymond and Margo Hanson.
2. Chairman Seykora called the meeting to order at 8:35 a.m.
3. A motion was made by Manager Christensen and seconded by Manager Vellenga to approve the agenda with the addition of the following: MAWD resolutions. Carried.
4. Twin Valley Dam Steering Committee. Manager Christensen stated that there is nothing new to report.
5. Wild Rice River Corridor Project Update. Administrator Dalen stated that he would be bringing landowners together and contacting Ron Harnack who has been working on the possible project funding. Dalen agreed to provide Vellenga, Ista, Vipond and Halle with Mr. Harnack's email address so that they could also contact him.
6. Open Microphone. Manager Vellenga distributed a questionnaire that included 10 questions that as a new Manager he would like to review and discuss. Vellenga requested a special board meeting for this purpose. Consensus of Managers was to schedule the special meeting for 8:30 a.m. on Wednesday, September 3, 2008, at the District office.
7. Upper Felton Project. Manager Vellenga reported on the landowner informational meeting held at Felton on July 22, 2008. Engineer Bents stated that following the meeting 442 letters were sent to landowners on the Upper Felton area asking them if they had any land that they would like to submit for a project. To date 5 have been returned, three offered up land for review. Another update will be provided in September.
8. Eugene Vik Violation, Sections 35-36 Hegne Township. Engineer Bents distributed correspondence to the Board of Managers with information on the field survey and LIDAR elevation data. Engineering concluded that under the rules of the Wild Rice Watershed District no construction of a dike is allowed without a permit from the Managers and as a result it was recommended that the Board take the necessary steps to have the dike removed and the area restored to the previous condition. A motion was made by Manager Vipond and seconded by Manager Wright authorizing Attorney Hanson to notify Eugene Vik that a violation has occurred and he is required to either remove the dike or file a permit with the District by August 27, 2008. Carried.

9. FDR Process in Minnesota. Henry Van Offelen, Center of Environmental Advocacy (CEA) gave a presentation on the FDR process in Minnesota. Von Offelen distributed a flow chart from the mediation agreement and the guiding principals. He stated that there was concern early on about how much the Project Team was to get involved, but the PT only works on what the Board asks them to do. The Natural Resource Enhancement (NRE) people realize that most of the projects are FDR and that is what is driving the process. He suggested that the Board stay more focused and decide what their priority is. He also suggested that the Board may want to consider have separate PTs for CD#18 and Upper Becker Dams, which would allow landowners involved to be on the team. He stated that the board of Managers needs to back what is being done on the project and needs to communicate with landowners.

10. Project #42.

Open Microphone. Dave Stumbo stated that he liked what he heard from Henry and also agreed on assigning a Project Team for each site. He also discussed a project that he is working hard on coordinating with landowners for storage on the upper end of the Felton Project which would utilize the WRP and RIM process.

CE #18 Update. Engineer Bents districted a hydraulic summary that was also presented at the Project Team meeting and also provided an update on the project.

Clay County Ditch 18 Update. Engineer Bents reported on the request from Schultz to clean Clay County Ditch #18. Bents stated that a survey profile has been completed on the bottom of the ditch and in most areas there are 6 inches to one foot of sediment. He is waiting for a response from the DNR on the permit application and will have a TEC committee meeting on site to make sure that no wetlands are impacted.

Upper Becker Dam Report. Engineer Bents reported that work continues on the Engineer's Report, soils report results are available, will be meeting with the TEC committee to do a MN RAM for the wetlands in the pool.

11. Lawrence Woodbury, Engineer from Houston Engineering, gave a presentation of the background information on the original Becker Dam Project, on which Woodbury worked. Woodbury stated that although there were issues to deal with, at that time WCA was not in effect, did not need to deal with the Federal Government, nor was the RRWMB in effect, so no additional funding from that organization was available. It was strictly a Watershed District Project. Storage gates were not used because landowners had concerns about operation, so an auto draw was used. After the project was completed and the RRWMB came into existence, they provided \$200,000 funding for the project. Woodbury stated that with timing analysis studies and flood protection for the Red River, gates have become common.

12. Mahnomen West Side Drainage Project. Wally Eid, Mahnomen County Commissioner, met with Managers to present a new proposal for a change in the plans. Eid suggested changing to a tiling project, which he indicated both landowners agreed. A motion was made by Manager Vipond and seconded by Manager Wright authorizing Engineer Bents to begin development of the new plan with tiling as soon as options are obtained. Carried. Managers Spaeth and Vipond and Administrator Dalen will work with Commissioner Eid and the City of Mahnomen to obtain the options.

13. Upper Reaches, J.D. #51 Cleanout. Duane Moench, DJ Excavating, met with Managers to discuss what he considered as extra yardage moved over the original bid. Engineer Bents recommended paying for an additional 939 yards for a total of \$4,255. A motion was made by Manager Vellenga and seconded by Manager Vipond to accept the engineer's recommendation and pay the additional \$4,255. Carried.

14. Farmstead Ring Dikes. Duane Moench, DJ Excavating met with Managers to request additional payment on the ring dike construction for increased costs from 2007 on fuel, gravel, seeding and culverts. A motion was made by Manager Vellenga and seconded by Manager Vipond to approve the payment as originally bid by DJ Excavating. Carried.

A motion was made by Manager Ista and seconded by Manager Vellenga authorizing the following pay requests to DJ Excavating for the ring dike construction: Clayton Arthurs in the amount of \$2,387.90; Harvey Christianson in the amount of \$2,576.37; Jonathon Grothe in the amount of \$3,101.92; and Myron Pallum in the amount of \$1,133.20. Carried.

A motion was made by Manager Spaeth and seconded by Manager Christensen authorizing the following payments to Ziegler Construction for the ring dike construction: George Gilbertson in the amount of \$3,033.65; Tim Koste in the amount of \$1,678.20; Kaye Loe in the amount of \$4,811.08. Carried.

15. Moccasin Creek Dam O & M Report. Engineer Bents reported that a permit has been submitted to the COE and the Norman County SWCD and is awaiting a response.

16. Norman County SWCD Meeting Report. Mike Christiansen was unable to attend; therefore Ron Thorsrud gave a brief report on the recent meeting. A motion was made by Manager Ista and seconded by Manager Vellenga authorizing a request be sent to the DNR to remove a permit appeal dated 1995-1996, submitted to the DNR that is no longer relevant. Carried.

17. Mahnomen County SWCD Meeting Report. Manager Spaeth stated that there is no report at this time.

18. SWCD Small Project Fund. Two new funding requests were received from the Mahnomen County SWCD and distributed to Managers for review. An item discussed was that the requests did not include any landowner contribution. Consensus of Managers was that Administrator Dalen would discuss the request with the committee.

## **PERMIT APPLICATIONS**

19. Keith Chisholm met with Managers at 1:00 p.m. to review Permit Application #7-9-08-8 of Circle C. Seeds to install drain tile in Section 13 of Green Meadow Township. A motion was made by Manager Vipond and seconded by Manager Christensen to approve the permit. Carried.

20. Marvin Peterson, Brian Borge and Keith Chisholm met with Managers at 1:15 p.m. to review Permit Application #7-9-08-10 of Keith Chisholm to lower a culvert in Section 34 of Lockhart Township. Peterson and Borge raised concerns about the lowering of the culvert that related to additional problems with drainage downstream of the culvert. A motion was made by Manager Vellenga and seconded by Manager Vipond to table the permit and give landowners the opportunity to work out a solution and bring it back to the Board prior to any action being taken on the permit. Carried.

21. A motion was made by Manager Vipond and seconded by Manager Ista to approve the following permit applications: Carried.

- Howard Tommerdahl, Permit Application #8-13-08-1 to install two field approaches in Section 30 of Shelly Township with the condition that the pipe size be an 18” CMP in each approach.
- David Schneiderman & Kim Syverson, Permit Application #8-13-08-3 to widen an existing field approach and replace the existing 36” culvert with an 18” or 24” longer culvert in Section 25 of Ulen Township.
- David Overbo, Clay County Engineer, Permit Application #8-13-08-5 to install a new field approach with an 18” CMP and remove an existing dry block field approach in Section 13 of Ulen Township.
- Brandon Ruud, Permit Application #8-13-08-6 to install a field approach in Section 2 of Flom Township with the condition that the approach is installed with an 18” culvert.
- Mark Habedank, Permit Application #8-13-08-7 to widen an existing approach and add a new pipe and remove an existing dry block in Section 32 of Fossum Township.
- Bill Stalboerger, Permit Application #8-13-08-9 to install a water and sediment control basin in Section 1 of Popple Grove Township.
- Keith Chisholm, Permit Application #8-13-08-10 to install drain tile on the West half of Section 15 of Strand Township with the conditions that the applicant contact Norman County regarding work within the road ROW and regarding outlets into the County Ditch. Also with the recommendation that the applicant contact the NRCS/SWCD office regarding wetland issues.
- Vig Farms, Permit Application #8-13-08-13 to install a water and sediment control basin in Section 28 of Heier Township.
- Robert Sharp, Permit Application #8-13-08-14 to construct a farmstead ring dike in Section 30 of Shelly Township.

22. A motion was made by Manager Ista and seconded by Manager Spaeth to table the following permit applications: Carried.

- Rudy Braseth, Permit Application #8-13-08-4 to install drainage tile in the Southeast Quarter of Section 4 of Ulen Township. Landowners in the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8 of Ulen Township will be noticed prior to action being taken on the permit.
- Mark Habedank, Permit Application #8-13-08-11 to install drain tile in the Northeast Quarter of Section 32 of Fossum Township. The Norman County SWCD will be noticed prior to action being taken on the permit.

23. A motion was made by Manager Christensen and seconded by Manager Vellenga to deny Permit Application #8-13-08-2 of Melvin Haug to remove an existing 18" centerline culvert in Section 2 of Keene Township, due to upstream landowners being opposed to the permit and Permit Application #8-13-08-12 of Donald Joop to raise County Road #136 for flood control/ring dike in Section 25 of Mary Township. Not enough information was provided and it is recommended that the applicant contact the Norman County Highway Department to develop a detailed plan. Carried.

24. A motion was made by Manager Vipond and seconded by Manager Vellenga to table Permit Application #8-13-08-8 of Doug Ruud to install a new 15" centerline culvert in Section 7 of Popple Grove Township. Ruud will be notified that he should discuss the application with the NRCS and have their approval, at which time landowners will be notified prior to action being taken on the permit. Carried.

25. Upper Reaches Project, Erosion Repairs, Section 3, Mary Township. Engineer Bents distributed correspondence sent to the District regarding the erosion on the levee in Section 3 of Mary Township north of the Billy Lee Bridge. Two options were provided, one costing approximately \$40,000 and the second approximately \$15,000. A motion was made by Manager Vellenga and seconded by Manager Ista to table any action at this time to determine which option would be more feasible. Carried.

26. Managers Direction/Creating a Functional Board. Administrator Dalen requested that the board hire an outside consultant who could work with the Managers in an attempt to develop accountability by the Managers to each other outside of the board meetings. He felt that there is conflict and has been for years and would like to attempt to go through a process to develop a better working relationship. Chairman Seykora agreed and felt it would be a good idea to work with a consultant in an effort to work together as a board. Seykora felt that when Managers leave the boardroom, they all need to be on the same page. Manager Vellenga stated that everyone is a unique individual and brings strength to the table, but you cannot pasteurize everyone on the board to think exactly alike. However he also felt that they should have harmony in seeing the long and short term range goals. Vellenga stated that Dalen has a tough job and will get support from the board. Manager Vipond agreed with the long and short term goals and felt that Board members are not going to agree on a lot of issues, but when they vote, even if a Manager votes against an issue, he should not undermine the board's ability to get things done. Vipond was interested in seeing what a consultant could do. Managers Wright and Christensen supported the concept but wanted an idea of who might be doing this and at what cost. A motion was made by Manager Wright and seconded by Manager Spaeth for Administrator Dalen to pursue a consultant in trying to create a good functioning board and bring costs and how it would be handled to the September 3, 2008, Special Meeting. Carried.

27. WMD Update. Engineer Bents distributed a draft questionnaire dated August 12, 2008, with a list of seven questions related to a WMD. The questionnaire was reviewed and answered by each Manager at which time the answers were tallied and brought back to the board. Manager Ista felt the questions were very good and could be reviewed and make a few changes to then present to the County Boards. Managers Spaeth and Vipond agreed that the lower funding costs requested in the Draft Ordinance the more likely counties and taxpayers would agree to the concept. Administrator Dalen reminded Managers that he previously requested a Board Member to begin acting as Moderator at the WMD commissioner meetings. A motion was made by Manager Ista and seconded by Manager Wright appointing Manager Vellenga to act as Moderator. Carried. The next WMD meeting is scheduled for 9:00 a.m.-12:00 noon on September 8, at the Mahnommen Casino.

Doug Marcussen distributed for Managers' review, a cash flow chart on Project #42 funding goals and projections which provided a timeline for funds necessary for the project. Administrator Dalen reviewed the timeline on the flow chart for funding for #42 and felt that with a WMD with a cap of \$500,000, the District could continue moving forward with the project.

28. Personnel Committee Report. Manager Vipond stated that he and Manager Christensen have met with all board members and he is not quite ready to give a report today, but agreed to have it ready for the next meeting.

29. Reorganizational Meeting. Administrator Dalen reported that he was hoping to have more information available for the board but asked the Managers to consider a 4% cost of living increase for staff. A motion was made by Manager Vellenga and seconded by Manager Wright to approve a 4% cost of living increase for staff retroactive to anniversary date. Carried.

30. Mowing and Spraying Report. Kari Kujava gave an update on the status of the mowing and spraying of ditches and ditch systems.

31. Public Outreach. Tim Halle suggested an article as a followup from the Upper Felton meetings and notice that went to landowners to determine if they had property for flood control, noting that the District is still looking for additional acres.

32. Project Team Meeting. Consensus of Managers was to waive the August meeting and wait until September as committee meetings have been scheduled for TEC panels to look at CD #18 this month.

33. Terry Guttormson Complaint, Sections 11 & 12 of Georgetown Township. Guttormson filed a complaint contending that as part of a culvert replaced some time ago, the old culvert was to be removed and requested that this be done. Recommendation of engineering was to notify both landowners Guttormson and Borgen, informing them of the findings that the meeting minutes did not indicate that the original permit approval was conditional upon the removal of the old pipe. A motion was made by Manager Ista and seconded by Manager Vellenga to table any action on the complaint, notify landowners of the findings and suggest that Guttormson file for a permit if he wants the culvert removed. Carried.

34. Eugene Vik, Violation, Section 35 and 36, Hegne Township. A motion was made by Manager Vipond and seconded by Manager Christensen to amend prior action by the Board authorizing Administrator Dalen to work with Mark Christensen of the Norman County SWCD, in an attempt to reach a settlement with Vik. Carried.

35. Proposed 2009 Administrative Budget. The proposed 2009 Administrative Budget for consideration at the budget hearing in September was distributed for review. A motion was made by Manager Spaeth to approve pursuant to Chapter 162, laws of 1976, as amended, and under the direction from the Red River Watershed Management Board, the proposed levy of .0004836 times the taxable market value of the property in each county that lies within the District for the Red River Watershed Management Fund, one-half of which remains in the Wild Rice Watershed District for construction and maintenance of projects and one half provided to the Red River Watershed Management Board for projects and programs of common benefit to more than one member district and that the following proposed budget be adopted for consideration at the budget hearing scheduled for 10:00 a.m. on Wednesday September 10, 2008, at the office of the Wild Rice Watershed District located at 11 Fifth Avenue East, Ada, MN.

**PROPOSED BUDGET FOR ADMINISTRATIVE ACCOUNT**

Utilities	\$	13,000.00
Advisory Board		1,000.00
Supplies, Publications and Postage		18,000.00
Insurance and Bonds		17,500.00
Engineering		22,000.00
Admin. Salaries		86,000.00
Legal Fees – Wambach & Hanson		9,500.00
Accounting Fees		8,500.00
Managers’ Per Diem		25,000.00
Managers Expenses		20,000.00
Annual Report/Audits		8,000.00
Organization Dues		2,500.00
Overall Plan (10 Year)		1,500.00
Capital Improvements (10 Year)		12,500.00
Mediation Project Team		5,000.00
<b>Total</b>	<b>\$</b>	<b><u>250,000.00</u></b>

Manager Vellenga seconded the motion for the adoption of the 2009 proposed administrative budget and, upon the vote being taken, the same was declared unanimously approved and carried.

36. Approval of Billings. A motion was made by Manager Vellenga and seconded by Manager Wright to approve the billings for August 13, 2008, along with Managers per diems and expenses. Carried.

37. Financial Report. Doug Marcussen distributed the financial reports for Managers review and action will be taken at the September 3, 2008, meeting.

38. Meetings/Conferences. A motion was made by Manager Vipond and seconded by Manager Vellenga authorizing board and Administrator to attend a special meeting with Mark Holsten, Commissioner of the DNR, at 1:00 p.m. on September 2, 2008, in St. Paul. Members of the entire Twin Valley Dam Reevaluation Committee will be invited. Carried. Consensus of Managers was for Administrator Dalen to coordinate transportation. A motion was made by Manager Spaeth and seconded by Manager Wright authorizing board and Administrator attendance at the September 8, 2008, WMD meeting at the Shooting Star Casino. Carried. A motion was made by Manager Spaeth and seconded by Manager Vellenga authorizing manager and Administrator attendance at the Clay County SWCD Preannual Fall Tour schedule for September 4, 2008. Carried. A reply if attending is requested by August 25.

39. Meeting Minutes. Consensus of Managers was to hold action on the July 9, minutes until the September 3, meeting.

40. RRWMB Appointment. A motion was made by Manager Vellenga and seconded by Manager Vipond to reappoint Manager Wright and Manager Spaeth as representatives from the Wild Rice Watershed District to the RRWMB. Carried. Notification will be sent to Naomi Erickson, Administrator.

41. There being no further business to come before the Board of Managers a motion was made by Manager Vipond and seconded by Manager Christensen to adjourn the meeting. Carried. Chairman Seykora adjourned the meeting at 4:35 p.m.

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Don Vellenga, Secretary

Date	Num	Name	Memo	Amount
<b>Jul 10 - Aug 13, 08</b>				
07/11/2008	11548	ARC Lanes	Managers May Lunches	-59.52
07/11/2008	11623	Kevin Erickson	Mowing	-125.00
07/11/2008	11624	Rena Kappes	Cleaning	-50.00
07/11/2008	11633	Rinke Noonan	Legal fees through 6/30/08	-1,230.00
07/21/2008	Alltel		cell bill	-122.40
08/13/2008	11649	Admin-IPA	Data Practices Workshop	-95.00
08/13/2008	11650	Arvid L Ambuehl	mowing and maintenance	-17,118.00
08/13/2008	11651	Cardmember Service	monthly statement	-1,527.99
08/13/2008	11652	City of Ada	utilities	-291.09
08/13/2008	11653	D & J Excavating	excavating services	-31,424.89
08/13/2008	11654	David Vipond	per diem	-138.52
08/13/2008	11655	Diane Ista	per diem	-194.28
08/13/2008	11656	Don Vellenga	per diem	-346.31
08/13/2008	11657	Houston Engineering, Inc.	engineering services	-34,548.76
08/13/2008	11658	ICS Agency	insurance policy	-250.00
08/13/2008	11659	Index Printing Inc.	advertising for bids	-120.38
08/13/2008	11660	James Wagner, Sr.	beaver control	-1,930.49
08/13/2008	11661	Joe Spaeth	per diem	-310.86
08/13/2008	11662	Kevin Erickson	mowing	-100.00
08/13/2008	11663	KRJB Radio	Felton ditch meeting advertising	-300.00
08/13/2008	11664	Lee Brothers Sales, Inc.	district vehicle	-237.50
08/13/2008	11665	Loretel Systems	phone	-326.51
08/13/2008	11666	Mahnomen Soil & Water Cons. District	environmental notes newsletter	-966.62
08/13/2008	11667	MARCO, Inc. Maintenance	copier contract	-11,229.31
08/13/2008	11668	Marcussen Accounting	accounting services	-1,667.50
08/13/2008	11669	McCollum Hardware, Inc.	office maint	-26.27
08/13/2008	11670	Mike Christensen	per diem	-194.29
08/13/2008	11671	Minnesota Energy Resources Corporation	gas bill	-21.91
08/13/2008	11672	Norman County Treasurer	beaver damage control program	-72.00
08/13/2008	11673	North Star Water	office water	-47.60
08/13/2008	11674	Office Supplies Plus	office supplies	-476.81
08/13/2008	11675	Ralph's Food Pride	meetings	-82.22
08/13/2008	11676	Red River Watershed Management Board	1/2 cost share	-38,132.96
08/13/2008	11677	Rena Kappes	janitorial services	-150.00
08/13/2008	11678	Rinke Noonan	legal fees	-855.50
08/13/2008	11679	Robert E. Wright	per diem	-293.59
08/13/2008	11680	The Shopper	meeting notice	-13.80
08/13/2008	11681	The Union	Felton ditch ad	-24.00
08/13/2008	11682	Tim Halle	public relations	-705.00
08/13/2008	11683	Twin Valley Times	Felton ditch publication	-28.28
08/13/2008	11684	Wambach & Hanson	legal fees	-3,673.60
08/13/2008	11685	Warren J. Seykora	mileage and reimburse	-1,288.51
08/13/2008	11686	Ziegler Construction	ring dike	-9,522.93
08/13/2008	11688	David Vipond	mileage	-60.84
08/13/2008	11689	Diane Ista	mileage	-35.10
08/13/2008	11690	Don Vellenga	mileage	-134.55
08/13/2008	11691	Joe Spaeth	manager expense	-187.17
08/13/2008	11692	Mike Christensen	expense reimburse	-111.60
08/13/2008	11693	Robert E. Wright	mileage	-191.30
08/13/2008	11694	Warren J. Seykora	per diem	-1,355.69
		Payroll/eimp ins &	Med exp & Payroll taxes	-17,062.81
				<b>-179,459.26</b>