

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

SPECIAL MEETING
October 31, 2014
APPROVED MINUTES

1. The special meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, October 31, 2014. Managers in attendance included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mike Christensen, Curt Johannsen, Raymond Hanson, and John Austinson. In addition the following persons were in attendance: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Elroy Hanson, Tara Jensen, and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order at 8:30 a.m.

PERMIT APPLICATIONS

3. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the following permit as with conditions as stated. Carried.
 - Brad Arends, Section 22, Mary Twp. Permit #10-31-14-1 to install subsurface drain tile with standard tile conditions.
 - Black Bell Farms, Section 15, Home Lake Twp. Permit #10-31-14-2 to install subsurface drain tile with standard conditions.
 - Louie Boe, Section 28, Strand Twp. Permit #10-31-14-4 to install a field approach and culvert with the condition that the pipe is an 18" diameter culvert.
 - Charles Borgen, Section 23, Hendrum Twp. Permit #10-31-14-5 to install subsurface drain tile with standard tile conditions.
 - Randy Borgen, Section 22, Hendrum Twp. Permit #10-31-14-7 to remove a field approach with a 36" RCP and install a new field approach with an 18" CMP.
 - Joe and John Brainard, Section 17, Rockwell Twp. Permit #10-31-14-8 to remove a culvert and field approach and reinstall after ditch cleaning with the condition that the same size pipe is installed at the same location at the same elevation.
 - Wayne Brandt, Section 13, Pleasant View Twp. Permit #10-31-14-9 to install subsurface drain tile with standard tile conditions.
 - Wayne Brandt, Section 10, Pleasant View Twp. Permit #10-31-14-10 to install subsurface drain tile with standard tile conditions.
 - Terry Burd, Section 20, Good Hope Twp. Permit #10-31-14-11 to install a culvert in a driveway.
 - Keith Chisholm, Section 19, Sundal Twp. Permit #10-31-14-12 to install subsurface drain tile with standard tile conditions.
 - Dahl Bros, Section 4, Marsh Creek Twp. Permit #10-31-14-13 to install subsurface drain tile with standard tile conditions.
 - Darin Erickson, Section 6, Walworth Twp. Permit #10-31-14-15 to install subsurface drain tile with standard tile conditions.
 - Don Johnson, Section 17, Rockwell Twp. Permit #10-31-14-20 to replace an 18" culvert and trap with a longer culvert to make a wider field crossing with the condition the outlet is installed above (however

not more than 2-ft above) the elevation of the original design gradeline of the receiving ditch and the condition that the ditchbanks and/or levees are restored to the preproject geometry and the condition that the applicant is responsible for adequate erosion control measures at the outlet. This could include the installation of riprap or other protection measures as necessary.

- Don Johnson, Section 17, Rockwell Twp. Permit #10-31-14-21 to remove a culvert and field approach and reinstall after ditch cleaning with culvert 1 foot lower, and move approach 10 feet to correspond with the property line with the condition that the same size pipe is installed at the new location at the original ditch grade and that the adjacent landowner approves of any work on the adjacent property. Also a recommendation that the applicant apply for a permit if the ditch grade is to be lowered, with information showing the new proposed ditch grade.
- Don Johnson, Section 7, Rockwell Twp. Permit #10-31-14-23 to install subsurface drain tile with standard tile conditions.
- Mattson Brothers, Section 32, Atlanta Twp. Permit #10-31-14-26 to install subsurface drain tile with standard tile conditions.
- Jamie Tronnes, Section 6, Shelly Twp. Permit #10-31-14-33 to install an 18" CMP with a trap with the condition the outlet is installed above (however not more than 2-ft above) the elevation of the original design gradeline of the receiving ditch and the condition that the ditchbanks and/or levees are restored to the preproject geometry and the condition that the applicant is responsible for adequate erosion control measures at the outlet. This could include the installation of riprap or other protection measures as necessary.
- Clay Visser, Section 6, McDonaldsville Twp. Permit #10-31-14-34 to install subsurface drain tile with standard tile conditions.

4. Black Bell Farms, Section 4, Home Lake Twp. A motion was made by Manager Austinson and seconded by Manager Johannsen to approve Permit #10-31-14-3 to install subsurface drain tile with standard tile conditions. Carried.

5. Charles Borgen, Section 23, Hendrum Twp. A motion was made by Manager Johannsen and seconded by Manager Erickson to approve Permit #10-31-14-5 to install subsurface drain tile with standard tile conditions. Carried.

6. Jim DeVries, Section 13, Bejou Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #10-31-14-14 to install subsurface drain tile with standard tile conditions. Carried.

7. Manager Erickson left the board table.

8. Duane Erickson, Section 25, Home Lake Twp. A motion was made by Manager Johannsen and seconded by Manager Spaeth to continue tabling Permit #10-31-14-16 based on the acknowledgement from the applicant that he plans to provide documentation of approval from the landowner in SW ¼ of Section 25. Carried

9. Duane Erickson, Section 7, Spring Creek Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to continue tabling Permit #10-31-14-17 pending previously requested information from the applicant. Carried.

10. Manager Erickson returned to the board table.

11. Barry Halland, Section 12, Waukon Twp. A motion was made by Manager Christensen and seconded by Manager Johannsen to deny Permit #10-31-14-18 to plug an 18" CMP through a field approach and install a new 15" centerline culvert. Carried.

12. Don Johnson, Section 7, Rockwell Twp. A motion was made by Manager Johannsen and seconded by Manager Spaeth to deny Permit #10-31-14-19 to install a 12" culvert with a trap. Carried.

13. Don Johnson, Section 17, Rockwell Twp. A motion was made by Manager Spaeth and seconded by Manager Johannsen to deny Permit #10-31-14-22 to clean a ditch and construct a berm to contain runoff in the road ditch. Carried.

14. Marian Kreps, Section 28, Viding Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #10-31-14-24 to install subsurface drain tile with standard tile conditions. Carried.

15. Jerry Matter, Section 31, Spring Creek Twp. Engineer Bents commented that Permit #10-31-14-25 to install subsurface drain tile, replace and 18" centerline culvert with a 24" culvert, block an 18" culvert, and construct a berm was withdrawn by the applicant prior to the meeting. No action required.

16. Mattson Bros, Section 1, Atlanta Twp. A motion was made by Manager Erickson and seconded by Manager Spaeth to approve Permit #10-31-14-27 to install subsurface drain tile with standard tile conditions. A letter will be mailed to the applicant stating that upon a field review of the application, an investigation into possible district rules may be initiated in the future due to ditch deepening. Carried.

- Manager Austinson noted that there is a possible violation of District Rules in the proximity of the permit application. Administrator Ruud asked the Managers how they would like the employees and Managers to handle the identification of possible violations. Attorney Hanson responded that an investigation should begin to determine if a violation occurred. He added that Managers should bring potential violations to a board meeting. Manager Hanson asked what happens if the office receives a call from an individual. Administrator Ruud responded that the individual has the opportunity to file a formal complaint which would warrant an investigation. Manager Johannsen felt that as Managers there is a moral responsibility to recognize potential violations and initiate an investigation. Manager Hanson added that he felt that anonymous calls should be investigated along with formal complaints. Manager Erickson responded that he feels that the current system works. If an individual wants to initiate an investigation they should be willing to sign a formal complaint. Chairman Holmvik added that in situations when there is a potential danger to the public by the deepening of ditches, how can public entities look the other way. Discussion was held regarding who is the responsible party to ensure that a ditch is safe. Engineer Bents felt that the Board could be the complaining party, initiating an investigation into possible complaints. The Board could contact the Township officials to inform them of potential violations as well. A motion was made by Manager Johannsen to authorize staff to investigate a possible violation of District rules in Atlanta Twp. Attorney Hanson suggested that the topic of discussion be continued at a Regular Board Meeting since the item was not on the special meeting agenda. Manager Johannsen withdrew his motion.

17. MNDOT, Halstad Twp, Shelly Twp. A motion was made by Manager Erickson and seconded by Manager Spaeth to approve Permit #10-31-14-28 for bituminous mill and overlay, storm sewer improvements, and culvert changes. Two residents were in attendance with questions for the MNDOT representative. No concerns were presented by the attendees. Carried.

18. Gary Schlick, Section 33, Chief Twp. A motion was made by Manager Spaeth and seconded by Manager Erickson to approve Permit #10-31-14-29 to install subsurface drain tile with standard tile conditions. Carried.

19. Dean Spaeth, Section 36, Marsh Creek. Engineer Bents commented that Permit #10-31-14-30 was approved at the previous meeting with conditions based on a field review. No action required.

20. David and Daniel Steffl, Section 23, Walworth Twp. A motion was made by Manager Spaeth and seconded by Manager Erickson to table Permit #10-31-14-31 to install subsurface drain tile pending the applicant provide a detailed tile plan of the installed locations showing the dimensions of the tile lines from the USFWS property lines. Carried.
21. Scott Stevenson, Section 21, Winchester Twp. A motion was made by Manager Spaeth and seconded by Manager Hanson to table Permit #10-31-14-32 to install subsurface drain tile to notice the NW ¼ of Section 21 of Winchester Township or permit is approved with conditions if the applicant provided written approval from the landowner in the NW ¼ of Section 21 of Winchester Twp. Carried.
22. AED Purchase. Chairman Holmvik updated the Board regarding the decisions of other districts. He stated that currently four districts are purchasing devices and four are undecided. The Red River Watershed Management Board has also approved the purchase of a machine. Manager Hanson stated that with a close proximity to a major medical facility he felt that the need for an AED in the office was not necessary. Manager Johannsen responded that he did not feel that a cost should be put on saving someone's life. The device will come with some maintenance, but it is minimal. A motion was made by Manager Johannsen and seconded by Manager Austinson to approve the purchase of an AED device for the District Office. Managers Erickson, Spaeth, Christensen, and Hanson voted against the motion. Managers Holmvik, Johannsen and Austinson voted for the motion. Motion failed due to lack of majority vote.
23. Proposed Model Rules Update. Administrator Ruud distributed three documents for Managers to take home and review. Engineer Bents explained that the first was the current District Rules, second the RRWMB Proposed Model Rules Update, third the document created by Engineer Bents and Administrator Ruud following the September 24, 2014, Special Meeting and the discussion that was held. He noted that currently we are working on developing the third document into the new District Rules.
24. 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. Chairman Holmvik adjourned the meeting at 9:51 am.

John Austinson, Secretary