

Wild Rice Watershed District

11 5th Ave East · Ada MN 56510 · Phone (218) 784-5501 · Fax (218) 784-2459 · www.wildricewatershed.org

APPROVED MINUTES

November 14, 2007

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, November 14, 2007, at the office of the District located at 11 Fifth Avenue East, Ada, MN. The following members were in attendance: Jim Wagner, Sr., Joe Spaeth, Mike Christensen, Warren Seykora, Diane Ista and Bob Wright. Absent: Dave Vipond. In addition the following persons were in attendance: Administrator Dalen, Secretary Johnson, Attorney Hanson, Engineer Bents and Publicist Halle and members of the public whose names are listed at the end of these minutes.
2. Chairman Seykora called the meeting to order at 8:35 a.m.
3. A motion was made by Manager Wright and seconded by Manager Wagner to approve the agenda with the addition of discussion on the following items: resolution committee for RRWMB and MAWD; need for attorney at meetings/ Moccasin Creek update; overhead door replacement and committee meeting compliance notices. Carried.
4. Norman County Ditch No. 1, Repair, Sec. 21-22, Hegne Township. Engineer Bents reported that the repair is scheduled to begin either November 14 or 15.
5. Project #20 Bridge Repair, Sec. 26, Felton Township. Administrator Dalen reported that David Dunham agreed to donate the materials, rock and clay for a bridge replacement. A motion was made by Manager Wagner and seconded by Manager Wright authorizing staff to obtain two bids and complete the construction on the bridge replacement. Carried.
6. Lower WRR Total Maximum Daily Load (TMDL) Study. Engineer Bents stated that the Minnesota Pollution Control Agency (MPCA) is currently doing a study of the TMDL on the lower WRR to determine the amount of reduction in sediment load for the river to be in compliance with the Clean Water Act. MPCA asked if the Watershed District would assist in a meeting to present the information to the Project Team and a public informational meeting followed by a meeting with the Board of Managers to discuss an implementation plan. A motion was made by Manager Ista and seconded by Manager Wagner authorizing the District to host both meetings. Carried.
7. Lawrence Pollock Services. Administrator Dalen reported that flowers were sent from the District to the funeral service of Lawrence Pollock. Dalen suggested sending the Pollock family a letter in appreciation for the cooperation and work Lawrence did in working with the District on Flood Control Projects.
8. White Earth Tribal Meeting, October 22, 2007, Report. Manager Spaeth gave a brief report on the meeting, stating that the tribe is very interested in working with the District and would like representation on the Project Team. Spaeth also stated it would be nice to invite tribal members on a tour with the Watershed

District to see their new dam on Rice Lake. Managers Ista and Seykora, with Spaeth as alternate, agreed to represent the District in working with the tribe to get federal funding for the tribal share of the WMD.

9. Upper Felton Project. Managers Wagner and Ista volunteered to work with Administrator Dalen in land negotiations with Chuck Larson on the Upper Felton Project.

10. Project #42 South Branch Storage Project. Manager Vipond reported on a recent meeting in St. Paul, with Representative Kent Eken, Senator Rod Skoe, Larry Kramka and Kent Lokkesmoe, DNR and Dalen and Bents to discuss on stream storage aspects. Engineer Bents was asked to meet with DNR personnel in the Bemidji district offices to further discuss this issue.

Engineer Bents distributed an outline from the Project Team committee meetings held on October 24, 2007, which included the following: Goals of Committee 1 (Land use treatments to reduce runoff volume and sedimentation; next steps; future steps; Goals of Committee 2/3 (South Branch Corridor and South Branch Upstream On-Channel Sites.); Schedule; Committee 4-South Branch Upstream Tributary Sites; Goals of Committee 5 – Optimize storage capacity of the Becker Dams with consideration of Natural Resource enhancement opportunities; and Goals of Committee 6 – South Branch Channel Rehabilitation.

11. Logo Issue/JBA-Jerry Bennett. Information was distributed to Managers regarding a request by J.B. Associates/Jerry Bennett for payment of development of a logo, when working for the District, followed by a Statement of Claim and Summons by Jerry Bennett for the District to appear in Conciliation Court on Wednesday, November 21, 2007, at the Norman County Courthouse for the purpose of collection. A motion was made by Manager Spaeth and seconded by Manager Christensen authorizing Administrator Dalen to settle the claim in the best manner and a waiver and release by Bennett for the purpose of releasing the District for any and all claims. Carried.

PERMIT APPLICATIONS

12. Gene Ueland, Section 25, Shelly and Section 30, Good Hope Township, Permit Application #11-14-07-19. Considerable discussion was held regarding the permit application of Gene Ueland due to the work being done a significant amount of time prior to the permit application. An additional topic of discussion was the portion of the settlement agreement relating to the violation that states “each of the parties is responsible for their own attorney’s fees..... and the District will assess the \$1,362 easement acquisition costs against Project #53 as it benefits said project, but the remainder of the District’s costs, expenses, and attorney’s fees will be charged to the District’s permitting program and/or Red River Construction Account and/or such accounts other than Project #53 as the District deems proper.” Landowners off of J.D. #53 expressed concerns regarding paying attorney fees and costs related to the original violation and landowners on the systems were concerned about paying for others mistakes. An upstream landowner felt this settlement agreement encouraged others to go ahead and do the work and the ditching without a permit if there were no consequences for the violator. A motion was made by Manager Ista and seconded by Manager Wagner to approve the permit application of Gene Ueland subject to all of the terms of the settlement agreement. Carried.

13. J.D. #53 Main, Julian Aamodt Repair Request, Section 29, Shelly Township. Julian Aamodt submitted a repair request for sloughing on the outlet of the ditch system. Engineering submitted an estimate of approximately \$40-50,000 for the repair in addition to 9.0 acres of R/W, however noted that in order to accurately determine costs a thorough geotechnical analysis and surveys would be needed. A motion was made by Manager Ista and seconded by Manager Wright to prepare plans and specifications for the necessary repair. Carried.

14. J.D. #53 , Gene Ueland Request. Gene Ueland submitted a request for an investigation to determine the original gradeline of the ditch system in Sections 25-26 of Shelly Township and Section 30 of Good Hope Township. Included in the request was that the District does not use Houston Engineering as the firm to do the investigation. After considerable discussion, Ueland agreed to withdraw the request.

15. J.D. #53, Lat. #1, Gene Ueland Request. Gene Ueland submitted a request for an investigation to determine the original gradeline of the ditch system in Sections 34-36 of Shelly Township and to determine if there is a need for a cleanout. Included in the request was that the District does not use Houston Engineering as the firm to do the investigation. A motion was made by Manager Wright and seconded by Manager Wagner to table the request for one month and staff will do a visual field inspection and bring back to the Board at the December meeting. Carried.

16. Project #16 Jerry Bitker. Discussion was held regarding a request by Bitker to investigate the functionality of the outlet structure discharging Project #16 into the Marsh River. The ditch section within Sections 19 and 30 of Anthony Township would benefit from sediment removal and cost is estimated at \$12-14,000. Two alternatives were evaluated for repairs/modifications to the outlet structure, with costs estimated at \$5,000 and/or \$5,500 for repairs. A motion was made by Manager Ista and seconded by Manager Wright authorizing a hearing to be scheduled after January 1, 2008, to provide information to landowners on the ditch system. Carried.

17. Jon Evert gave a brief presentation on the Red River Basin Natural Resources Framework Plan and Executive Summary.

18. Chairman Seykora left the meeting at 12:00 p.m.

19. Dave Vipond arrived at 1:00 p.m.

20. Vice Chairman Wright reconvened the meeting at 1:00 p.m.

21. Marsh River Hydraulic Model Update. Engineer Bents reported that survey reports from the Marsh River have been entered into the Hydraulic Model and modeling data will be available to the Board at the December meeting. Staff suggested holding a public landowner meeting at the VFW Meeting Room in January to provide this information to the public.

22. Water Management District (WMD) Update. Administrator Dalen reported on a meeting with Clay County Commissioners to provide WMD information and felt that it was a good meeting. Managers Wagner and Christensen and Administrator Dalen also met with Norman County Commissioners but felt that they did not support the District's choice of projects. Consensus of Managers was to schedule a meeting with the Norman County Commissioners, possibly inviting them to a luncheon meeting in coordination with the Heiberg Dam meeting on November 27, 2007.

23. Mahnomen County Drainage Project. Representatives from the City and County of Mahnomen met with Managers to discuss a request to the Board for additional funding on the Mahnomen County Drainage Project. Both city and county representatives already have concerns regarding the shortfall of funding in the city and county as a result of the Casino not continuing to pay taxes. The request by the representatives was that the District contribute 50% of the \$165,900 of the total project or \$82,800. The DNR has contributed grant funds for the remaining 50%. Consensus of Managers and staff was that they would pursue additional funding through the RRWMB and any other possible source.

24. Land Acquisition/Project #42. Kevin Pifer and Terry Skjerseth of Pifer Auction, met with Managers and gave a presentation on the products that their firm could provide with regards to the purchase of land for trade on Project #42, which would provide an option for landowners on projects to consider.

25. Water Quality Report/Wayne Goeken. Wayne Goeken gave a presentation on the status of the water quality monitoring program in the Red River Basin, funded mainly by the RRWMB. Goeken stated that he is in the process of submitting a grant funding request to the MPCA.

26. Land Acquisition/Line of Credit. Administrator Dalen discussed the need for the District to establish up to \$1M Line of Credit to use for purchase of land for trade/and or fee title for projects. A motion was made by Manager Ista and seconded by Manager Wagner authorizing staff to provide the document prepared by Pifer Auction for land trade to Attorneys Hanson and VonKorff for any necessary changes prior to any agreement/signing of the document. Carried. A motion was made by Manager Vipond and seconded by Manager Christensen authorizing Administrator Dalen to promote when meeting with landowners on projects that the District is in favor of pursuing and is actively pursuing land for trade for flood damage reduction projects. Carried. A motion was made by Manager Christensen and seconded by Manager Wagner authorizing Attorney Hanson to investigate the necessary steps to pursue for the district to develop a legal line of maximum credit for the purchase and/or trade of land for flood damage reduction projects. Carried.

27. Landowner Panel. Administrator Dalen distributed a list of the following landowners he has asked to contribute their expertise in assisting the District in working on establishing current fair property values: Duane Brendemuhl, Moorhead; Jerry Bitker, Halstad; Wayne Stevenson, Georgetown; Jim Hastings, Felton; and Perry Skaurud, Gary.

28. Heitman Coulee Project. Administrator Dalen stated that there are issues regarding Eugene Vik not granting access to the District for the purpose of cleaning the sediment out in the ditch system. A motion was made by Manager Ista and seconded by Manager Vipond authorizing Attorney Hanson to prepare a voluntary easement and offer up to \$3,000 per acre to Eugene Vik for the easement noting this is the first and final offer. If Vik does not agree to the easement offer, imminent domain will follow. Carried.

29. Treasurer Signature for Lending Agencies. A motion was made by Manager Christensen and seconded by Manager Wright authorizing Treasurer James Wagner, Sr. signature on the First National Bank of Mahanomen, lending agency forms. Carried.

30. Becker County Funding Request. A motion was made by Manager Ista and seconded by Manager Wagner to fund the request by Becker County Soil and Water Conservation District for the Bill Zurn Water and Sediment Control Basin. Carried.

31. Red River Watershed Management Board (RRWMB) Resolutions. Administrator Dalen reported that Ron Harnack agreed to assist in providing resolutions to the MAWD Board.

32. Mainstem WRR Corridor Land Acquisition. Managers Ista and Vipond met with landowners on November 12, to discuss Wild Rice River Mainstem land acquisition. Administrator Dalen stated that Ron Harnack of the Red River Watershed Management Board has agreed to work on this issue. A motion was made by Manager Vipond and seconded by Manager Ista authorizing Engineer Bents to research the Heitman Coulee and determine the amount of downstream impacts of a possible project with costs not to exceed \$2,500. Carried.

33. Dale Carnegie Public Speaking Course. A motion was made by Manager Vipond and seconded by Manager Wagner authorizing Administrator Dalen to attend the Dale Carnegie public speaking course. Carried.

34. Farmstead Ring Dikes. A motion was made by Manager Vipond and seconded by Manager Wagner authorizing the following pay requests. Pay Request #1 in the amount of \$14,594.40 to D & J Excavating for the Gerald Arends ring dike; Pay Request #2 in the amount of \$7,137.60 and change order in the amount of \$1,272.50 to D & J Excavating for the Rob Myers ring dike; Pay Request #1 in the amount of \$10,198.80 and change order in the amount of \$752 to D & J Excavating for the Myron Pallum ring dike; Pay Request #1 in the amount of \$23,477.85 and change order in the amount of \$2,316 to Ziegler Construction for the George Gilbertson ring dike. Carried.

35. Harry Haskins Ring Dike. A motion was made by Manager Christensen and seconded by Manager Ista authorizing Final Pay Request in the amount of \$2,951.45 and change order in the amount of \$804.50 to Gordon Construction, on the Harry Haskins ring dike following a final walk through of the project. Carried.

36. WRDA Update. Administrator Dalen reported that President Bush vetoed the WRDA bill, which was overridden by both the U.S. House and Senate. Dalen is working on getting a meeting with Congressman Collin Peterson.

37. October Meeting Minutes. A motion was made by Manager Ista and seconded by Manager Vipond to approve the minutes of the October 10, 2007, meeting. Carried.

38. Approval of Billings. A motion was made by Manager Vipond and seconded by Manager Christensen to approve the billings as presented along with Managers per diems and expenses for November 14, 2007. Carried.

39. Special Meeting Date. A motion was made by Manager Spaeth and seconded by Manager Wagner authorizing a special meeting to be scheduled for 10:00 a.m. on Tuesday, November 27, 2007, at the District office. Carried.

40. MAWD Delegates. Managers Ista and Spaeth were appointed delegates to the MAWD Annual Meeting, with Manager Vipond as alternate.

PERMIT APPLICATIONS

41. A motion was made by Manager Ista and seconded by Manager Spaeth to **approve** the following permit applications with staff recommendations. Carried.

- Alex J. Wilka, Jr. Section 27, Wild Rice Township. Permit #11-14-07-1 to build an access road across a ditch and install an 18 inch culvert with the condition that the road authority approve the construction in the road right of way.
- Paul Borgen, Section 12, Georgetown Township. Permit #11-14-07-2 to install a field approach with a 15" culvert with the condition that the applicant provides written consent from the landowner.

- Bill Zurn, Section 33, Spring Creek Township. Permit #11-14-07-3 to install a water and sediment control basin.
- Norman County Highway Department, Section 1, Lee Township. Permit #11-14-07-4 to move a centerline culvert north on County Road #106.
- Erik Dyrdaahl, Section 15, Georgetown Township. Permit #11-14-07-5 to install a 24" culvert with trap.
- Eric Dyrdaahl, Section 15, Georgetown Township. Permit #11-14-07-6 to extend the current ditch to the south.
- Ernest Hilde, Section 5, Hagen Township. Permit #11-14-07-7 to install a field approach and 36" culvert.
- George Gilbertson, Section 26, McDonaldsville Township. Permit #11-14-07-8 to replace a culvert through his driveway with a longer culvert of the same size.
- Julian Aamodt, Sections 28-29, Shelly Township. Permit #11-14-07-9 to install riprap along a roadway (130th Street) to prevent erosion with the condition that the road authority approves the construction in the road right-of-way.
- Mattson Farms, Section 8, Waukon Township. Permit #11-14-07-10 to install a field approach and a 30" culvert.
- MnDOT, Section 6/31, Lee Township. Permit #11-14-07-11 to replace two centerline culverts through Highway #75 with culverts of the same diameter, length and elevation with the condition that the pipes are the same size and same elevation.
- Roy Christianson, Section 3, Hendrum Township. Permit #11-14-07-12 to install a field approach with a 12" culvert with the condition that the pipe is a minimum size of 18" diameter and that the applicant provide written consent from the landowner.
- Roy Christianson, Section 34, Halstad Township. Permit #11-14-07-13 to install a field approach with a 12" culvert with the condition that the applicant provide written consent from the landowner and a recommendation that the pipe be a minimum size of 18" diameter.
- Craig Swenson, Section 27, Shelly Township. Permit #11-14-07-14 to lower an 18" culvert 12-18 inches with the condition that the outlet of the pipe is a minimum of 1.5 feet above the ditch bottom.
- Scott Visser, Section 7, Fossum Township. Permit #10-10-07-1 to replace a 15" culvert with a 15" or 18" culvert and clean out a ditch along a township road. Fossum Township approval on file.
- Marsh Creek Township Section 13, March Creek Township. Permit #10-10-07-2 to replace a 24" culvert with a 30" or a 36" culvert with the condition that the replacement of the 24" culvert is a 36" culvert as shown in the hydraulic study.

- Roger Kurpius, Section 27, Spring Creek Township. Permit #11-14-07-16 to construct a new ditch. Request written approval from the NRCS or the SWCD regarding wetland issues.
- Peter Steen, Section 29, Anthony Township. Permit #11-14-07-17 to replace two 24" centerline culverts with a 36" culvert. Notice downstream landowners.
- Robert Klemetson, Section 26, Walworth Township. Permit #11-14-07-18 to improve an existing trail by building up and widening the roadway.
- Haugo Brothers, Section 17, Popple Grove Township. Permit #11-14-07-19. A motion was made by Manager Vipond and seconded by Manager Wagner to approve the permit with the condition that the pipe is an 18" and staff will verify upstream and downstream culvert sizes. Carried.

42. Server Installation. A proposal for the installation of a server was presented to the Board for review. A motion was made by Manager Ista and seconded by Manager Vipond to obtain a second quote and bring back to the board for a decision. Minnkota Technology was recommended. Carried.

43. Committee Meetings. Attorney Hanson informed the Board that a committee meeting must be noticed/posted at least five days in advance of the meeting.

44. A motion was made by Manager Vipond and seconded by Manager Spaeth to adjourn the meeting. Carried. Vice Chairman Wright adjourned the meeting at 5:30 p.m.



Diane Ista, Secretary

Date	Num	Name	Memo	Amount
Nov 1 - 21, 07				
11/14/2007	10998	Alerus Appraisals	appraisals	-1,350.00
11/14/2007	10999	AmeriPride	Inv #10/31/07	-85.90
11/14/2007	11000	City of Ada	Nov Billing	-324.54
11/14/2007	11001	David Vipond	per diem	-207.79
11/14/2007	11002	Diane Ista	per diem	-194.84
11/14/2007	11003	Dunham Gravel	Inv #20070279	-171.40
11/14/2007	11004	Gordon Construction	Construction	-17,821.03
11/14/2007	11005	Houston Engineering, Inc.	10/31/07 Billings	-57,150.29
11/14/2007	11006	Index Printing Inc.	10/30/07 Invoice	-104.62
11/14/2007	11013	ISC Agency, Inc.	Vehicle Insurance	-284.00
11/14/2007	11014	James Wagner Sr-Mgr	per diem	-164.54
11/14/2007	11015	James Wagner, Sr.	Beaver Control	-3,160.07
11/14/2007	11016	Joe Spaeth	per diem	-324.75
11/14/2007	11017	Kevin Erickson	Mowing/Cleaning Lot	-25.00
11/14/2007	11018	Kris Versdahl	Web Site	-364.00
11/14/2007	11019	Loretel Systems	Utilities	-335.55
11/14/2007	11020	Marcussen Accounting	November Billing	-524.00
			Replace Check #10327 dated	
11/14/2007	11021	MAWD	2/14/07	-2,000.00
11/14/2007	11022	Mike Christensen	per diem	-116.91
		N. County Highway		
11/14/2007	11023	Department	Cost Share Agreement	-512.50
11/14/2007	11024	North Star Water	Inv #7878	-88.00
			Sup/Paper Towels/Printer	
11/14/2007	11025	Office Supplies Plus	Cartridge	-405.18
11/14/2007	11026	PERA	employee\employer managers	-219.02
11/14/2007	11027	Ralph's Food Pride	10/31/07 Invoice	-98.84
11/14/2007	11028	Renae Kappes	Cleaning	-100.00
11/14/2007	11029	Robert E. Wright	per diem	-129.89
11/14/2007	11030	Ron Ringquist	Mahnomen Drainage Project	-1,009.94
			Lunde Blade & Gravel/Boman	
11/14/2007	11031	Sylvia Boman	Project	-2,633.06
11/14/2007	11032	Tim Halle	Nov 8/07 Invoice	-907.68
		Trnka Real Estate &		
11/14/2007	11033	Appraisal Svc.	Richards Appraisal	-443.20
11/14/2007	11034	Visser Trenching	Northern Imp. Dam	-140.00
11/14/2007	11035	Wambach & Hanson	Nov Invoices	-1,464.80
11/14/2007	11036	Warren J. Seykora	per diem	-649.49
11/14/2007	11037	Ziegler Construction	Construction	-23,869.57
11/14/2007	11046	David Vipond	mileage	-170.72
11/14/2007	11047	Diane Ista	mileage	-169.75
11/14/2007	11048	James Wagner Sr-Mgr	mileage\exp reimb	-20.20
11/14/2007	11043	Joe Spaeth	mileage\exp reimb	-106.93
11/14/2007	11044	Mike Christensen	mileage\exp reimb	-79.65
11/14/2007	11045	Robert E. Wright	mileage	-24.25
11/14/2007	11040	Warren J. Seykora	mileage\exp reimb	-386.65
				-
				118,338.55

Sign In Sheet

Nov 14 - 2007

Name

1. Erin Jensen
2. Horace Coley
3. Ron Jullstrom
4. Butt Kippe
5. Brian Bozer
6. Ernst Baker
7. Ron Thorsrud
8. Gene Heland
9. Wendy Bennett
10. Gene Log
11. Jimmy Bother
12. Edna Jorgensen
13. Eldon Heland
14. Dan Myer
15. Guyland Amos
16. Jon Peterson
17. Jimmy Hanson
18. Eddie Bernhardtson
19. Blaine
20. Jon Ewert ABC
21. Mich Berg - Mankomen
22. Karen Ahman
23. Deely E. O. Mah. Co.
24. Jonathan Large Mankomen Co.
25. JAMES KOCHMAN
- Chessa Hanson
- Wayne Gocken

Sign up Sheet

JD 53 Main

14-11-07

WRWD

Ken Diller
John Jensen

Horace Foley

Jon Peters

Ray Johnson

Eddie Berulardon

Bill Boye

Randy Hanson

Rene Eck

Dave Swenson

Mary Merten

Jeanette

George Aagaard

Roger Orvik

Sign In Sheet
Nov 14 - 2007

Name

1. Fern Jensen
2. Horace Coley
3. Ron Tullomson
4. But Kyth
5. Brian Bozen
6. Ed Baker
7. Ron Thorsrud
8. Gene Ukland
9. Jerry Bennett
10. Jesse Lee
11. Jerry Bither
12. George Galsand
13. Eldon Heltand
14. Nancy Merken
15. Gerhard Aarnoot
16. Jon Peterson
17. Jerry Hinson
18. Eddie Bernhardtson
19. Blane Ed
20. Jon Ewert BBBC
21. Murch Berg - Mannomen
22. Karen Ahmann
23. Daley Ed Mach. Co.
24. Jonathan Larye Mohanmen Co.
25. James Kachana
- Green Hansen
- Wayne Goeken

Sign up Sheet

14-11-07

WRWD

JD 33 Main

Ken Butler
Helen Jensen
Horace Foley
Jan / Peter
Amy Simon
Eddie Bernhardtson
Bibi Boz
Randy Hanson
Rene Sub
Dave Swann
Vicky Mullen
Jessie Lee
George H. H. H.
Roger Orick