

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

REGULAR MEETING
December 10, 2014
APPROVED MINUTES

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, December 10, 2014. Managers in attendance included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mike Christensen, Curt Johannsen, John Austinson and Raymond Hanson. 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 including Jim Jirava, Vance Jirava, Mark Chisholm, Jerry Matter, Roger Mattson, Rick Mattson, Bob Mattson, Todd Mickulecky, Jessie Heitman, Shawnn Balstad, Justin Klemetson, Daryl Moore, Ole Gunderson, and David Visser.
2. Chairman Holmvik called the meeting to order at 8:30 a.m.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the agenda with the following items being added to the Agenda. Carried:
 - Administrator Ruud added Consultant Proposals and Olson Agassiz
 - Manager Erickson added Goose Prairie Marsh Enhancement Project
 - Manager Johannsen added MAWD Resolution
4. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the payment of billings as presented. Carried.
5. Meeting Minutes. A motion was made by Manager Johannsen and seconded by Manager Spaeth approving the November 19, 2014 Regular Meeting Minutes with a correction presented by Manager Spaeth to a motion made on the Rules Update. Manager Erickson made the motion with Manager Austinson seconding. Carried.
6. Financial Report. A motion was made by Manager Johannsen and seconded by Manager Austinson to approve the monthly financial report dated November 30, 2014, and the following transfers from Unassessed Projects and Ditches, Permits and Violations to the Red River Construction Account. Carried.

	8/31/2014	RRC	Survey & Data
PROJECTS			
UNASSESSED			
#8 Moccasin Creek	1,157.20	(1,157.20)	
#35 Sande Detention	2,785.17	(2,785.17)	
#38 Rockwell Dam	54,001.89	(54,001.89)	
#39 Mashaugh Dam	404.20	(404.20)	
#42 Proj #284 Non Leviabale	41.25	(41.25)	
Project Development - RRC			
#173 Anderson Wetland #5	113.00	(113.00)	
#354 Goose Prairie WMA Storage	861.00	(861.00)	
#356 Green Meadow Project Team	11,089.61	(11,089.61)	
#12 Permits			
 #18 Violations			
#78 Gene Ueland Complaint 2014	226.00	(226.00)	
#77 Ralph Kraft Complaint - Fos	212.19	(212.19)	
#76 Ralph Kraft Complaint - Wil	127.44	(127.44)	
#18 Violations - Other	1,122.50	(1,122.50)	
#12 Permits - Other	31,205.99	(31,205.99)	
	103,347.44	-103,347.44	0.00
	103,347.44	-103,347.44	

7. Open Mic. Nobody spoke at this time.

8. Olson Agassiz. Administrator Ruud commented that a meeting will be held at 11am, following the board meeting and Managers are welcome to sit in the meeting if they choose to do so.

9. Goose Prairie Marsh. Administrator Ruud informed the Managers that we have submitted our response to the draft EAW and we are currently waiting to hear back. Once the document is published a 30 day comment period will follow.

10. Community Flood Control Levee Projects. Engineer Bents stated that no action needed to be taken on any of the work currently being completed. He provided an update on each city. He and Administrator Ruud will be meeting with representatives from the cities of Hendrum and Perley to go over the operations manuals. A maintenance agreement has been drafted by Attorney Hanson and will be presented to the cities during the meeting as well. The current grant expires at the end of the year. Costs incurred following the grant closure will be charged to the assessed projects for each city.

The land acquisition is continuing in the City of Halstad with the Furuseth acquisition complete. Work is being completed to acquire property needed from the remaining landowners. Currently we are seeking funding for the upcoming fiscal year to continue moving forward with the project.

11. Green Meadow Project Team. Administrator Ruud informed the managers that the final Project Team meeting will be held on Wednesday, December 17th. The intention is to present the board with alternatives at the January Regular Board meeting. At that time the Board will determine what the next step in the process will be.

12. Rockwell Dam. Engineer Bents stated that the work has been completed. A pay request for \$19,369 was approved in the monthly billings. A retainer is being held until grass is established.

13. Norman Polk. Engineer Bents commented that the clean out has been completed and a pay request of \$14,625 was approved in the monthly billings. A 10% retainer is being held.

14. Rural Acquisition. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve purchasing the Vik building site through the Rural Acquisition program and placing a restrictive covenant easement on the property. Carried. It was noted that the restricted covenant easement is necessary because we are purchasing the buildings only and not the land. This would prohibit future construction of dwellings on the property.

15. Lower Wild Rice. Administrator Ruud stated that he is currently working on negotiations to acquire the Vik property. Attorney Hanson stated that he is drafting an option that would be presented at an upcoming Board meeting for approval.

PERMIT APPLICATIONS

16. Mattson Brothers and Shane Syverson, Section 1, Atlanta Twp. Engineer Bents provided an update of the after the fact permit application and work that had been completed at the site of the application. Concern was presented by Justin Klemetson, Walworth Township supervisor regarding the lack of back slope left on the roadway ditches. Atlanta Township representatives were not present to comment regarding work completed. Jim Jirava, Spring Creek Township supervisor, commented that they also have concern regarding public safety with the lack of slope on the road ditches. Klemetson also commented that Walworth Township has a concern due to the added culvert increasing downstream flooding of township roads. A motion was made by Manager Hanson and seconded by Manager Austinson to approve Permit #12-10-14-6 to block ditches, install culverts, and dig new ditches with the condition that the two centerline culverts between Sections 1 and 2 of Atlanta Township south of the new 36" culvert are removed and with the condition that the roadway slopes in the project meet the minimum safety rules as defined in MN Rules Chapter 8820.9920 Local State-Aid Road Standards. Manager Johannsen asked Engineer Bents if all concerns presented by the Mickulecky party have been addressed in the motion made. Engineer Bents replied that he feels that the issues presented have been addressed. Chairman Holmvik asked when the removal of the culverts would take place. Mattsons replied that due to current conditions it would be necessary to wait until spring to remove the culverts. Manager Erickson asked if it would be acceptable if the culverts were blocked until removal could occur. Engineer Bents added that the condition regarding the slope of the roadway ditch extends to an area adjacent to Jerry Matter's property as well. Matter replied that he would correct the slope on the roadway adjacent to his property. Manager Johannsen asked for the reporter to repeat the conditions of the Permit. Engineer Bents asked for an amendment to the permit to include blocking the culverts until they can be removed. An amended motion was made by Manager Hanson and seconded by Manager Austinson to approve Permit #12-10-14-6 to block

ditches, install culverts, and dig new ditches with the condition that the two centerline culverts between Sections 1 and 2 of Atlanta Township south of the new 36" culvert are removed, the roadway slopes in the project meet the minimum safety rules as defined in MN Rules Chapter 8820.9920 Local State-Aid Road Standards (3:1 slopes) and the two centerline culverts to be removed are blocked until such time that they are removed in the spring of 2015. Motion passed with Manager Johannsen in opposition.

17. David Visser, Section 2, Strand Twp. Engineer Bents presented an overview of the permit application and Visser explained why he wanted to place the ditch on the north side of the roadway. Manager Hanson stated that in field reviews it was questioned if the work could be viewed as ditch maintenance, which would not require a permit from the Watershed. Shawnn Balstad, NRCS, stated that she has spoken with Lee Charles who owns the property where Visser is proposing to do the work. According to Balstad, Mr. Charles does not want work to occur on his property, however is there are future issues due to the restoration work completed on his land, he would be willing to look at solutions at that time. Chairman Holmvik asked if the proposed work would be completed in an existing township ditch. Mark Chisholm, Township Supervisor stated that he is unsure if there is an existing township ditch in that area. Attorney Hanson advised that it would be best to first determine if there is an existing township right of way in the area of the proposed work to determine if a permit would be needed or if the proposed work would be classified as ditch maintenance. A motion was made by Manager Hanson and seconded by Manager Erickson to table Permit #12-10-14-8 to construct a new ditch and requested that the applicant provide documentation that the area to be cleaned is a previously township roadway ditch and information as to whether or not all work is being completed within the township roadway right of way. Carried.

18. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the following permit applications with conditions as listed. Carried.

- Dwight Bitker, Section 22, Lockhart Twp. Permit #12-10-14-1 to install two inlet culverts with traps with the condition that the culvert sizes are 18" or 24" diameter pipes and the applicant get approval from the road authority for any work within the road right-of-way.
- Charles Borgen Jr, Section 26, Hegne Twp. Permit #12-10-14-2 to install subsurface drain tile with standard tile conditions.

19. A motion was made by Manager Hanson and seconded by Manager Christensen to table the following permit applications pending previously requested information from the applicant. Carried.

- Duane Erickson, Section 25, Home Lake Twp. Permit #12-10-14-3 to install subsurface drain tile landowner in SW ¼ of Section 25.
- Duane Erickson, Section 7, Spring Creek Twp. Permit #12-10-14-4 to install a field crossing with a 42" diameter concrete pipe and a 30" diameter plastic pipe.

20. Don Johnson, Section 8, Rockwell Twp. A motion was made by Manager Hanson and seconded by Manager Austinson to table Permit #12-10-14-5 to clean ditch and construct a berm to contain runoff in the road ditch pending project design information from applicant. Carried.

21. David and Daniel Steffl, Section 23, Walworth Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to table Permit #12-10-14-7 to install subsurface drain tile pending the applicant provide a detailed tile plan of the installed tile locations showing the dimensions of the tile lines from the USFWS property lines. Carried.

22. Proposed Model Rules Update. Administrator Ruud presented the Board with a letter from Attorney Hanson detailing his suggested language for the reconsideration portion of the document. A motion was made

by Manager Johannsen and seconded by Manager Hanson to incorporate Attorney Hanson's verbiage into the current draft copy and return the document to the board discussion at the next regular board meeting. Carried.

23. Staff Benefit Package Review. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve a 3% increase the current staff benefits package. Carried.

24. Consultant Bid Packages. A motion was made by Manager Johannsen and seconded by Manager Hanson to accept the legal consultant bid received from Wambach and Hanson Law Office, Mahanomen. Motion carried with Manager Spaeth abstaining from vote.

A motion was made by Manager Hanson and seconded by Manager Johannsen to accept the engineering consultant bid received from Houston Engineering, Fargo. Carried.

25. MAWD Resolution. Manager Johannsen suggested that the board submits a resolution at the 2015 MAWD Annual Meeting asking state legislatures for assistance in funding road raises in communities. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve Administrator Ruud to develop a draft resolution for the Board to review. Carried. Manager Erickson stated that he felt that the Board could possible look at a second resolution asking for assistance in selling rural acquisition properties. No action was taken on the suggestion by Manager Erickson at this board meeting.

26. BWSR Stakeholder's Meeting. A motion was made by Manager Austinson and seconded by Manager Christensen to approve Managers attending the Minnesota Board of Water and Soil Resources Stakeholder's Meeting on Tuesday, December 16th, at Bede Ballroom, University of Minnesota, Crookston. Carried.

27. Administrator Ruud presented the Board with updated fliers that will be presented to the legislature seeking funding assistance for the Lower Wild Rice Corridor Restoration, Upper Green Meadow Water Management Project, City of Halstad Levee Improvements, Perley and Hendrum Grade Raises, and Goose Prairie WMA Enhancements. Chairman Holmvik added that he would like to remind Ron Harneck that we would like to get back into the farm ring dike program for the upcoming year.

28. Per Diems. A motion was made by Manager Johannsen and seconded by Manager Christensen to approve payment of Manager per diems and expenses as distributed. Carried.

24. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Christensen to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 10:25 am.

John Austinson, Secretary

