

# Wild Rice Watershed District

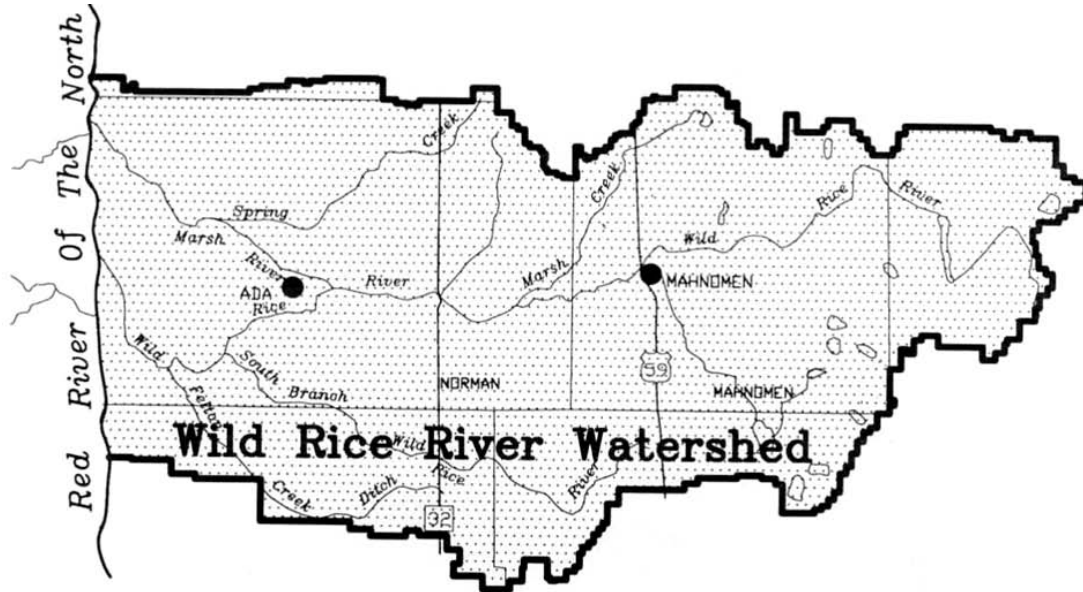


## 2011 Annual Report

# Wild Rice Watershed District

## 42<sup>nd</sup> Annual Report

### Year 2011



The Wild Rice Watershed District is located in the central part of the Minnesota portion of the Red River of the North basin. The Watershed District is bordered by the Sand Hill River and the Red Lake River basins to the north and the Buffalo River basin to the south.

The Wild Rice Watershed District occupies a land area of approximately 2,085 square miles. The territory of the District is in parts of Norman, Clay, Mahanomen, Becker, Clearwater and Polk counties, which include the watershed of the Wild Rice River and the Marsh River.

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**Wild Rice Watershed District**

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## 2011 WRWD Staff



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# **I. Executive Summary**

Pursuant to Minnesota Statutes Section Chapter 103D of the Minnesota Watershed Act, the Board of Managers hereby submits the 42<sup>nd</sup> Annual Report of the Wild Rice Watershed District (WRWD), which covers the period of January 1 to December 31 of 2011. The report includes the District's members, technical and citizen advisors, summaries of the plans, goals, water management projects, and communication programs of the District as well as a summary of the District's financial condition.

The District distributes its Annual Activity Report to the Minnesota Department of Natural Resources and the Board of Soil and Water Resources as provided by law. Copies of the report or audit may be obtained from the District's Managers or through [www.wildricewatershed.org](http://www.wildricewatershed.org).

The Annual Report reflects the Board of Managers' commitment toward serving the residents of the watershed in its mission to provide efficient management of our water resources for the future. The Wild Rice Watershed District is focused on providing the leadership and resources needed to fulfill its water management goals and objectives.

The Wild Rice Watershed District has developed a comprehensive implementation program to accomplish its goals and objectives. Authority for implementation is provided by the legislature under Section 103D of the Minnesota Statutes.

This legislation give the watershed districts the authority to establish rules, require permits, construct and finance improvement projects and perform other activities which contribute to the purpose for which the District is organized. The Watershed District will use this authority granted by the legislature to implement its long term goals and objectives.

Within the Annual Report you will find evidence of these commitments. The report also reflects the Board of Managers' recent accomplishments while mapping out plans for the upcoming year. The Managers invite comments and suggestions concerning this report.

**Respectfully submitted by  
Wild Rice Watershed District  
Board of Managers  
Greg Holmvik  
2011-2012 Chairman**

## **II. Introduction**

FROM THE DESK OF THE ADMINSTRATOR:

As the latest Administrator of the Wild Rice Watershed District and having lasted for over a year, I would like to add some of my thoughts as to how the 2011 year went for the Watershed.

One Manager, Greg Holmvik, was reappointed from Norman County and another, Diane Ista, from Norman County resigned near the end of the year. I have enjoyed my discussions with both of these Managers and will miss Diane's knowledge of water issues. I welcome the newest member to the Board, Curt Johannsen.

Upon my arrival here in October, 2010 the Board asked if I would look over the operation and see if there were areas that needed improvements. This review resulted in updating our computer equipment which was starting to show its age.

The Upper Becker Dam Enhancement project was a hot topic when I started and continued that way for the first few months until finances became short.

One of the positives is the two projects that did come to fruition, the Hendrum and Perley Community Ring Dikes. The construction of these two projects will afford a level of protection those communities never had before.

The Moccasin Creek Operation and Maintenance Plan continues to be a project that we are working on to allow more flexibility in the operation of the dam during flood events.

This office issued over 200 permits, acquired six more homes in the flood buyout program and is continuing to work with more applicants trying to get people out of harm's way.

The Project #30 ditch repair continues to slowly move forward towards completion with the acquiring of more permanent rights-of-way and temporary rights-of-way being completed.

So with all that being said, I have actually enjoyed my first year as the administrator of the District and will continue to show the improvements that the District is making in both the daily operation and the long term positive impact it can have for the taxpayers of the District.

**Kevin Ruud, Administrator  
Wild Rice Watershed District**



### III. Appointments

#### A. Board of Managers



Standing, L to R: Raymond Hanson, John Austinson and Greg Holmvik  
Seated, L to R: Duane Erickson, Dean Spaeth, Curt Johannsen and Mike Christensen

The Wild Rice Watershed District is governed by a Board of Managers whose job is to preside over the business of the Watershed District as it pursues the conservation of natural resources and flood damage reduction through regulation and use of sound scientific principles.

The Board of Managers is composed of seven managers appointed by County Commissioners for a three year term. Three managers are appointed from Norman or Polk Counties, two managers are appointed from Mahnomen or Clearwater Counties, and two managers are appointed from Clay or Becker Counties.

The Board of Managers meets regularly on the second Wednesday of each month at 8:30 a.m. at the District office in Ada, Minnesota.

Name and Office	Appointing County	Contact Information for Current Managers	Date of Term Expiration
Duane Erickson	Clay / Becker	11849 390th St Ulen MN 56585 (218) 567-8277	04-25-12
John Austinson <i>Secretary effective May 18, 2010</i>	Clay / Becker	PO Box 224 Ulen MN 56585 (218) 596-8322	04-25-12
Dean Spaeth <i>Treasurer effective May 18, 2010</i>	Mahnomen / Clearwater	1526 210th ST Mahnomen MN 56557 (218) 935-2127	04-25-12
Raymond Hanson	Mahnomen / Clearwater	4333 Co Hwy 29 Twin Valley, MN 56584 218-584-5545	04-25-13
Diane Ista <i>Resigned effective November 9, 2011</i>	Norman / Polk	412 Daisy Lane Ada MN 56510 (218) 784-7542	04-25-13
Curt H. Johannsen <i>Appointed to fulfill Ista's term</i>	Norman / Polk	P.O. Box 111 Hendrum, MN 56550 701-799-6732	04-25-13
Mike Christensen <i>Vice-Chair effective May 18, 2010</i>	Norman / Polk	4539 Co Hwy 29 Twin Valley MN 56584 (218) 584-5510	04-25-13
Greg Holmvik <i>Chair effective May 18, 2010</i>	Norman / Polk	401 7th Ave W Ada MN 56510 (218) 784-7399	04-25-14

## B. Consultants

The WRWD Board of Managers retains independent contractor consultants who provide all of the necessary engineering, accounting, auditing, legal and other services and serve at the pleasure of the Board. The District's independent consultants effectively fulfill its obligations, goals, and objectives within the approved finances and budget. The following consultants served the District in 2011:

Name	Service Provided	Company Name	Contact Information
Elroy Hanson	Legal services	Wambach and Hanson Law Office	P.O. Box 340 Mahnomen, MN 56557 Phone: (218) 935-2266
Jerry Bents	Engineer	Houston Engineering, Inc.	1401 21 <sup>st</sup> Ave N Fargo, ND 58102 Phone: (701) 237-5065
Doug Marcussen	Accountant	Marcussen Accounting	101 East Thorpe Ave Ada, MN 56510 Phone: (218) 784-4505
Kim Durbin	Auditor	Drees Risky & Vallager	117 S Broadway Crookston, MN 56716 Phone: (218) 281-3789





Standing:  
Elroy Hanson

Seated, L to R:  
Jerry Bents and Doug Marcussen

Not Shown:  
Kim Durbin

## C. Citizens Advisory Committee

To ensure public input, the managers have appointed a Citizens Advisory Committee to provide recommendations on matters affecting the Watershed District, including all contemplated projects and improvements. The Wild Rice Watershed District holds annual planning meetings with the Citizens Advisory Committee, as required under Minnesota Statute.

Name of Committee Member	Contact Information
Curt Jacobson, Chairman	1929 State Hwy 9 Ada, MN 56510 (218) 784-4748
Jerry Waller, Secretary Clay County Commissioner	8233 31st Ave N Glyndon, MN 56547 (218) 233-2591
Barry Nelson Becker County Commissioner	12972 County Hwy. 11 Audubon, MN 56511 (218) 439-3275
Corey Hanson	2758 330th St Gary, MN 56545 (218) 356-8678

Name of Committee Member	Contact Information
Jim Skaurud	4268 170th Ave Twin Valley, MN 56584 (218) 584-5251
Jerome (Joe) Slette	324 4th St NE Mahnomen, MN 56557 (218) 936-7147
Ron Thorsrud	1649 410th St Twin Valley, MN 56584 (218) 584-8448
Scott Balstad <i>Until March 9, 2011</i>	33393 420th St SE Fosston, MN 56542 (218) 435-2173
Wes Green	18494 210 <sup>th</sup> St N Ulen MN 56585 (218) 494-3739
Marijo Vik <i>Effective March 9, 2011</i>	2230 160 <sup>th</sup> Avenue Ada, MN 56510 (218) 784-3794

**March 9, 2011:** Administrator Ruud reported that an Advisory Board meeting will be scheduled in the near future. A **motion** was made by Manager Hanson and **seconded** by Manager Erickson to remove Scott Balstad and replace him with Marijo Vik. **Carried.**

**Notes from the Wild Rice Watershed District Advisory Board meetings are as follows:**

**April 11, 2011**

Red Apple Café, Mahnomen, MN

Members present: Curt Jacobson, Joe Slette, Jerry Waller

Members absent: Jim Skaurud, Corey Hanson, Ron Thorsrud, Wes Green, Barry Nelson,  
and Marijo Vik.

Others present: Dean Spaeth, Gerry Schram and Kevin Ruud

Meeting called to order at 6:32 p.m.

Jerry Waller made a motion to approve the minutes from the November 1, 2010 meeting with Joe Slette seconding it. Motion carried.

There was discussion due to the turnout as to whether or not a quorum was needed. The consensus was that it was not needed.

Discussion was held on the poor attendance of some members.

Election to be held at the fall meeting.

Upcoming projects for the Watershed: Hendrum and Perley Ring Dikes and the Project 30 Ditch repair.

There are concerns on the cash flow that will be strained.

The Lockhart project overview was given by Curt Jacobson. He was the lead manager on the project. It is a small project that is working well. One advantage to smaller projects is that there are less landowners to work with.

The question was raised should the Citizen's Advisory Board be advocates for Watershed projects. Should we be promoting solutions or projects.

Collin's money was discussed.

The Citizen's Board would like the Watershed Board to follow the Minnesota State Statute 103D.331.

Meeting was adjourned at 8:23 p.m.

**October 12, 2011:** Administrator Ruud reported that he would be scheduling a Citizens Advisory Meeting within the next month.

The Wild Rice Watershed District (WRWD) Citizen's Advisory Committee met at 6:00 pm on **November 15, 2011** at the Red Apple Café, 116 Main St. N, Mahnomen, MN.

Members present were: Curt Jacobson, Chairman, Ada; Jerome (Joe) Slette, Mahnomen; Ron Thorsrud, Twin Valley; and Marijo Vik, Ada.

Members absent were: Jerry Waller, Clay County Commissioners, Glyndon; Barry Nelson, Becker County Commissioner, Detroit Lakes; Corey Hanson, Gary; Jim Skaurud, Twin Valley; and Wes Green, Ulen.

Others in attendance: WRWD Administrator Kevin Ruud and WRWD Manager/Chair Greg Holmvik.

The agenda was as follows:

- Familiarize Advisory Board about newest manager
- FM Diversion opportunities
- Election of officers
- Do you want to stay a member?
- Size of Advisory Board - stay the same or increase?
- Other items

Vik distributed the application letter that the newly appointed watershed manager, Curt Johannsen, sent to the Norman County Commissioners asking for their consideration. Johannsen's term will fill that of Diane Ista and he will be sworn in at the next watershed meeting.

Vik made a motion seconded by Slette as follows: This committee recommends that the WRWD board look at funding opportunities for retention and mitigation potentially linked to the proposed F-M Diversion Project. *The explanation was that the watershed may be eligible for funding and should take advantage of every funding opportunity.* Carried.

Slette made a motion seconded by Thorsrud as follows: This committee recommends that the WRWD prepare a list to familiarize all board members of all major flood damage reduction sites that have been identified through the systems approach. *The explanation was that the watershed needs to bring new managers up to speed and be ready if and when funding is available.* Carried.

Vik made a motion seconded by Jacobson as follows: This committee recommends that the watershed district be involved in and report on activities and funding related to the F-M Diversion. *The explanation was that no one currently on the watershed board is involved in any of the F-M Diversion discussions and should find a way to obtain and share information coming from the various committees.* Carried.

The group decided that because a quorum was not present, the election of officers would not occur.

All those members present said they would continue to be part of the advisory committee. According to the MN Statute 103D.331 concerning Advisory Committees (copy distributed by Vik) the advisory committee must consist of at least five members.

However, those members present questioned whether or not members who have not attended the last few meetings should be taken off the committee and new members who would participate be found. Ruud and Holmvik said they would bring the issue back to the full watershed board for a decision.

Under other business, Ruud was asked about what the watershed has accomplished this past year and he gave an accounting of completed and anticipated projects, which includes the levees in Hendrum and Perley, flood buyouts, and farm ring dikes.

There being no further business, the meeting was adjourned at 7:50 pm.

**December 14, 2011:** Curt Jacobson, Advisory Board Chairman, presented a report from a recent meeting. Recommendations included looking at funding opportunities potentially linked to the FM Diversion project for retention and mitigation for the Watershed District, preparation of a list of projects identified in the Systems Approach, the District sending someone to the FM Diversion meetings and an advisory board membership of those who are more likely to attend meetings. Consensus of Managers was that either/and/or Kevin and Curt Johannsen attend the meetings and the member list of the advisory board will be looked at and reviewed by staff.

## D. Flood Damage Reduction (FDR) Project Team

The FDR Project Team in the Wild Rice Watershed District was established in 1999, as a result of the mediation process which began in 1997, in an attempt to resolve issues surrounding the development of flood damage reduction projects between different water management agencies and stake-holder groups.

A framework was organized to seek solutions to flooding problems, review new flood protection projects, and coordinate efforts early on in the planning process. The mediation process allows federal, state, and local agencies, as well as the public and private sectors, to provide input regarding flood damage reduction and environmental impacts. On January 27, 2010 consensus of WRWD Board was to schedule Project Team Meetings the fourth Wednesday every month.

The FDR Project Team in the Wild Rice Watershed District delegates included:

Name	Organization Represented	Contact Information
Mick Alm	Cities	814 East Main Street Ada, MN 56510 218-861-6299 <a href="mailto:mick.alm@co.norman.mn.us">mick.alm@co.norman.mn.us</a>
Jerry Dahl	Counties	PO Box 2104 Bejou, MN 56516 218-935-2658
Steve Bommersbach	Counties	PO Box 352 Twin Valley, MN 56584 218-584-5512
Mark Harless	Landowner	1467 300th St Borup MN 56519 218-582-3360
Paul Houghlum	Landowner	1539 County Hwy. 39 Perley, MN 56574 218-861-6464
Henry Van Offelen	Minnesota Center for Environmental Advocacy	50785 Bucks Mill Rd Detroit Lakes, MN 56501 218-847-1817 <a href="mailto:hvanoffelen@mncenter.org">hvanoffelen@mncenter.org</a>
Brian Dwight	MN Board of Water and Soil Resources (BWSR)	3217 Bemidji Avenue N Bemidji, MN 56601 218-333-8027 <a href="mailto:brian.dwight@bwsr.state.mn.us">brian.dwight@bwsr.state.mn.us</a>
Dave Friedl	MN Department of Natural Resources (DNR) Fisheries	14583 Co Hwy 19 Detroit Lakes, MN 56501 218-847-1579 <a href="mailto:david.friedl@dnr.state.mn.us">david.friedl@dnr.state.mn.us</a>
Michele Puchalski	MN DNR Wildlife	14583 Co Hwy 19 Detroit Lakes, MN 56501 218-847-1578 <a href="mailto:Michele.Puchalski@dnr.state.mn.us">Michele.Puchalski@dnr.state.mn.us</a>
Paul Wannarka	MN DNR	2115 Birchmont Beach Rd NE Bemidji, MN 56601 218-755-4482 <a href="mailto:paul.wannarka@dnr.state.mn.us">paul.wannarka@dnr.state.mn.us</a>

Name	Organization Represented	Contact Information
Jack Fredrick	MN Pollution Control Agency (MPCA)	714 Lake Ave, Suite 220 Detroit Lakes MN 56501 218-847-1519 <a href="mailto:john.frederick@pca.state.mn.us">john.frederick@pca.state.mn.us</a>
Mike Vavricka	MPCA	714 Lake Avenue Detroit Lakes, MN 56501 218-847-1519 <a href="mailto:michael.vavricka@pca.state.mn.us">michael.vavricka@pca.state.mn.us</a>
Clayton Schmitz	Natural Resources Conservation Services (NRCS)	10 East 2nd Avenue South Ada, MN 56510 218-784-4000 <a href="mailto:clayton.schmitz@mn.usda.gov">clayton.schmitz@mn.usda.gov</a>
Randy Tufton	NRCS/FSA	10 East 2nd Avenue South Ada, MN 56510 218-784-4000 <a href="mailto:randall.tufton@mn.usda.gov">randall.tufton@mn.usda.gov</a>
Wayne Goeken	River Watch	440048 160th Ave SE Eriskine MN 56535 218-574-2622
Aaron Neubert	Soil and Water Conservation District (SWCD)	PO Box 38 Mahnomen, MN 56557 218-935-2987 <a href="mailto:acn@mn.nrcs.usda.gov">acn@mn.nrcs.usda.gov</a>
Ron Thorsrud	Sportsmen's Group	P.O. Box 111 Twin Valley, MN 56584 218-584-8448
Curtis Borchert	SWCD – Norman County	PO Box 60 Twin Valley, MN 56584 218-584-5169
Nan Bishoff	U.S. Army Corps of Engineers	190 5th Street East St. Paul, MN 55101 651-290-5426 <a href="mailto:nanette.m.bischoff@mvp02.usace.army.mil">nanette.m.bischoff@mvp02.usace.army.mil</a>
Scott Kahan	U.S. Fish and Wildlife Service (USFWS)	26624 N. Tower Rd Detroit Lakes, MN 56501 218-847-4431 <a href="mailto:scott_kahan@fws.gov">scott_kahan@fws.gov</a>
Mike Swan	White Earth Reservation	4044 South Ice Cracking Ponsford, MN 56575 218-573-3007
Mike Christensen	Wild Rice Watershed District (WRWD)	4539 Co Hwy 29 Twin Valley MN 56584 701-866-2514

**NOTE:** The list of alternate delegates is available from the Wild Rice Watershed District office.

**February 9, 2011:** A **motion** was made by Manager Hanson and **seconded** by Manager Austinson authorizing scheduling a Project Team Meeting for Wednesday February 23, 2011, at 10:00 a.m.. **Carried.**

Administrator Ruud distributed a draft listing of appointments to the Project Team for 2011. After discussion a **motion** was made by Manager Hanson and **seconded** by Manager Spaeth authorizing Ruud to continue contacting proposed members in an effort to complete the membership. **Carried.**



**April 13, 2011:** Administrator Ruud brought up discussion regarding the fact that at the previous Project Team meeting, upon a vote being taken on approval or non-approval of the current Project D of Upper Becker, Managers appointed to the Project Team voted no on that question. Manager Hanson stated that he felt that if you are appointed by the Board of Managers to represent the Wild Rice Watershed District, whether you personally agree or not, you need to vote on what the board as a whole approved, not your own personal opinion. If a Manager doesn't do that, Hanson felt that he probably shouldn't be appointed to that Team. Manager Erickson stated the reason he voted against Project D was that he didn't agree with the Natural Resource Enhancements (NRE) portion of D. Manager Hanson stated that wasn't to be considered, because the board as a whole approved Project D as it is written and that includes the NRE and that is what needs to be represented at the meeting. After considerable discussion a **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to table any further action on this issue until Manager Ista is also at the meeting. **Carried.** A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to not hold a Project Team Meeting in April. **Carried.**

**May 11, 2011:** Manager Hanson discussed Project Team Appointments and the fact that if a board member is appointed to that organization to represent the Board of Managers, they need to vote as the whole board voted as the previous meeting, not what or how they feel personally. Manager Holmvik agreed and just wanted to make sure that when this board makes a decision, and a Project Team member represents this board they do not vote their own ideas and thoughts.

## **E. Red River Watershed Management Board (RRWMB)**

The Wild Rice Watershed District is a member of the Red River Watershed Management Board (RRWMB).

The RRWMB's jurisdiction and authority encompasses the area managed by the individual watershed districts that have membership on the Board. Eight watershed districts within the Red River Valley form the RRWMB including the Bois de Sioux, Joe River, Middle-Snake-Tamarac Rivers, Red Lake, Roseau River, Sand Hill River, Two Rivers, and Wild Rice.

The RRWMB was created by an act of the Minnesota legislature in 1976 to provide an organization with a basin-wide perspective concerning flooding. Funding is by ad valorem tax levies, as provided by Chapter 163 of the Minnesota Session Laws.

Managers participate in the annual RRWMB conference each spring, which focuses on a basin-wide approach to water management and flood damage reduction.

Manager Greg Holmvik is the delegate to the board with Manager Mike Christensen as the alternate.

## **F. Minnesota Association of Watershed Districts (MAWD)**

The Minnesota Association of Watershed Districts (MAWD) provides educational opportunities, information and training for watershed districts, managers and staff through yearly tours, meetings and newsletters. MAWD also represents state-wide watershed district interests at the legislature, before the executive branch, agencies and other policy makers at the local government level.

## IV. Plan Performance

The Board of Managers of the Wild Rice Watershed District continued to pursue several of their 2010 District Goals into 2011 as follows:

### A. Upper Becker Dam Enhancement

Currently, the existing Upper Becker Dam only provides for short detention time of flood water because it is not gated and relies on automatic operation and drawdown. As a result, the existing dam is often nearly empty when flooding downstream near the confluence of the South Branch and Wild Rice River is still occurring.

The UBDE project is located about two miles south and five miles west of the City of Ogema or 25 miles northwest of Detroit Lakes and encompasses approximately 1,100 acres of land in Spring Creek and Riceville Townships, Becker County, MN.

The project will involve the construction of a flood control reservoir so that floodwaters from the contributing drainage area can be held until downstream channel conditions can accommodate the flows.

For more technical information, see the full report at the Wild Rice Watershed District office in Ada, MN.

**January 12, 2011:** Manager Erickson asked Administrator Ruud what the next step is in moving forward with Design D. Ruud stated that he wanted to have Attorney Hanson prepare a document for landowners that indicates commitments without an actual purchase agreement or cost to the District, stating that they are willing to participate in Design D. Erickson stated that we also need to determine the RRWMB Star Value. Erickson would also like to ask the DNR for a Statement of Commitment for the project from them. Erickson stated that he will be working with Engineer Bents and Attorney Hanson in the upcoming days on these issues.

Upper Becker BWSR Appeal Status, Project 42. Attorney Hanson stated that everyone has seen the resolution passed by the City of Hendrum and stated that it appears consistent with what had been indicated at the meeting in Detroit Lakes with BWSR. Upon the City passing this resolution to put the appeal in abeyance, it was his understanding that the board will issue instruction to the engineer to prepare an Engineer's Report on Project D Design so that they would have something to act upon once that report is prepared. Manager Hanson made a **motion** that was **seconded** by Manager Christensen authorizing Engineering Bents to prepare an engineer's report on Project D Design of Upper Becker. Under discussion Manager Erickson stated that he disagreed with that because for any reason the City of Hendrum could still continue on to appeal. If we find landowners who are not interested and it is cost prohibitive, how are we going to move forward and Erickson suggested that Hendrum just continue with the current appeal process until it is completed. Manager Hanson stated that he did agree with a part of what Erickson was saying, however the Board did agree to this resolution at the previous meeting and how are we going to now after two months say that we are not going to do it. Chairman Holmvik called for a vote. The motion passed with Manager **Erickson opposed. Carried.**

**February 9, 2011:** Administrator Ruud recommended to the Board that a meeting with landowners be held at Ulen to review Project D prior to moving ahead with the Engineer's Report. This would give the landowners the ability to make sure that they agree with the proposed alignment and elevations before additional funding is spent on the Engineer's report and then landowners coming back dissatisfied with the proposal by the Board. Ruud proposed that the outline of the meeting begin with an open house followed by a presentation of the current plan, followed by a break time allowing landowners the ability to bring their ideas and proposed changes to Board members. Ruud also stated that he would at that time prefer to have landowners sign a memorandum of understanding indicating if they would approve going forward with the project. Manager Erickson wanted to make sure that landowners within the footprint of the proposed project have maps illustrating their land and the acres involved prior to the meeting. Erickson also recommended that the project be moved away from Tom Bergren's land and that Administrator Ruud meet with Mr. Jim Hastings. Addition discussion was held regarding the project. Chairman Holmvik stated that unless the majority of the Board of Managers decide that it is ready to move forward with the possibility of using eminent domain, there is no reason to spend additional funds on the project. A **motion** was made by Manager Erickson and **seconded** by Manager Christensen authorizing a landowner meeting to be held at 6:00 p.m. on Wednesday, February 23, 2011, at the Ogema Community Center, beginning with an open house; presentation at 7:00 p.m. followed by open discussion with landowners. **Carried with Manager Hanson opposed.**

**March 9, 2011:** Bill Bair, USCOE, joined the discussion via teleconference at 9:00 a.m. Engineer Bents reported that staff discussions brought a tentative timeline which hopefully would bring the Project Hearing to January 2012. After spring melt geotechnical would do soil borings. Manager Hanson asked what would be next. Bents stated that typically the Step I would be submitted to the RRWMB in April with a tour of the project area by the RRWMB at their May meeting. Administrator Ruud asked that delegate Holmvik ask the RRWMB to hold their May regular meeting at the District office. The following ten questions were previously submitted by Eric Zurn to the Board for review and discussion at the meeting. 1. Tom Bergren building site, will he be bought out, moved or just compensated financially?

2. Jerald's feed lot. Are his permit applications being impacted right now because of the possibility of a dam? When the DNR raises the OHM will his feed lot need new setbacks? If new setbacks are required, does the watershed have funds set aside to compensate Jerald: We are concerned about future regulations and other regulatory agencies.

3. If tile and ditches do not work properly will there be compensation?

4. Seepage issues. As the water sits for weeks at a time and soaks into the ground will there be compensation to adjacent land? How far will it soak? Who decides this? The USFWS loves to ruin farms this way.

5. Spraying. Will there be new setbacks on the distance to spray near the water? This is concerning because there are regulations right now concerning this, atrazine has this right now. There are new ones coming. When the DNR raises the OHM how far will the new setback be? How will weeds be controlled? Are there funds set aside for hand weeding? Will there be exemptions to grandfather us in? Here is the current MN law from the MN Extension website. "When using a product that contains atrazine, be sure to check the label for use restrictions. Setback requirements for an atrazine application include a minimum of 50 feet from wells and sinkholes, 6 feet from points where field runoff enters intermittent and perennial rivers and streams, 66 feet from standpipes on terraced fields if atrazine is not incorporated or if no-till is not used, and 200 feet from lakes. Some product labels contain language where a 66-foot setback is required from all standpipes, regardless if the field is terraced. Always refer to the herbicide label for specific requirements on the product you are using. The MDA website also provides helpful discussion on label language and interpretations on atrazine restriction requirements ([www.mda.state.mn.us/atrazine](http://www.mda.state.mn.us/atrazine))."

6. Hunting rites to any land sold shall stay with the property it was formally a part of.

7. Eminent Domain. Since eminent goes against the code of Farmers it cannot be invoked. None of us will agree to anything if this is an option.

8. Current dams. Why are they not being operated like the new dam until it is built? There was a request. Do we have to get permission from the DNR and COE to change the operating plan? If so, I assume this would not be a fast track item.

9. Once an agreement has been reached how long will it take to get paid?

10. Where is the apology to the landowners for villanizing us for something the board did to us?

These questions were discussed at length by the Board and landowners in attendance. Question #1 was discussed and it was noted that a Dam Breach Analysis has not been done on this site. If it was determined that there was a reduction in value, he may be compensated. Considerable discussion was held regarding #2, however it was recommended that Administrator Ruud contact Jerald Jirava in person for feedback and also request the latest updated plans for his feedlot. 3 regarding compensation for ditches and tiles not working properly stated that no significant impact is anticipated but if there are particular areas of concern an individual analysis of the potential impacts could be completed. Regarding 4 concerning seepage issues, currently the proposed permanent seeding limit is located outside of the elevation of the gated storage pool, and in many areas outside the elevation of the top of the dam. It is unlikely that seepage from a full gated pool would affect tillage operations on land more than 2-3 feet in elevation above the pool, however a flowage easement and payment will be dam on all land beneath the top of the dam elevation of 1218.0. Regarding item 5 spraying, whatever the restrictions are on the chemical we have to abide by that. Attorney Hanson stated that the District cannot compensate landowners against what may or not happen in the future. At 10:00 a.m. the discussion changed to scheduled agenda items. Managers continued discussion on Upper Becker, moving to Item #7, which contained the use of eminent domain. Attorney Hanson indicated to the Managers that they should not give up this option as projects will never be completed. He went on to say that doesn't mean it should be the Board's first option, but they should not give up that right. George Read, a landowner and member of the audience brought up the question of a friendly eminent domain, which would give landowners two years to replace their property with a trade. Manager Hanson felt that this was a responsibility of the Board. Manager Holmvik thought the board should vote and if there is not a majority, they may not move forward. Manager Erickson made a **motion** that the board of Managers agree to not use any eminent domain for the project, including not using a friendly eminent domain. Manager Spaeth **seconded** the motion. The motion **failed** for lack of a majority with Managers Erickson and Spaeth voting for the motion and Managers Hanson, Austinson, Christensen, Ista and Holmvik against. Question #8 regarding why the current dams are not being operated like the new dam would be, was discussed. Some of the reasons include the fact that the original dams

were not designed as gated impoundments and as a result additional geotechnical and hydraulic engineering evaluations would need to be completed to determine possible impacts of a gated operation with long retention times. Question 9 was how long it would take to get paid once an agreement has been reached. Administrator Ruud stated that payment would be as quickly as possible, however Attorney Hanson stated that some landowners may also want to work with their accountants in obtaining the best available option. Item 10 related to the fact that landowners felt that they deserved an apology for the way they had previously been treated by this board and administration. Board members felt that currently no special apology would be made by this board.

**April 13, 2011:** Administrator Ruud reported that the MN DNR sent correspondence stating that the Watershed District needs to repay the grant to the State of Minnesota in the amount of \$660,000. The law states that income cannot be made from grant dollars received from bonding funds and the District has been receiving rental money from the land purchased with these funds. By repaying the bonding dollars the District can then keep the land until a time in which a project would be built to be used either for sale or trade. The Finance Committee met and the recommendation from the committee was to borrow the \$660,000 from a lending agency to repay the funds on a floating interest variable rate. Considerable discussion followed regarding funding for Upper Becker and cash flow for the District during the summer construction season with the Community Projects of Hendrum, Perley and the Project 30 Repair. Accountant Marcussen also discussed District cash flow, funding and the fact that available cash as seen in reports includes funds that are already dedicated for Projects, Ditches and Grants. A **motion** was made by Manager Hanson to table or postpone any work on Upper Becker, Project D until further finances or funding becomes available. Manager Spaeth **seconded** the motion. **Upon calling for a vote the motion passed with Manager Ista opposed and Manager Erickson abstaining. Carried.**

Manager Erickson made a **motion** for someone to come up with a good practical idea for flood control and storage. Discussion followed regarding the fact that the previous motion was to table Project D until more funds became available, and are now wanting to work on another project. Chairman Holmvik called for a second three times at which the motion **failed** for lack of a second.

Engineer Bents distributed Step One on Upper Becker Project D to the Managers for review. Discussion was held by Managers regarding whether funding should be spent to take the Step One Submittal for Upper Becker Project D to the RRWMB to request funding. A **motion** was made by Manager Hanson and **seconded** by Manager Austinson authorizing submittal of Step One for Upper Becker Project D to the RRWMB for the purpose of requesting funding for the project. **Carried with Manager Erickson opposed.**

**May 11, 2011:** It was reported that the Submittal for Step I funding was presented to the RRWMB at their last meeting. They will do a site review on Tuesday, May 17, 2011, following the meeting held at the Wild Rice Watershed District office. A **motion** was made by Manager Ista and **seconded** by Manager Christensen authorizing Managers attendance at the RRWMB for the purpose of attending the tour of the proposed project. **Carried.**

**June 8, 2011:** Manager Erickson asked to obtain additional information regarding the Natural Resource Benefits (NRE) on Option D for Upper Becker. Manager Ista stated concerns on Project D due to the letter sent to the RRWMB by Eric Zurn in which he expressed dissatisfaction over land issues. Ista stated that it had been her understanding that landowners were in favor of "D." The RRWMB is scheduled to have the Step I process on their upcoming meeting agenda. Manager Erickson stated that there are issues regarding the value placed on the land but felt that these numbers would be updated when the appraisals are made available from the lending agency for the District's upcoming loan.

**June 29, 2011:** Administrator Ruud reported that the RRWMB did approve Step #1 submitted to their board. Managers discussed the possibility of borrowing an additional \$100,000 to move the project on to Step #2. Manager Holmvik stated he didn't have a problem doing that if this board will move ahead with the project, but thinks there is no reason to spend the money for Step 2 if the Board will not agree to move forward on the project. Manager Hanson stated that the board however, cannot leave itself in the position of being held hostage by one landowner who is opposed and the Managers not willing to use eminent domain. Manager Erickson stated that he would never support eminent domain. Hanson stated that this issue should be addressed; there is no need to borrow or spend money if they are not going to use all the tools in our chest to move forward. A **motion** was made by Manager Hanson and **seconded** by Manager Holmvik that Managers are willing to use eminent domain. A roll call vote was taken. All Managers voted yes, except Manager Erickson voted no. **Carried.**

**August 10, 2011:** Eric Zurn gave a presentation on his thoughts regarding the current Upper Becker Site D in which he wanted the project dropped due to what he stated was no interest by landowners. Administrator Ruud requested a hard copy of the presentation to which Zurn replied no. Following the presentation Manager Erickson



**September 14, 2011:** There were no additional items on the agenda regarding Upper Becker, however Manager Spaeth questioned if the Watershed District couldn't just go back and change the operating plan of the existing dam, and put a gate on it. He felt the people in the area might be happier. Engineer Bents stated that it could be, however the current structure was not built for holding water all the time and also the easements from landowners for the pool area on the current project are based on the pool area as existing. They are not for a large area of the pool being inundated all of the time.

Many of the communities within the WRWD experienced record flood levels during the Spring of 2009 flood. This resulted in the need for significant emergency measures (i.e. emergency levees, sandbagging, etc.) to be completed by the cities, U. S. Army Corps of Engineers and hundreds of volunteers.

This will primarily involve construction of flood control levees, storm water pumping stations and equipment, land acquisition and project design. The cities are partnering with the State of Minnesota Flood Damage Reduction Program for funding.

Hendrum Levee Project plans shown below:



**May 11, 2011:** Engineer Bents stated that he is expecting Zavoral Construction to begin work on the raising of the levees next week. They are in the process of revising the plans for Perley to provide an additional two feet of protection, which the costs will be paid by the state. There are no pay requests this month, but will begin at the June meeting.

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through State Highway #75. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve Change Order for Community of Perley in the amount of \$109,657. **Carried.** A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to approve a Change Order for the Community of Hendrum in the amount of \$13,152.65. **Carried.** A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve Pay Request 3 in the amount of \$274,528.12 to Zavoral Construction. **Carried.**

**June 29, 2011:** Administrator Ruud reported on the financing of the community ring dikes of Hendrum and Perley if the State of MN has a shut down as seems possible July 1, 2011. Ruud stated that the RRWMB will assist with financing of the projects up to \$3.4 Million if needed. However there are conditions associated with this financing stating that the District will need to have used their available funds first. Ruud stated that in discussions with leaders of both Hendrum and Perley regarding the possibility of having to shut the contractor down due to lack of State funds, they had both agreed to abide by the decision of the Watershed District.

**July 13, 2011:** The Red River Watershed Board of Managers agreed to help us fund the Hendrum and Perley ring dikes during the state government shut down so construction can continue. A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to accept the agreement with the Red Board to re-pay the amount we owe them within 60 days of the state re-opening. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve Partial Pay Request 4 in the amount of \$413,971.38 to Zavoral Construction. **Carried.** The City of Perley has requested that we assist them with paying for the removal of the clay dike that was constructed on Hwy 39 to protect the city during the flood. Manager Holmvik's recommendation was that we table the request and ask the Norman County Commissioners to assist in payment. A **motion** was made to table by Manager Spaeth and **seconded** by Manager Austinson. **Carried.** The topography and geographical surveys for the ring dike in Shelly is currently being done. When this process is completed and reviewed, a community meeting will be held to discuss the landowner specifics.

**August 10, 2011:** A **motion** was made by Manager Ista and **seconded** by Manager Hanson authorizing payment of \$294,176.66 to Zavoral Construction for the Hendrum Ring Dike and payment of \$468,147.55 to Zavoral Construction for the Perley Ring Dike. **Carried.**

**August 31, 2011:** Engineer Bents provide an update on the status of the two community dikes stating that both are proceeding well, Hendrum is near completion and Perley moving forward. Pay Requests will be addressed at the September regular meeting. Correspondence was received from Norman County Highway Department, Mick Alm, stating that county roads were damaged as a result of the work on the levees. Bents stated that he and Mike Buerkley, Construction/Observation Engineer, will be meeting with Alm and the contractor on site and reviewing details. Bents stated that pre work photos were taken by both Buerkley and the contractor, so they will be better able to determine when and where the damages occurred.

**September 14, 2011:** A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve the following pay requests and change order: Change Order in the amount of \$5,177.50 to Zavoral Construction for the Community of Perley; Pay Request in the amount of \$949,468 to Zavoral Construction for the Community of Perley; Pay Request to Zavoral Construction in the amount of \$228,320.30 for the Community of Hendrum. **Carried.**

**October 12, 2011:** A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve the change order to Zavoral Construction in the amount of \$80,279.25 and pay request #7 to Zavoral in the amount of \$38,688.66 for the Community of Hendrum and the change order and pay Request #6 in the amount of \$28,934.39 to Zavoral for the Community of Perley. **Carried.**

**November 9, 2011:** Engineer Bents reported that both projects are near completion and a meeting is scheduled for December 5, 2011, for the City of Shelly. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve Pay Request #8 in the amount of \$92,873.19 to Zavoral Construction for the Hendrum levee and Pay Request #7 in the amount of \$43,781.38 to Zavoral Construction for the Perley levee. **Carried.**

## **C. Moccasin Creek**

The Moccasin Creek Dam was originally known as the Flom Township Detention Dam. The project was authorized by the WRWD in 1977 with construction started in 1982 and completed in 1984.

The project consists of a 48' high earthen embankment with a clay core trench, eight foot by eight foot reinforced concrete box outlet, a gated 48 inch RCP inlet, and a 25 foot by eight foot vertical reinforced concrete box riser as

the principal spillway. The riser also has a trash rack and anti-vortex wall system to eliminate hydraulic inefficiencies created by trash accumulation and vortex action. The outlet of the dam includes a stilling basin with energy dissipaters to reduce channel erosion immediately downstream of the project.

It has the capability to hold 1,060 acre feet of runoff until downstream conditions allow for the discharge of the impounded water with an additional 814 acre-feet of flood water storage with automatic draw down. The watershed is currently asking that the operating plan be changed to include summer rain event operation allowing the gate to be operated based on trigger points when gauges downstream indicate reduced flooding.



**January 12, 2011:** Moccasin Creek Pilot Project (Erickson) Keith Weston, Dave Jones and Shawn Balstad, NRCS are in attendance. Administrator Ruud reported that a committee meeting was recently held in Twin Valley, and the outcome of that meeting is being brought to the full board to determine what the next step should be as far as gathering more information for the Moccasin Creek Pilot Project. NRCS personnel developed scoping questions to which Curt Borchert provided responses. This information was distributed to the board. The question from the committee to the board is does the Board want to move forward on this. NRCS personnel would like to have answers to the scoping questions in order to determine more specifically what the project is. The Board will either need to have landowners petition the watershed district for a project or the District itself could establish a project. Greg Holmvik asked Duane Erickson to specify the project and where the funding would come from. He asked Erickson if the funding would come from the NRCS and what Erickson is looking for from this board. Erickson replied that he would like support from the board for a project like this as it is in the Watershed and has a potential to have water retention up and down the District. Shawn Balstad asked for a clarification as to what the project is and whose project it is. Keith Weston stated that as a subcommittee member that he serves on for the farm program, they are interested in these types of projects but as far as technical assistance, their biggest issue is who will run and operate and maintain the gated storage structures once completed. Administrator Ruud stated that the Board would also have to decide where the funding will come from; would it come from a grant, or would the Board try to use their own money; also he asked Board members if they are comfortable with the responses that Borchert prepared for the NRCS. He stated that Board members need to decide where they are going from here and if they are going to proceed with this pilot project. If so we need a format to bring forth good information. Greg Holmvik asked Erickson if this wasn't the same project that he had talked about earlier and that project funding was to come from the NRCS and the NRCS would provide the engineering. Erickson stated that it was his understanding that funding could come from some grants. Holmvik asked Erickson if he hadn't originally stated that there wouldn't be any financial obligation from the District. Erickson said that as a minimum he would like this pilot project to be brought to the Farm Bill Committee. Holmvik asked Erickson just what he was looking for from this board. He said he would like this project to be able to be in the farm bill as it is something that could be used. Manager Ista stated that we as the watershed would have to be the leader on this, not the NRCS and the NRCS would have to decide for themselves if they would be involved. We as a watershed board don't really have anything on the table right now, and she would like this to be brought to the water management subcommittee. Ista stated that what Borchert and Erickson brought forward did not have any project costs included. The committee needs professional information from an engineering firm so that they can look at it and say this has something that can become a water management project. Shawn Balstad stated that they would like a precise description of the project and what this board or landowners are asking for from the NRCS to be put in writing a letter to Don Baloun, State Conservationist and that it be somewhat specific as to what you want. She would like the board to allow the engineer to bring forth

costs for this project and what the NRCS would need in order to recommend it to go forward to the authorities so it could be brought to the farm bill. She thinks this would be a benefit to landowners and would be a structure that is regulated. Keith Weston stated that a major issue of this project for the NRCS is to know who is going to control and operate and maintain the project and that is an issue that the Watershed District must decide. NRCS has very limited resources for something like this and they certainly aren't going to operate and maintain it. Administrator Ruud asked if there was any NRCS funding to help this out. Keith Weston stated that there really isn't anything today unless something would come in the 2012 farm bill. Engineer Bents stated that typically when a watershed district initiates a project the following six steps are used: 1) concept; 2) initiation; 3) feasibility study; 4) establishment; 5) how to pay for it and 6) construction. Watershed law is set up that way. Manager Erickson stated that he would like the proposed project confined to the Moccasin Creek Watershed, which Engineer Bents stated is approximately 60 square miles. Engineer Bents stated that the Watershed District does not need to initiate the project, it can be initiated by a petition by landowners to which Manager Spaeth stated he liked that idea. Typically property owners put up a bond which is used to pay the costs to date if they decide later on that they don't want to do the project. Erickson stated that the landowners are willing to store the water on farmland. Attorney Hanson asked how Erickson envisioned that the cost of the project would be paid. Is the cost going to be assessed back to the property owners? We need to know that, there are different procedures to fund different types of projects. Manager Ista stated the following: the NRCS did not request this project; the NRCS said they don't have enough information to move forward; it is not the NRCS that requested this for a project; the landowners went to the subcommittee on their own; the subcommittee listened and these are the things that are needed. Administrator Ruud asked Duane Erickson how he intended to obtain the necessary information without an engineer at the committee meeting. Ruud stated that we need to define what we are going to look at. Are you asking to look at half or all or what part of Moccasin? Are you asking the committee to go back and look at the Moccasin Creek as a whole? A **motion** was made by Manager Hanson and **seconded** by Manager Ista authorizing this topic being taken back to the committee as a whole to establish additional information and also authorization of watershed district funding to be used for consultation with engineering. **Carried.**

Administrator Ruud stated that in the past landowners had requested the DNR to allow ditch maintenance on Moccasin Creek. The MN DNR responded and said it is not a ditch but a protected waterway, and gave the landowners the opportunity to have their permit fee returned, which they did. The landowners pulled their permit. Ruud asked Duane Erickson if he is now the lead, is this a new request, and what are you asking the Watershed District to do? Erickson stated that he is kind of the lead, the new request has been mailed back to the DNR and he has not received a response. The landowners want to do maintenance in the ditch, they want to get the water to the bottom of the culvert, and are asking the Watershed to #1: Pay the \$1,000 permit fee and #2: asking the watershed district for additional assistance in filling out the permit applications because of this being protective waters. They want to make sure that the permit application process is done properly. Greg Holmvik asked if this is the same area as Erickson originally received a letter from the DNR stating no. Erickson said yes. Chairman Holmvik asked if the board wanted to pay the \$1,000 application fee. Manager Hanson asked if the board wants to pay everybody's application fee from now on. Manager Spaeth said that if the DNR has said no, you aren't going to do anything. Erickson then stated that he would pay the \$1,000 fee himself. Attorney Hanson stated that he thinks it would be an illegal fee of the watershed district to gift these application fees from the District to a private applicant, and doesn't think the District has any business in paying any fees to the DNR for private parties. The second question was will the watershed assist in the filling out of the permit. Discussion continued and Erickson said this seems to be too difficult, we are not going to quit on these, and we landowners are going to move forward. He asked to just move forward with the agenda.

Discussion was held regarding trying to change the Operations and Maintenance (O & M) plan on Moccasin Creek to allow control of summer flooding. Ruud stated that Diane Ista's thought at that committee meeting was to ask the DNR a single item at a time the issues needed to be addressed for a summer O & M. She stated that we are not asking for authorization from the board to send a letter to the DNR. If we address the trees and then send them one at a time questions/issues see where we end up at. Engineer Bents stated that the District already does have a list. One of the things the DNR requested was an alternative plan. He stated the DNR response is pretty close to a no, but if you provide all of the items on their list they may consider. Manager Hanson asked why the Board just doesn't wait and see what luck they have with a permit to clean it out.

South Branch Pilot Project Presentation (Chuck Fritz and Henry Van Offelen) Chuck Fritz Director of International Water Institute (IWT) first thanked the board for allowing them to come to the meeting and give a presentation. He stated that there are 14 different initiatives on a different scale. IWT, largest project taken today is the LIDAR project. After 1997 in a response to the need of obtaining all information in one place they worked with agencies to develop a website. One of the things we are talking about doing is there is the perception that the reason some are having such a difficult time putting projects on the ground is because of the permitting process. We are talking about decision support and assisting Managers on decision making. You will hear it sometimes called Phase 6. After explaining and giving the Power Point presentation, Van Offelen stated that the next step in

the process is to choose pilot Watersheds. They picked the Park River Watershed in North Dakota and tentatively picked the South Branch Watershed in Minnesota. Additional discussion was held and Manager Hanson asked that this be done on Moccasin Creek. Manager Holmvik asked if these members are offering to do this for nothing on the South Branch and the answer from Mr. Fritz and Van Offelen was yes. Holmvik then asked why in the world we would ever turn that down. Manager Spaeth stated that there is no reason to turn it down but as Manager Hanson stated, why not do Moccasin. Administrator Ruud asked if they could do both the South Branch and Moccasin. Van Offelen stated that might be a possibility. Administrator Ruud stated that he felt the Watershed District would gladly cooperate. Chuck Fritz stated that he would like time to go back and look at his budget and determine what they could do, if they could do both, or one or the other. Chairman Holmvik asked if there was anything else that they needed from the board and they said no, they would be in contact with the District later.

**February 9, 2011:** A meeting was held with DNR, NRCS and SWCD personnel on Jan 24, 2011 and avenues are being pursued for mitigation of prearranged acres.

**March 9, 2011:** Moccasin Creek Tile/Outlet Initiative. Manager Erickson requested assistance from Engineer Bents in doing comparison modeling with the information that has been provided by the NC SWCD. Managers questioned Erickson regarding if he was asking the District to pay for comparison modeling by using Houston Engineering. No action or decision was made.

**March 30, 2011:** Moccasin Creek O & M Plan. Manager Erickson distributed a draft Five Year O & M Plan that he proposed the District adopt. Manager Holmvik asked Erickson if he was proposing to bring this to the Project Team for approval. A **motion** was made by Manager Erickson to adopt the five year plan that he presented. Attorney Hanson asked if the District has the authority to unilaterally adopt this plan. Engineer Bents stated that it would violate our permit and Hanson then cautioned the board in doing something like this. Chairman Holmvik called three times for a second to the motion, with no second, motion **failed**. Manager Erickson made a **motion** that the proposal be presented to the Project Team and indicated that he didn't want Houston Engineering disbursing funds for this. Manager Austinson **seconded** the motion. **Carried with Manager Ista opposed.** A **motion** was made by Manager Ista authorizing Engineer Bents to put together a presentation on this for the Project Team. Chairman Holmvik called three times for a second to the motion, with no second, the motion **failed**.

**April 13, 2011:** Moccasin Creek Tile Outlet Initiative. Manager Erickson asked the status of this project and Administrator Ruud stated that the District is waiting until Borchert at the SWCD and Balstad at the NRCS hold their meeting to determine landowner interest.

**June 8, 2011:** O & M Plan for Moccasin Creek. Administrator Ruud reported that the District is still waiting to hear from the NRCS and SWCD regarding acres from landowners in the area upstream of Moccasin that could be used as a replacement for the change in the O & M Plan. Manager Erickson stated that he talked with Shawnn Balstad, Norman County NRCS, who stated that they didn't have any information from landowners to date. Chairman Holmvik stated that this request from the District for the change needs to be presented to the Project Team. Manager Erickson asked that Ruud contact the DNR representative to determine the status.

**July 13, 2011:** Moccasin Creek Pilot Project. Presentation given by Chuck Fritz and Henry Van Offelen.

**August 10, 2011:** Moccasin Creek O & M Plan Manager Erickson stated that he had brought forth a five year plan and was requesting that it not go to the Project Team but instead be brought back to the committee. Chairman Holmvik stated that if Erickson wanted changes, it needed to come back and they hold a committee meeting. Erickson stated that he had requested a copy of the survey that Houston Engineering did some time ago. Administrator Ruud stated that he had already provided that information to Erickson. Curtis Borchert, NCSWCD, stated that they are asking that the Watershed District provide more detailed information with the cross sections and/or fund doing the cross sections for the portion of the site that are not completed. Administrator Ruud reminded the board members and Erickson that this is a landowner's private request, not a watershed district project. Attorney Hanson stated that due to this being a private request, not a district project, Erickson should fill out a "request for information" form and submit that to staff.

**August 31, 2011:** Moccasin Creek Dam Committee Meeting Update. Duane Erickson joined the meeting via phone at 9:40 a.m. Administrator Ruud provided a meeting update with members of the committee. Curtis Borchert prepared a five year Operation and Maintenance Demonstration Project Plan. Ruud stated that it his understanding from Garry Bennett, Area Hydrologist for DNR, that the mitigation issues needed to be outlined prior to submitting to the DNR. Bennett stated in an email that the mitigation needed to be limited to the Moccasin Creek Watershed

as well as to only those areas actually impacted by the revised O & M Plan. Manager Erickson stated that the emphasis needs to be on this project as a demonstration plan. Erickson didn't feel like the trees needed to be mitigated as they are on private land and stated that they should move forward. Manager Ista felt that the email from Garry Bennett clearly states that he needs additional information, while Erickson felt that Bennett could move forward through his superiors if it were called a demonstration project. After considerable discussion a motion was made by Manager Ista and seconded by Manager Hanson to table any action by the board, move this back to the committee to work on prior to meeting with Garry Bennett, hydrologist for DNR. Erickson stated that this is a whole new approach and wants to determine the mitigation after the fact. **Motion carried.**

**September 14, 2011:** Manager Erickson stated that he felt that some members of the board would like to see the changed Moccasin O & M Plan mitigated prior to the project. He stated that Administrator Ruud and Curtis Borchert prepared a draft plan to present to Garry Bennett, DNR. Manager Ista felt that the USCOE should be kept informed. Ruud stated that the risk the board is taking is that all of these items will be completed and that the board will be told to take it back to the Project Team.

**October 12, 2011:** Consensus of Managers and staff was that a committee meeting needs to be held to discuss the Moccasin Creek O & M Plan.

**October 27, 2011:** Administrator Ruud reported on the recent meeting held with landowners and agency staff on Moccasin Creek O and M Plan.

**December 14, 2011:** Moccasin Creek EAW (Environmental Assessment Worksheet). There has been discussion as to whether an EAW is necessary on the Moccasin Creek request for a change in the O & M Plan. Consultant Mark Aanenson's determination was that it is necessary. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth authorizing Aanenson to work on the Moccasin Creek project as specified on the WRWD Permit application and that it exceeds the mandatory threshold requiring an Environmental Assessment Worksheet (EAW), and that the WRWD will act as the Regulatory Government Unit for the EAW, and to authorize staff to set up a meeting with the Applicants to begin the EAW process. **Carried.**

## **D. Permit Applications**

For all permit application for subsurface drain tile installations, the watershed adopted the following conditions and recommendations:

- 1.) Recommendation that the applicant contact and coordinate with the NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland issues (and with the USFWS for installation of tile on any parcel that is under easement from the USFWS).
- 2.) Recommendation that the applicant obtain approval from the necessary road authorities (Township, county, state,...) for any work in the road R/W and the drainage authorities (county) for outlets into legal ditches not under the WRWD jurisdiction.
- 3.) Approved with the condition that the applicant is responsible for adequate erosion control measures at the outlet of the tile system. This should include the installation of riprap or other protection measures at pump outlets. It will remain the responsibility of the applicant to maintain this protection as long as the tile is in place and operating.
- 4.) Approved with the condition that all gravity outlets be installed above (however not more than 2-feet above) the elevation of the original design gradeline of the receiving ditch or channel.
- 5.) Pumped Outlets Only – Approved with the condition that the pump (s) not be operated during freezing conditions and during times of downstream flooding.

### **January 2011**

#### **Approved**

- Permit 1-12-11-1 Norman County Highway Department to remove and construct a bridge in Sections 9/10 of Wild Rice Township.

### **February 2011**

#### **Approved**

- Permit 2-9-11-1 Clem Erickson, Section 24, Lake Ida Township. to install a water and sediment basin and an erosion control project.



### Tabled

Permit applications to install drain tile tabled until a field review can be completed in the spring.

- Dan Brommenschenkel, Section 15-16, Lake Ida Township
- Landbruk Family Farms, Paul Harless, Section 9, Felton Township
- Blair Hoseth, Section 10, Fossum Township
- Blair Hoseth, Section 11, Fossum Township
- David Arends, Section 29, Mary Township

### March 2011

#### Approved

- Permit 3-9-11-1 MNDOT, Sections in Felton and Flowing Township. to road resurface work on Highway 9, replace culverts, clean ditches, lengthen two driveway culverts. approved with the condition that all culverts that are replaced will have the same waterway area and will be installed at the same elevation and that there is no final grade raise on the roadway between Sections 3 and 4 of Felton Township.
- Permit 3-9-11-2 Twin Valley-Ulen Telephone, Section 11, Popple Grove Township to directional bore under Project #27 for fiber optic cable with the condition that the cable is installed a minimum of 30" below the Project #27 channel bottom and the applicant is responsible for adequate erosion control measures during construction.
- Permit 3-9-11-3 Twin Valley-Ulen Telephone, Section 14, Goose Prairie Township to directional bore under CD #17 for fiber optic cable, with the condition that the cable is installed a minimum of 30" below the CD #18 channel bottom and the applicant is responsible for adequate erosion control measure during construction.
- Permit 3-9-11-4 CMGB Farms. Section 32, Spring Creek Township to install subsurface drain tile and outlet into Norman County Ditch #18 and Project #25 with the condition that only the tile on the plan is approved that outlets into Norman County Ditch #18. **Manager Holmvik opposed.**
- Permit 3-9-11-6 CMGB Farms. Sections 5 and 8 of Green Meadow Township to install subsurface drain tile and outlet into Norman County Ditch #18 and Project 30 with the exception of the tile on the plan in the SE4NE4 of Section 5. **Manager Holmvik opposed.**
- Permit 3-9-11-7 CMGB Farms. Section 28, Spring Creek Township to install subsurface drain tile and outlet into the ditch with the condition that the ditch downstream between the outlet and Spring Creek is cleaned and that the applicant obtains Township approval of the project and the ditch cleaning.
- Permit 3-9-11-8 CMGB Farms. Section 33, Spring Creek Township to install subsurface drain tile and outlet into Norman County Ditch #18 and Project #25
- Permit 3-30-11-1 Robert Brandt, Sections 13-14, Lake Ida Township to clean snow from ditch bottom prior to the spring flooding. Costs will be assessed to the ditch system.
- Permit 3-30-11-2 Lynn Johnson, Section 28, Pleasant View Township to install drain tile. **Carried with Manager Christensen opposed.**

### Tabled

- Permit Application 3-9-11-5 Sundal Township, Sections 15-16 Sundal Township. to replace a 30" centerline culvert with a larger 36" culvert or addition 24" culvert until a field review can be done.

### April 2011

#### Approved

- Permit 4-13-11-14 Landbruk Family Farms, Section 6, Felton Township to install drain tile
- Permit 4-13-11-14 CMGB Farms, Sections 5 and 8, Green Meadow Township to install subsurface tile with the following conditions. The applicant must obtain the signatures on the permit from the downstream landowners along the outlet ditch in Sections 5 and 8 of Green Meadow Township. No deepening of the channel may occur, only sediment cleanout is allowed.
- Permit 4-13-11-1 American Crystal Sugar, Section 30, Mary Township to remove two approaches with 24 inch pipes, add one approach with a 24 inch, rebuild two approaches with the same size longer pipes a 24 inch and a 30 inch pipe.
- Permit 4-13-11-3 Rick Borgen, Section 27, Hendrum Township. to install a new centerline culvert with the condition that an 18 inch or a 24 inch diameter culvert is used.
- Permit 4-13-11-6 Mike Christensen, Section 23, Fossum Township. to install a water and sediment control basin. **Mike Christensen abstained.**
- Permit 4-13-11-7 Mike Christensen, Section 22, Fossum Township. to install subsurface drain tile **Mike Christensen abstained.**

- Permit 4-13-11-11 Blair Hoseth, Section 10 Fossum Township to install drain tile
- Permit 4-13-11-11 Dean Spaeth, Section 23, Marsh Creek Township to install a field approach with an 18 inch culvert. **Dean Spaeth abstained.**
- Permit 4-13-11-18 Riceville Township, Sections 4/5, Riceville Township, Becker County to replace culverts in a washed out road with the installation of a riser on the upstream end of the added 30 inch pipe.

### **Tabled**

- Permit Application 4-13-11-17, Sundal Township, Sections 15-16, Sundal Township to replace a 30 inch centerline culvert with a larger (36") culvert or an additional (24") culvert and notice downstream property owners. It is requested that the township consider a riser pipe on the upstream side of the roadway to prevent the added culvert from being used until water is within a small elevation beneath the top of the roadway.
- David Arends, Section 29, Mary Township, to install subsurface drain tile. Notice the landowners in Section 30 of Mary Township.
- Wayne Borgen, Section 10, Hendrum Township, to install a field approach with a 30 inch culvert. Tabled until a field review can be completed.
- Dan Brommenschenkel, Sections 15 and 16 of Hegne Township to reset seven culverts and conduct ditch work in the MN State Highway #200 Road Ditch. Table and notice the landowners in the North half of Section 15 and 16 of Hegne Township and request a copy of the MN DOT approval for the project.
- Lyle Fuchs, Section 9, Sundal Township. Install subsurface drain tile. Table until the applicant provides approval from the Norman County Ditch Authority on Ditch 41 and from the NRCS and SWCD offices.
- Timothy Hoff, Section 27, Mary Township. Install subsurface drain tile. Table and notice the downstream landowners in the north half of Section 27 of Mary Township and the Norman County Highway Department.
- Michael Holte, Sections 20-21, Shelly Township. Move an existing culvert from south to north on 130<sup>th</sup> Street. Relay culvert on 305th Avenue to change the slope. Table and notice landowners in the North half of Section 20 and the West half of Section 21 of Shelly Township.
- Blair Hoseth, Section 11, Fossum Township. Install drain tile. Table until the applicant provides a tile plan and written approval from the downstream landowners in the SWSW of Section 11 and the South ½ of Section 10 of Fossum Township.
- Don Johnson, Section 7, Rockwell Township. Table and notice landowners in Governments Lots 3 and 4 of Section 7 of Rockwell Township and Government Lots 1 and 2 in Section 18, of Rockwell Township.

## **May 2011**

### **Approved**

- Permit 5-11-11-1, Nick Aldrich, Section 5, Green Meadow Township to install subsurface drain tile. **Manager Ista abstained**
- Permit Application 5-11-11-1, David Arends, Section 29, Mary Township to install subsurface drain tile with the condition that the applicant provide a revised tiling plan showing the outlet at the Northwest corner of the section
- Permit 5-11-11-3 Andrew Borgen, Section 6, Halstad Township. to install a culvert with the condition that the pipe is a minimum of 18" in diameter and the recommendation that the applicant obtains approval from the road authority for any work done in the road right-of-way.
- Permit 5-11-11-4 Andrew Borgen, Section 5, Mary Township. to move an existing culvert with the recommendation that the applicant obtain approval from the road authority for any work done in the road right-of-way.
- Permit 5-11-11-5 Andrew Borgen, Section 6, Mary Township to install a culvert with the condition that the pipe is a minimum of 18" in diameter and the recommendation that the applicant obtains approval from the road authority for any work done in the road right-of-way.
- Permit 5-11-11-6 Andrew Borgen, Section 27, Halstad Township to lengthen an existing culvert. No conditions or recommendations.
- Permit 5-11-11-7 Andrew Borgen, Section 4, Winchester Township to install subsurface drain tile
- Permit 5-11-11-8 Andrew Borgen, Section 15, Hegne Township to install subsurface drain tile
- Permit 5-11-11-9 Wayne Borgen, Section 10, Hendrum Township to install a field approach with a 30" culvert.
- Permit 5-11-11-11 Keith Chisholm, Section 13, Strand Township to install subsurface drain tile
- Permit 5-11-11-11 Halstad Township, Section 34, Halstad Township to replace a culvert. No conditions or recommendations.
- Permit 5-11-11-24 Trevor Johnson, Section 32, Lake Grove Township to install a culvert and crossing.

- Permit 5-11-11-27 McDonaldsville Township, Section 23, McDonaldsville Township to install a longer 30" culvert.
- Permit 5-11-11-10 Dan Brommenshenkel, Sections 15-16 of Hegne Township to reset seven culverts and conduct ditch work in State Highway #200 Road Ditch, with a signed copy of the MN DOT permit on file at the office.

**Approved the following permit applications to install subsurface drain tile pending the applicant providing a detailed tiling plan and staff review, and the usual recommendations and conditions:**

- Permit 5-11-11-13 Mark Chisholm, Section 5, Wild Rice Township
- Permit 5-11-11-22 James Jirava, Section 29, Spring Creek Township
- Permit 5-11-11-23 Don Johnson, Section 7, Rockwell Township
- Permit 5-11-11-30 Nick Zurn, Section 29, Spring Creek Township
- Permit 5-11-11-32 William Zurn, Section 36, Atlanta Township
- Permit 5-11-11-19 Home Lake Township, Section 29-30 Home Lake Township to install a culvert with the condition that written approval is obtained from the landowner directly downstream of the proposed pipe.
- Permit 5-11-11-25 Leiser Brothers, Section 8, Spring Creek Township to replace an 18" CMP with a 24" CMP.
- Permit 5-11-11-26 Lockhart Township, Section 28-29, Lockhart Township to install a culvert with the written approval from the landowner in the SE ¼ of Section 29, Lockhart Township and that a riser be installed on the upstream side of the proposed pipe installed with a crest no more than 1.5 Feet below the roadway overflow.
- Permit 5-11-11-29 Sundal Township, Section 15-16 of Sundal Township to replace a 30" centerline culvert with a larger (36") culvert or additional (24") culvert with the condition that the riser pipe installed on the new 24" culvert. And the crest of the riser to be set no more than 1.5 feet below the overflow of the roadway.

#### **Tabled**

- Permit Application 5-11-11-20 Michael Holte, Section 20-21 of Shelly Township to move an 18" CMP and reset another 18" CMP pending applicant providing survey profile of the ditch along the north side of the roadway in Section 20.
- Permit Application 5-11-11-12 Keith Chisholm, Section 12, Green Meadow Township to install a culvert. Landowners in Section 14 and the SW ¼ of Section 13 of Green Meadow Township.
- Permit Application 5-11-11-15 Lyle Fuchs, Section 9, Sundal Township to install subsurface drain tile tabled pending the applicant providing approval from the Norman County Ditch Authority for Ditch 41 and from the NRCS and SWCD offices.
- Permit Application 5-11-11-28 Adam Stalboerger, Section 1, Popple Grove Township to install a culvert and an approach. Landowners in the NE ¼ of Section 1 of Popple Grove Township will be notified.

#### **Denied**

- Permit Application 5-11-11-14 Lyle Fuchs, Section 9, Sundal Township to move a ditch ten feet to the east of the property line. Manager Ista **seconded the motion but withdrew her second**. Chairman Holmvik called for a second three times, there being no second **motion failed for lack of a second**. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to deny the permit due to downstream concerns and opposition of the adjacent property owner (ART Trail) that would be required to provide the land per the permit. **Carried with Manager Erickson opposed**
- Permit Application 5-11-11-17 Tim Hoff, Section 27, Mary Township to install subsurface drain tile **denied**, due to downstream landowner concerns regarding the capacity of the outlet. **Carried with Manager Erickson opposed**.
- Permit Application 5-11-11-18 Tim Hoff, Section 27, Mary Township to install a 36" culvert **denied** due to downstream landowner concerns regarding the capacity of the outlet.

### **June 2011**

#### **Approved**

- Permit Application 6-8-11-6 Tim Hoff, Section 27, Mary Township to install subsurface drain tile and clean/grade a ditch. Approved with the condition that the applicant obtains approval from the landowner in the SW ¼ of Section 27 of Mary Township.
- Temporary Permit Gene Thompson, Section 31, Flom Township. A **motion** was made by Manager Hanson and **seconded** by Manager Austinson authorizing a temporary permit to install a field approach with a 24"

culvert until July 13, 2011, at which time another determination will be made. **Carried with Manager Erickson opposed.**

## June 29, 2011

### Approved

- Gene Thompson Permit Application. Gene Thompson has a temporary permit to install up to a 24" permit and requested that the Board authorize it as a permanent application. Gene Thompson, Section 31, Flom Township. A **motion** was made by Manager Hanson and **seconded** by Manager Erickson authorizing a Permanent permit to install a field approach with up to a 24" culvert. **Carried.**
- Permit 6-8-11-1 Michael Boman, Section 26, Wild Rice Township to install drain tile along his driveway
- Permit 6-8-11-2 Wayne Borgen, Section 20, Lee Township to install a field approach approved with the condition that the pipe size matches the pipe in the approach just to the north.
- Permit 6-8-11-3 David Einyck, Section 11, Popple Grove Township to install subsurface drain tile
- Permit 6-8-11-4 John Habedank Section 16, Fossum Township to install pattern drain tile
- Permit 6-8-11-7 Gene Kappes, Section 29, McDonaldsville Township to install a 24" culvert in his driveway, (which is a renewal of an older permit application) approved with no conditions.
- Permit 6-8-11-8 John Kraft, Section 11, Wild Rice Township to install a field approach without a culvert, approved with no conditions.
- Permit 6- 8-11-9 Norman County Highway Department, Sections 9-10, Sundal Township to move a culvert approved with the condition that the applicant obtains approval from the landowners in the NW ¼ of Section 10 and the NE ¼ of Section 9 of Sundal Township.
- Permit 6-8- 11-10 Norman County Highway Department, Section 2, Sundal Township to replace a 36" concrete box culvert with a 24" CMP approved with the condition that the applicant obtains approval from the landowners in the SESW and SWSE of Section 2 of Sundal Township.
- Permit 6-8-11-11 Luverne Petry, Section 35, Lockhart Township to reshape ditch and move a culvert to line up with new channel approved with no conditions.
- Permit = 6-8-11- 12 Ed Scherping, Dale Pazdernik, Section 34-35, Pembina Township to remove and extend culverts, install culverts, lower culvert, replace ditch with buried culverts approved (renewal) with no conditions.
- Permit 6-8-11-13 Ed Scherping, Section 34, Pembina Township to extend a 36" culvert, widen a field crossing and realign a ditch approved with no conditions.
- Permit 6-8-11-15 Robert Tjon, Section 5, Home Lake Township to install a field approach with an 18" culvert approved with no conditions.
- Permit 6-8-11-16 Robert Tjon, Section 6, Home Lake Township to install a field approach with an 18" culvert approved with no conditions.
- Permit 6-8-11-17 Robert Tjon, Section 7, Home Lake Township to install a field approach with an 18" culvert approved with no conditions.
- Permit 6-8-11-22 Adam Stalboerger, Section 1, Popple Grove Township to install a culvert and approach with no conditions. **Manager Spaeth abstaining**
- Permit 6-8-11-18 Keith Chisholm, Section 13, Green Meadow Township to install an additional centerline culvert and remove dry block and install culvert at that location, approved as requested.
- Permit 6-29-11-1 Gene Baukol, Section 24, Flom Township to install a field approach with an 18 inch culvert. No recommendations.
- Permit 6-29-11-2 Matthew Borgen, Section 31, Hegne Township to install subsurface drain tile
- Permit 6-29-11-5 Randy Borgen, Section 33, Mary Township to install an 18" culvert with a trap with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project.
- Permit 6-29-11-6 Wayne Borgen, Section 20, Lee Township. to extend a pipe through a field approach from a 36 foot long pipe to a 40 foot long pipe. No recommendations.
- Permit 6-29-11-11 Dean Pederson, Section 24, Strand Township to install subsurface drain tile
- Permit 6-29-11-12 Shane Sharp, Section 11, Shelly Township to install three field approaches with culverts with the condition that the pipe sizes are 18 inches.
- Permit 6-29-11-13 Shane Sharp, Section 5, Halstad Township to install a field approach with a culvert with the condition that the pipe size is 18 inches.
- Permit 6-29-11-14 Shane Sharp, Section 7, Shelly Township to install a field approach with a culvert with the condition that the pipe size is 18 inches.
- Permit 6-29-11-15 Skaurud Grain Farms, Section 33, Waukon Township to install subsurface drain tile

- Permit 6-29-11-17 Viking Gas, Section 11, McDonaldsville Township to add a 24 inch culvert in a driveway. No recommendations.
- Permit 6-29-11-18 David Visser, Section 14, Sundal Township to clean and deepen a ditch with the condition that the landowners obtains approval from the road authority for any work done in the road right-of-way and that the landowner install adequate erosion control measures.
- Permit 6-29-11-19 David Visser, Section 11, Strand Township to extend a centerline culvert and a culvert in a field approach with the condition that the landowner obtains approval from the road authority for any work done in the road right-of-way.

#### **Tabled**

- Permit Application 6-8-11-5 City of Hitterdal, Section 34, Goose Prairie for a culvert replacement and request the applicant provide the pipe size and elevation information regarding the culvert replacement and provide written approval from the MN DNR.
- Permit Application 6-29-11-3 Paul Borgen Farms, Section 12, Georgetown Township to install subsurface drain tile with lift pumps. Notice landowners in the N1/2 of Section 11 and the S ½ of Section 2 in Georgetown Township.
- Permit Application 6-29-11-4 Paul Borgen Farms, Section 7, Winchester Township to install subsurface drain tile with left pumps. Notice landowners in the NW1/4 of Section 7, Winchester Township.
- Permit Application 6-29-11-7 Hegne Township, Section 36, Hegne Township to replace two 30" CMPs with a concrete box culvert. Request a size for the box culvert and provide a hydraulic analysis.
- Permit Application 6-29-11-8 MN DOT, Sections in Goose Prairie and Ulen Townships to remill the roadway and replace culverts. Notice landowners on the East side of the project and the West side of the roadway in Section 4 of Goose Prairie Township and Section 21 of Ulen Township.
- Permit Application 6-29-11-9 Norman County Highway Department, Sections 29-32 Anthony Township to install a new 24 inch centerline culvert. Notice the South ½ of Section 29 and the North ½ of Section 32 of Anthony Township.

### **July 2011**

#### **Approved**

- Permit 7-13-11-14 Paul Borgen, Section 12, Georgetown Twp to install drain tile
- Permit 7-13-11-6 Paul Harless, Section 22, Winchester Township to install drain tile.
- Permit 7-13-11-8 Norman County Highway Department, Section 24, Lee Township.
- Permit 7-13-11-9 Norman County Highway Department, Section 24, Sundal Township.
- Permit 7-13-11-10 Russell Olson, Section 32, Wild Rice Township.
- Permit 7-13-11-11 Luverne Petry, Section 2, Pleasant View.
- permit 7-13-11-13 Viking Gas Plant, Section 11, McDonaldsville Township
- Permit 7-13-11-14. Paul Borgen Farms, Section 12, Georgetown Township.
- Permit 7-13-11-15 Paul Borgen Farms, Section 7, Winchester Township. Sam Larson and Paul Borgen came to an agreement as far as a landowner agreement.
- Permit 7-13-11-16 Norman County Highway Department, Section 29,32, Anthony Township to install a culvert.
- Permit 7-13-11-18 Blair Hoseth, Section 10,11, Fossum Township to install tile

#### **Tabled**

- Permit Application 7-13-11-12 Wild Rice Township, Section 32, Wild Rice Township tabled until the applicant can provide approval from the ditch Authority (Norman County) and give the landowners notice of the permit.
- Thomas Bergren, Section 5, Riceville Township. Table and notice the S1/2 of section 32 of Spring Creek Township and the N ½ of Section 5 of Riceville Township.
- Andrew Borgen, Section 11,12 of Georgetown Township. Table and notice the NW ¼ of section the NE ¼ of section 11 and the SE ¼ of section 2 of Georgetown.
- Lloyd Jirava, section 7, Spring Creek Township. Table pending a tiling plan showing locations and tile sizes and the notification of downstream landowners. 14. Duane Erickson, section 1, Ulen Township. Table pending a tiling plan showing locations and tile sizes and the notification of downstream landowners.
- Lynn Johnson, Section 30. Pleasant View Township to notice the N ½ of Section 30 of Pleasant View Township.



## August 10, 2011

### Approved

- Permit Application 8-10-11-1 Kevin Ackerman, Section 29, Good Hope Township to lower three 18 inch inlet pipes into J.D. 53, with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project.
- Permit Application 8-10-11-2 Kevin Ackerman, Section 16, Shelly Township to lower an 18 inch inlet pipe into J.D. 54 South with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project and with a recommendation that the applicant obtain approval from the Ditch Authority (Norman County).
- Permit Application 8-10-11-3 Kevin Ackerman, Section 20, Good Hope Township to lower an 18 inch inlet pipe into J.D. 54 South with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project and with a recommendation that the applicant obtain approval from the Road Authority.
- Permit Application 8-10-11-5 Charles Bernhardson, Section 32, Shelly Township to replace and lower an existing culvert with the condition that the same sized culvert is installed equal to or higher in elevation than the 36" downstream culvert and that the applicant obtains approval from the road authority.
- Permit Application 8-10-11-9 Tom Carlson, Section 29, Anthony Township to install a 15" or 18" culvert in a driveway with no conditions.
- Permit Application 8-10-11-14 Corey Jacobson, Section 4, McDonaldsville Township to install a field approach with a 30 inch culvert with no conditions.
- Permit Application 8-10-11-15 Corey Jacobson, Section 3, McDonaldsville Township to replace a 24" and a 30" culvert with one of equal size, with the condition that the culverts are replaced with a 36" culvert or with a 30" and a 24" culvert to be installed at the same elevation as the existing culverts.
- Permit Application 8-1-11-18 Ken Jirava, Section 17, Beaulieu Township to install subsurface drain tile
- Permit Application 8-10-11-19 Ken Jirava, Section 22, Spring Creek Township to install subsurface drain tile
- Permit Application 8-10-11-23 Dan Murphy, Section 14, Flowing Township to install subsurface drain tile
- Permit Application 8-10-11-24 Norman County Highway Department, Section 4/9, Sundal Township to install 18" culverts through the Agassiz Recreational Trail (ART) with no conditions.
- Permit Application 8-10-11-25 Jeff Opsahl, Section 34, Home Lake Township to lower a culvert through the ART with the condition that the applicant provide written approval from ART and the Norman County SWCD regarding wetland regulatory issues.
- Permit Application 8-10-11-26 Peter Schultz, Section 36 Hagen Township to construct four wetland restorations on WRP with no conditions.
- Permit Application 8-10-11-33 Skaurud Grain Farms, Section 33, Waukon Township to install culverts, remove a culvert, and deepen road ditches, with the condition that the applicant provide written approval from Waukon Township and the landowners in the South ½ of Section 28 of Waukon Township.
- Permit Application 8-10-11-34 Skaurud Grain Farms, Section 1, Fossum Township to install
- subsurface drain tile
- Application 8-10-11-35 Joe Slette, Section 8, Pembina Township Permit to install subsurface drain tile Condition that the applicant provide written approval from the landowner in the N1/2NE1/4 of Section 17, Pembina Township.
- Permit Application 8-10-11-36 Adam Stalboerger, Section 6, Lake Grove Township to install subsurface drain tile
- Permit Application 8-10-11-37 Bill Stalboerger, Section 12, Lake Grove Township to install subsurface drain tile
- Permit Application 8-10-11-38 Bill Stalboerger, Section 26, Popple Grove Township to install subsurface drain tile
- Permit Application 8-10-11-39 Bill Stalboerger, Section 1, Popple Grove Township to install subsurface drain
- Permit Application 8-10-11-44 Karen Vilmo, Section 3, Pleasant View Township to install subsurface drain tile
- Permit Application 8-10-11-4 Thomas Bergren, Section 5, Riceville Township to install subsurface drain. Downstream landowner George Read signed off on the permit.

- Permit Application 8-10-11-6 Andrew Borgen, Section 11/12 Georgetown Township to replace a 48" culvert and install a 15" subsurface drain tile.
- Permit Application 8-10-11-17 Corey Jacobson, Section 14, McDonaldsville Township to install subsurface drain tile. Approved with the additional condition that the applicant obtain permission from the Norman County Ditch Authority.

#### **Tabled**

- Permit Application 8-10-11-7 Broden Farms, Section 14, Sundal Township to install subsurface drain tile. Landowners in the W1/2 of Section 14 and the E1/2 of Section 15 of Sundal Township will be noticed.
- Permit Application 8-10-11-8 Broden Farms, Section 27, Sundal Township to install subsurface drain tile. Landowners in the SE1/4 of Section 28, the NE1/4 of Section 33 and the NW1/4 of Section 34 of Sundal Township will be noticed.
- Permit Application 8-10-11-10 Mark Christianson, Section 35, Ulen Township to construction two water and sediment basins will be tabled and applicant will be requested to provide design plans.
- Permit Application 8-10-11-11 Lloyd Jirava/Duane Erickson, Section 18, Spring Creek Township to install subsurface drain tile. Tabled until a tiling plan illustrating locations and sizes of tile is provided and the notification of downstream landowners.
- Permit Application 8-10-11-12 Duane Erickson, Section 1, Ulen Township to install subsurface drain tile. Tabled until a tiling plan illustrating locations and tile sizes is provided and the notification of downstream landowners.
- Permit Application 8-10-11-13 Corey Jacobson, Section 3, McDonaldsville Township to replace a 24" culvert with a 30" culvert tabled and landowners in the S1/2 of Section 4 of McDonaldsville Township will be noticed.
- Permit Application 8-10-11-16 Corey Jacobson, Section 16, McDonaldsville Township to install new 18" culvert through the Railroad Bed, tabled and the landowners in the W1/2 of Section 16, McDonaldsville Township south of the Marsh River will be noticed.
- Permit Application 8-10-11-22 MN DOT, Sections in Ulen/Goose Prairie Townships to do an overlay project and change culvert sizes. Landowners on both the east and west side will be notified.
- USFWS for the restoration of wetlands in Section 25 of Atlanta Township, Sections 7, 8, 17 and 18 of Fossum Township, Section 29 of Beaulieu Township and Section 27 of Lake Ida Township. Surrounding landowners will be notified for all permits and more detailed information will be requested from the USFWS.
- Permit Application 8-10-11-46 Wild Rice Township, Section 32, Wild Rice Township to remove a driveway, and install a new field approach approximately 100 feet north of the current location. During the discussion, Attorney Hanson noted that he notified County Attorney Sue Rantala Nelson that as a result of the work being planned it would result in water draining into Ditch 39 and would split the water into two systems. Hanson recommended notifying landowners. **Carried with Manager Erickson opposed.**

#### **Denied**

- Permit Application 8-10-11-21 Roger Kurpius, Section 2, Mary Township to install a crossing with a 24" culvert, and was recommended that he provide an overflow section. The same permit application was previously denied.

### **August 31, 2011**

#### **Approved**

- Permit Application 8-31-11-22 MN DOT, Sections in Goose Prairie and Ulen Townships to re-mill the roadway and replace culverts.
- Permit Application 8-31-11-16 Corey Jacobson, Section 16, McDonaldsville Township to install a new 18" centerline culvert through the Railroad Bed.
- Permit Application 8-31-11-17 Corey Jacobson, Section 14, McDonaldsville Township to install subsurface drain tile. The condition that the applicant obtains written approval from landowners if the work is to be conducted on land not owned by the applicant.
- Permit Application 8-31-11-30 Wild Rice Township, Section 32, Wild Rice Township to remove a driveway, install a field approach and install a new center culvert with the condition that Wild Rice Township needs to obtain approval from the ditch authority.
- Permit Application 8-1-31-6 Broden Farms, Section 14, Sundal Township to install subsurface drain tile
- Permit Application 8-11-31-7 Broden Farms, Section 27, Sundal Township to install subsurface drain tile
- Permit Application 8-31-11-10 Lloyd Jirava/Duane Erickson, Section 18, Spring Creek Township to install subsurface drain tile

- Permit Application 8-31-11-26 USFWS, Section 25, Atlanta Township to construct wetland restorations and creations.
- Permit Application 8-31-11-27 USFWS, Sections 7, 8, 17, 18 Fossum Township to construct wetland restorations and creations.
- Permit Application 8-31-11-28 USFWS, Section 29, Beaulieu Township to construct wetland restorations and creations.
- Permit Application 8-31-11-29 USFWS, Section 27, Lake Ida Township to construct wetland restorations and creations.
- Permit Application 8-31-11-2 Charles Borgen, Jr. Section 25, Hendrum Township to replace three approaches with 36" culverts, install two field approaches with 36" culverts.
- Permit Application 8-31-11-3 Wayne Borgen, Section 8, Hegne Township to lower two culverts 0.5 feet in elevation.
- Permit Application 8-31-11-4 □ John and Joe Brainard, Section 9, Home Lake Township to install subsurface drain tile
- Permit Application 8-31-11-5 Robert Braseth, Section 9, Ulen Township to construction wetland restorations and creations.
- Permit Application 8-31-11-12 Felton Cemetery, Section 34, Felton Township. to install a single line (700 feet of 4" tile) subsurface drain tile around the cemetery
- Permit Application 8-31-11-13 Chad Geray, Section 1, Rosedale Township to construct wetland restorations and creations.
- Permit Application 8-31-11-14 Dwight Heitman, Section 18, Winchester Township to lower a culvert.
- Permit Application 8-31-11-18 Steve Jacobson, Section 10, Lee Township. to install a field approach and culvert with the condition that the culvert is a 24" diameter or larger.
- Permit Application 8-31-11-20 Jim Matter, Section 13, Atlanta Township to construct wetland restorations and creations.
- Permit Application 8-31-11-23 Mike Myers, Section 25, Mary Township to install a field approach with an 18" culvert.
- Permit Application 8-31-11-24 Michael Nogowski, Section 20, Fossum Township to install a field approach with a culvert with the condition that the culvert is an 18" diameter pipe or larger.
- Permit Application 8-31-11-25 Skaurud Grain Farms, Section 12, Popple Grove Township. to install subsurface drain tile
- Permit Application 8-31-11-31 Ryan Zimmerman, Section 2, Georgetown Township to install subsurface drain tile

#### **Tabled**

- Bejou Township, Sections 13-24, Bejou Township to replace a 24" culvert with a 36" culvert and notice affected landowners in the N ½ of Section 24 of Bejou Township. Applicant will also need to obtain a hydraulic report from the Mahanomen County Engineer.
- Gerald Chisholm, Section 25, Green Meadow Township to install two 36" CMPs and a crossing. Notice upstream landowners in the SW ¼ of Section 30 of Strand Township.
- Michael Chisholm, Section 8, Wild Rice Township to deepen a ditch. Notice landowners in the E ½ of Section 7 and the W ½ of Section 8, Wild Rice Township.
- David Lunde, Section 26, Flom Township to install subsurface drain tile and notice landowners in the W ½ of the SE ¼ of Section 26 of Flom Township. Carried.
- Duane Erickson, Section 1 Ulen Township. Request that the applicant submit tile sizes to the district..
- Permit Application 8-31-11-19 Roger Kurpius, Section 2, Mary Township to construct wetland restorations and creations. Due to the work already being completed. Landowners in Section 2 of Mary Township will be noticed and more detailed information on the design will be provided to staff. If these conditions are met and provided to staff the permit will be approved and not tabled any further.
- Tim Sargent, Section 16, McDonaldsville Township to construct a berm and fill the low areas in Section 16, due to previous litigation and an agreement which was executed by Tim Sargent and Duane Hoven. Legal Counsel, Attorney Hanson will review the documents and provide input to the staff prior to the board taking any action on the permit application.

#### **Denied**

- Permit Application 8-31-11-15 Corey Jacobson, Section 3, McDonaldsville Township to replace a 24 inch culvert with a 30 inch culvert. Jacobson will reapply for a revised permit. Carried.

## September 2011

### Approved

- Permit Application 9-14-11-18 Tim Sargent, Section 16, McDonaldsville Township. A motion was made by Manager Ista and seconded by Manager Hanson to approve of Tim Sargent to construct a berm and fill low areas per a Settlement Agreement providing that Sargent provide the Watershed District with documentation that the berm is on his property. **Carried.**
- Permit Application 9-14-11-1 Kurt Anderson, Section 29, Lake Ida Township to install a field approach and culvert with the condition that the culvert is equivalent in size to the upstream culvert or per recommendation of the County Engineer (road authority).
- Permit Application 9-14-11-2 Kurt Anderson, Section 36, McDonaldsville Township to install a field approach and culvert with the condition that the pipe is an 18 inch culvert.
- Permit Application 9-14-11-3 Ronald Baker, Section 12, McDonaldsville Township to replace a tile with a new tile that outlets into J.D. #51 with the condition that the applicant obtains approval from MN DOT for any work in the Highway #200 ROW and that the applicant obtains approval from the adjacent landowner and that the applicant is responsible for erosion control measures at the outlet to J.D. #51.
- Permit Application 9-14-11-4 Ronald Baker, Section 12, McDonaldsville Township to install a field approach with no conditions.
- Permit Application 9-14-11-6 John and Joe Brainard, Section 17, Rockwell Township to install subsurface drain tile
- Permit Application 9-14-11-8 Michael Chisholm, Section 8, Wild Rice Township to deepen ditch with no conditions.
- Permit Application 9-14-11-10 Duane Erickson, Section 1, Ulen Township to install subsurface drain tile. **Manager Erickson abstained.**
- Permit Application 9-14-11-12 Joe Kroshus, Section 30, Mary Township to widen a field approach with an 18 inch culvert with no conditions.
- Permit Application 9-14-11-14 Loretel Systems, Section 28, Lockhart Township to install fiber optic cable under J.D. #53 with the condition that the cable is installed a minimum of 30 inches below the channel bottom.
- Permit Application 9-14-11-15 Loretel Systems, Section 3, Pleasant View Township to install fiber optic cable under Norman County Ditch #18 with the condition that the cable is installed a minimum of 30 inches below the channel bottom.
- Permit Application 9-14-11-16 David Lunde, Section 26, Flom Township to install subsurface drain tile
- Permit Application 9-14-11-19 Dale Sip, Section 17, Green Meadow Township to construct a new ditch with no conditions.
- Permit Application 9-14-11-20 Dean Spaeth, Section 23, Marsh Creek Township to replace a 25 foot 36 inch culvert with a 30 foot 36 inch culvert and widen the crossing, with the condition that the culvert is replaced at the same elevation. **Manager Spaeth abstained.**
- Permit Application 9-14-11-24 Skaurud Grain Farms, Sections 11 and 12, Popple Grove Township to install subsurface drain tile
- Permit Application 9-14-11-27 Gene Ueland, Section 32, Good Hope Township to install subsurface drain tile after the applicant provides an approved tiling plan to staff
- Permit Application 9-14-11-28 Doug Umphrey, Section 33, Wild Rice Township to extend culverts and widen a driveway with the recommendation that the applicant obtains approval from the MN DNR for any work done in protected waters.
- Permit Application 9-14-11-29 William Ziegler, Section 26, Georgetown Township to install three culverts with the following conditions: the installation of the three side inlet pipes will be into the ditch north of the roadway and will be installed with flap gates on the south side of the pipes, the pipe outlets will be a maximum of 18 inches above the ditch bottom.
- Permit Application 9-4-11-30 ☐ William north to line up with the ditch channel, reroute the ditch to match the new culvert location with the condition that the pipes will be installed at the same elevation.

### Tabled

- Permit Application 9-14-11-13 Roger Kurpius, Section 2, Mary Township. Chairman Holmvik stated that the permit was tabled at the last meeting to notify downstream landowners and to obtain additional detailed design from NRCS. Landowners in attendance asked why they were not notified prior to the project. Shawn Balstad, NRCS, stated that this is an after the fact permit, which due to some confusion in the office, was

not applied for prior to the project. A motion was made by Manager Spaeth and seconded by Manager Hanson to table to construct wetland restorations and creations to allow neighboring landowners to review the plans and specifications with engineers from the NRCS. **Carried.**

- Permit Application 9-14-11-5 Bejou Township, Section 13-14 Bejou Township to replace a 24 inch culvert with a 36 inch culvert will continue to be tabled until a hydraulic capacity report is received.
- Permit Application 9-14-11-9 David Eiyneck, Section 34, Fossum Township to install subsurface drain tile tabled pending a tile plan from the NRCS.
- Permit Application 9-14-11-11 Mark Habedank, Section 30, Waukon Township to install subsurface drain tile tabled pending a tile plan from the applicant.
- Permit Application 9-14-11-17 Verdell Olson, Section 28, Sundal Township to clean out old ditch and redirect water to flow in old channel, tabled until there is a request for written approval from the MN DNR for work in protected waters and from the landowner in the East ½ of the SW ¼ of Sundal Township.
- Permit Application 9-14-11-21 Doug Spaeth, Section 27, Rosedale Township to install subsurface drain tile. Tabled and landowners in the East ½ of the NE ¼ of Rosedale Township will be notified or permit will be approved with the standard tile conditions if the applicant provides written approval from all landowners in the area noticed.
- Permit Application 9-14-11-22 Doug Spaeth, Section 22, Rosedale Township to install subsurface drain tile. Tabled and landowners in the East ½ of the NE ¼ of Section 21 and the East ½ of the SE ¼ of Section 21 of Rosedale Township will be notified or permit will be approved with standard tile conditions if the applicant provides written approval from all landowners in the area noticed.
- Permit Application 9-14-11-23 Doug Spaeth, Section 21, Rosedale Township to install subsurface drain tile. Tabled and landowners in the West ½ of the SE ¼ of Section 21 and the NE ¼ of Section 28 of Rosedale Township will be notified or permit will be approved with standard tile conditions if the applicant provides written approval from all landowners in the area noticed.
- Permit Application 9-14-11-26 Skaurud Grain Farms, Section 2, Fossum Township to install subsurface drain tile. Tabled and landowners in the North ½ of the SE ¼ of Section 2, Fossum Township will be notified or permit will be approved with standard tile conditions if the applicant provides written approval from all landowners in the area noticed.
- Permit Application 9-14-11-26 Skaurud Grain farms, Section 7, Pembina Township to install subsurface drain tile. Tabled and landowners in the South ½ of the SE ¼ of Section 7 Pembina Township will be noticed or the permit will be approved with standard tile conditions if the applicant provides written approval from all landowners in the area noticed.

#### **Denied**

- Permit Application 9-14-11-7 Gerald Chisholm, Section 25, Green Meadow Township. Gerald Chisholm applied for an after the fact permit for removing a dry crossing and installing two 36" CMP culverts. A motion was made by Manager Ista and seconded by Manager Hanson to deny to install two 36 inch CMPs and an order to remove the culverts currently installed without a permit and restore the Texas crossing to its original condition. This must be completed within 30 days. **Carried.**

### **October 2011**

#### **Approved**

- Permit Application 10-12-11-24 Greg Zillmer, Sections 1-2, Hagen Town to install subsurface drain tile
- Permit Application 10-12-11-25 Greg Zillmer, Section 11, Hagen Township to install subsurface drain tile
- Permit Application 10-12-11-26 Greg Zillmer, Section 10, Hagen Township to install subsurface drain tile
- Permit Application 10-12-11-27 Greg Zillmer, Section 7, Hagen Township to install subsurface drain tile if the applicant provides written statement or signature on the permit of downstream landowner, Cindy Anderson.
- Permit Application 10-12-11-27 Stewart Bjorhus, Section 9, Hagen Township to install subsurface drain tile
- Permit Application 10-12-14-13 Roger Kurpius, Section 2, Mary Township to construction wetland restorations and creations with the condition that neighboring landowners sign on the permit.
- Permit Application 10-12-11-9 Cliff Frazier, Section 33, Rosedale Township to construct numerous wetland basins and install three ditch plugs for wetland restorations.
- Permit Application 10-12-11-17 Norman County Highway Department, Section 36, Spring Creek Township to remove and construct a bridge.



- Jeff Borgen, Section 2, Lee Township. Permit Application 10-12-11-3 to replace a 15 inch culvert with a long culvert and install a field approach with a 15 inch culvert, is approved with the condition that the existing culvert is replaced at the same location and at the same elevation.
- Permit Application 10-12-11-4 Jeff Borgen, Section 14, Lee Township to install a field approach with a 15 inch culvert.
- Permit Application 10-12-11-5 Jeff Borgen, Section 7, Mary Township to replace a 15 inch culvert with a long culvert with the condition that the existing culvert is replaced at the same location and at the same elevation.
- Permit Application 10-12-11-10 Lyle Fuchs, Section 9, Sundal Township to construct a ditch and install a section of 10 inch tile to install subsurface drain tile
- Permit Application 10-12-11-11 Mark Habedank, Section 30, Waukon Township to install a subsurface drain and water retention
- Permit Application 10-12-11-12 Michael Holte, Section 23, Shelly Township to install a field crossing with an 18 inch pipe and lower an 18 inch pipe and deepen a ditch is approved with the condition that the outlet pipe into J.D. #53 is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project.
- Permit Application 10-12-11-14 Robin Larson, Section 17, Wild Rice Township to construct a streambank stabilization project is approved with the condition that the applicant obtains approval from the MN DNR for work in Protected Waters.
- Permit Application 10-12-11-15 John David Lee, Section 10, Georgetown Township to replace a 48 inch RCP with a longer 48 inch CMP and widen the field approach, approved with the condition that the Watershed District sets the elevation of the new culvert.
- Permit Application 10-12-11-21 Skaurud Grain Farms, Section 7, Pembina Township. to install subsurface drain tile
- Permit Application 10-12-11-23 USFWS, Section 33, Spring Creek Township to install an outlet to Lindsey Lake is approved with the condition that the pipe will be at elevation 1241.4 or 1.5 feet lower than the OHW of the lake. Approved with Manager Erickson opposed.
- Permit Application 10-12-11-28 Johnson Brothers Farms, Inc., Section 5, Hegne Township to install a field approach.
- Permit Application 10-12-11-29 Leon Sip, Section 23, Lockhart Township to construct a ditch..

#### **Tabled**

- Permit Application 10-12-11-7 David Dunham, Section 20, Hagen Township to construct three wetland basins and fill ditch. Landowners in Section 20 of Hagen Township will be notified.
- Permit Application 10-12-11-22 NRCS Jon Voz, Section 32-33, 4-5 Home Lake/Ulen Township to construct wetland restorations and creations and provide written approval from landowners.
- Permit Application 10-12-11-18 Tom Olson, Section 6, Ulen Township to construct wetland restorations and creations. Landowner problems will be addressed..
- Bejou Township, Section 13-24 Bejou Township to replace a 24 inch culvert with a 36 inch culvert, tabled until a hydraulic capacity report is received.
- Mark Christianson, Section 35, Ulen Township. Permit to construct two water and sediment basins. Landowners in the S1/2NE1/4 of Section 35 and the S1/2SE1/4 will be noticed or approved with standard tile conditions if the applicant provides signatures of both adjacent landowners.
- David Einyck, Section 34, Fossum Township. Permit to install subsurface drain tile tabled pending a tile plan from NRCS.
- Verdell Olson, Section 28, Sundal Township. Permit to clean old ditch and redirect water to flow in old channel, tabled pending additional information from the applicant.
- Popple Grove Township, Section 17, Popple Grove Township. Permit Application to install a 16 inch centerline culvert was tabled and request the applicant to provide approval from the WCA Mahnomen SWCD and the USACE Clean Water Act.
- Permit Application 10-14-11-16 Mattson Brothers, Sections 27-34, Atlanta Township to install standard drain tile. Landowners in the W1/2 of Section 27 and the N1/2 of Section 28 of Atlanta Township will be noticed. Permit will be approved with standard tile conditions if written approval is received from all landowners in the area noticed.

## **Denied**

- Gerald Chisholm, Section 25, Green Meadow Township “after the fact permit” for removing a Texas crossing and installing two 36” CMP culverts that was applied for last month and denied. A motion was also made at that time with an order to remove the culverts currently installed without a permit and restore the Texas crossing to its original condition, which needed to be completed within 30 days. Chisholm at the open microphone portion of the meeting requested that he not have to restore the dry crossing until he could determine the size of culverts to be installed. Administrator Ruud stated that Chisholm had also applied for another permit with an additional culvert, but was told if he brought back the signatures of the two landowners involved, the Board would take action on the permit. Nothing had been received in the office to date. Consensus of Managers was that the order still stands, and he must remove the culverts and restore the crossing by Friday October 14, 2011.

## **October 27, 2011**

### **Approved**

- Permit Application 10-27-11-3 Roger Kurpius, Section 2, Mary Township to construct wetland restorations and creations is now approved, as adjacent landowners have signed on the permit.
- Kevin Anderson, Section 29, Rockwell Township. Permit Application 10-27-11 to lower an inlet pipe into Project #19 with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for adequate erosion control measures associated with the project.
- Permit Application 10-27-11-2 City of Hitterdal, Section 34, Goose Prairie Township to replace a culvert with the conditions that the pipe to be installed is the same size and elevation as approved by the MN DNR Protected Waters Permit.
- Permit Application 10-27-11-5 Dean Pederson, Section 24, Strand Township to install subsurface drain tile
- Permit Application 10-27-11-8 Scott Stevenson, Section 32, Mary Township to install a centerline inlet pipe with a flap gate into J.D. #56 with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for the erosion control measures associated with the project.
- Permit Application 10-27-11-9 Scott Stevenson, Section 3 Viding Township to widen a field approach and extend a 24” culvert with the condition that the pipe outlet is set at a maximum of two feet from the ditch bottom and that the spoil bank is restored to the current elevation and that the applicant is responsible for the erosion control measures associated with the project.
- Permit Application 10-27-11-10 Scott Stevenson, Section 5, Winchester Township to remove a field approach with an 18 inch pipe and install a new field approach with an 18 inch pipe with no conditions.
- Permit Application 10-27-11-11 John Storsved, Section 20, Hendrum Township to remove a driveway with an 18 inch pipe and install a new driveway approach with an 18 inch pipe with the condition that the pipe is set at the existing grade of the road ditch and that the applicant obtains approval from the road authority for any work in the road right-of-way.
- Permit Application 10-27-11-6 Dean Pederson, Section 25, Strand Township to install subsurface drain tile with the condition that applicant provides staff with written documentation that the drainage authority adds the SE1/4NW1/4 of Section 26 Strand Township into the benefitting area of Norman County Ditch #42

### **Tabled**

- Tom Olson, Section 6, Ulen Township. Managers, landowners and agency personnel discussed the permit Application of Tom Olson to construct wetland restorations and creations. Tabled and Managers will meet with landowners and agency persons in an effort to negotiate an agreement.
- Permit Application 10-27-11-7 Dean Pederson, Section 7, Waukon Township to install a field approach and culvert until a pipe size is provided to the District. Carried.

## **November 2011**

### **Approved**

- Permit Application 11-9-11-2 Michael Chisholm, Section 8, Wild Rice Township to install subsurface drain tile with the condition that the landowner in the West ½ of the SW1/4 of Section 8 of Wild Rice Township sign on the permit.
- Permit Application 11-9-11-3 Michael Chisholm, Section 10, Strand Township to install subsurface drain tile
- Permit Application 11-9-11-4 Michael Chisholm, Section 16, Strand Township to install subsurface drain tile

- Permit Application 11-9-11-6 Stuart Christian, Section 12, Anthony Township to install four filed approaches with the condition that the culvert sizes will be a minimum size of 24" in diameter.
- Permit Application 11-9-11-10 Brian Hest, Section 33, Lee Township to install a field approach with a 30" diameter culvert, approved with no conditions.
- Permit Application 11-9-11-11 Steve Hlubek, Section 36, Waukon Township to install a field approach with a 24" diameter culvert, approved with the condition that the applicant obtains a permit from the Norman County Highway Department for work within the county R/W.
- Permit Application 11-9-11-12 Steve Hlubek, Section 36, Waukon Township to install a field approach with a 24" diameter culvert and remove a field approach with a 24" diameter culvert, approved with the conditions that the landowner of the existing field approach approves the permit and that the applicant obtains a permit from the Norman County Highway Department to work within the county R/W.
- Permit Application 11-9-11-13 Matthew Horn, Section 36, Hendrum Township to lower a culvert in a driveway with the condition that the pipe is lowered to grade between the up and downstream culvert and that the landowners in the N1/2SW1/4 of Section 36 of Hendrum Township sign the permit.
- Permit Application 11-9-11-14A Don Johnson, Section 17, Rockwell Township to install subsurface drain tile
- Permit Application 11-9-11-15A Don Johnson, Section 14, Winchester Township to install subsurface drain tile
- Permit Application 11-9-11-15B Paul Larson, Sections 22-27, McDonaldsville Township to install subsurface drain tile with the additional condition that the riverbanks and/or levees are restored to the pre-project geometry and condition and any inlet pipes are not disturbed or blocked.
- Permit Application 11-9-11-19 Verdell Olson, Section 28, Sundal Township to clean out an old ditch and redirect the water to flow in old channel approved with the condition that the landowner in the E1/2SW1/4 of Section 28, sign on the permit and a recommendation that the applicant contact and coordinate with the NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland issues.
- Permit Application 11-9-11-20 Myron Pallum, Section 25, Mary Township to realign a drainage ditch with the condition that the applicant contact and coordinate with NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland issues.
- Permit Application 11-9-11-22 Popple Grove Township, Section 17, Popple Grove Township to install a 18" centerline culvert approved with no conditions.
- Permit Application 11-9-11-24 Jerome Thompson, Section 1, Lake Ida Township to install a field approach and culvert with the condition that the culvert size will be a minimum size of an 18" diameter pipe.
- Permit Application 11-9-11-26 Greg Zillmer, Section 10, Hagen Township to install subsurface drain tile
- Permit Application 11-9-11-27 Steve Kalbaugh, Section 18, Rosedale Township to clean ditch and change culvert to a 24"

#### **Tabled**

- Permit Application 11-9-11-14B Leon Johnson/Stewart Klask, Section 25, Pleasant View Township to increase the culvert size in a field approach from 24" to 36". Landowners in the NW1/4 of Section 25, N1/2 of Section 26 and the SW1/4SW1/4 of Section 23, and the S1/2 of Section 24 of Pleasant View will be notified and the permit will be reviewed at the December meeting.
- Permit Application 11-9-11-1 Bejou Township, Sections 13-24 Bejou Township to replace a 24" culvert with a 36" culvert, waiting for additional information from the applicant.
- Permit Application 11-9-11-5 Gerald Chisholm, Section 25, Green Meadow Township to install culverts in a Texas crossing tabled pending culvert size and hydraulic analysis from the applicant.
- Permit Application 11-9-11-7 Mark Christianson, Section 35, Ulen Township to construct two water and sediment basins, pending signature from the landowner in the S1/2SE1/4 of Section 35.
- Permit Application 11-9-11-9 David Einyck, Section 34, Fossum Township to install subsurface drain tile pending additional information from the applicant.
- Permit Application 11-9-11-16 Mattson Brothers, Sections 27-34, Atlanta Township to install subsurface drain tile pending additional information from the applicant.
- Permit Application 11-9-11-17 Kevin Olson, Section 25, Green Meadow Township to improve a drainage ditch, pending project plans from the applicant and approval from the SWCD/NRCS office.
- Permit Application 11-9-11-18 Tom Olson, Section 6, Ulen Township to construct wetland restorations and creations pending landowner meeting results.
- Permit Application 11-9-11-21 Dean Pederson, Section 7, Waukon Township to install a field approach and culvert pending additional information from the applicant.

- Application 11-9-11-25 NRCS/John Voz, Section 32-33 Home Lake Township and Sections 4-5 Ulen Township Permit to construct wetland restorations and creations tabled pending documentation that seepage concerns from Paul Amundson have been addressed.

#### **Denied**

- Permit Application #11-9-11-23 Loyal Sip, Section 27, Pleasant View Township to increase the culvert size in a centerline culvert from a 24" to a 36" denied because additional pipe size not warranted.

### **December 2011**

#### **Approved**

- Permit Application 12-14-11-13 Leon Johnson/Stewart Klask, Section 25, Pleasant View Twp to increase the culvert size in a field approach from a 24" to a 36". Upon a voice vote, Managers Christensen, Johannsen, Erickson and Holmvik voted yes, and Managers Spaeth, Austinson and Hanson voted no. Carried by a majority vote.
- Permit Application 12-14-11-14 Lowell Johnson, Section 25, Pleasant View Twp to install a field approach with a 24 inch culvert
- Permit Application 12-14-11-6 Lyle Fuchs, Section 9, Sundal Twp to extend the new ditch further south instead of tile line previously approved.
- Permit Application 12-14-11-9 Preston Halvorson, Section 35, Wild Rice Twp to replace a culvert with an 18" cmp with 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.
- Permit Application 12-14-11-11 Michael Holte, Section 1, Good Hope Twp to lower an 18" diameter inlet pipe with the condition that the applicant obtains Township approval for work in the road right-of-way and the condition that the outlet is installed above (however not more than 2 feet above) the elevation of the original design gradeline of the receiving ditch or channel.
- Permit Application 12-14-11-16 Dan Murphy, Section 20, Felton Twp to install a new 24" diameter inlet pipe with a flap gate with the condition that the outlet is installed above (however to not more than 2 feet 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.
- Permit Application 12-14-11-18 Brad Olek, Section 6, Flowing Twp to install subsurface drain tile. with the additional condition that the ditchbanks and/or levees are restored to the preproject geometry.
- Permit Application 12-14-11-25 Scott Visser, Section 11, Wild Rice Township to widen driveway and replace with an 18" longer pipe.

#### **Tabled**

- Mark Habedank, Section 7, Wild Rice Twp. #7 to realign a drainage ditch, construct a new ditch and fill in old ditch – notice area landowners
- Brad Olek, Section 7, Flowing Twp. #17 to install subsurface drain tile – notice area landowners
- Duane Erickson, etal. Section 35 Flom Twp. #28 to divert low water flow – notice area landowners
- Bejou Twp., Section 13-24 #1. Replace a 24" culvert with a 36" culvert – request additional information
- Gerald Chisholm, Section 25, Green Meadow Twp. #2. Install culverts in a Texas Crossing – request additional information
- Mark Christianson, Section 35, Ulen Twp. #3. Construct two water and sediment basins – request additional information
- David Einyck, Section 34, Fossum Twp. #4. Install subsurface drain tile – request additional information
- Lyle Fuchs, Section 9, Sundal Twp. #5. Install subsurface drain tile – request additional information
- Hagen Township, Section 36, Hagen Twp. #8. Replace 2 30" CMPs with a concrete box culvert – request additional information
- Michael Holte Section 20-21, Shelly Twp. #10. Move an 18" CMP and reset another 18" CMP – request additional information
- Blair Hoseth, Section 11 Fossum Twp. #12. Install drain tile – request additional information
- Mattson Bros. Section 27-34 Fossum Twp. #15. Install surface drain tile- request additional information

## E. Flood Damages – FEMA Assistance

**June 8, 2011:** FEMA 2011 Disaster Resolution. A **motion** was made by Manager Spaeth and **seconded** by Manager Austinson authorizing execution of and Chairman Holmvik and Vice Chairman Christensen to sign the following resolution. **Carried.**

### **Resolution Delegating Legal Signing Authority**

Be it resolved that the jurisdiction of the Wild Rice Watershed District, has authorized Greg Holmvik, Chairman or Mike Christensen, Vice Chairman to sign any and all grants or required documentation from the Division of Homeland Security and Emergency Management at the Department of Public Safety, execution on behalf of the Wild Rice Watershed District.

Dated: June 8, 2011

## F. FEMA Rural Home Acquisition Program

**January 12, 2011:** Administrator Ruud reported that he is waiting for Irene Wynne to get back to him; they are going to do site visits of Johnson, Peck, Paquin and Gerner; three are FEMA and one state. One of the requirements of being bought out by FEMA funds is to remove the ring dike if there is one there. One is the Merkle property and we are going to explain that we do not want to remove the entire ring dike, as it may cause flooding to adjoining property. Jim Russell, HSEM, visited the District and we were able to now show him personally, what this could cause.

**February 9, 2011:** Rural Home Acquisition 2009. Administrator Ruud reported that staff has been in contact with Irene Wynne of Wynne Consulting and that the Marshall County Board meets next week and an appraiser will be authorized to do the District's appraisals. Kaye Svedjan, one of the applicants advised that she was withdrawing her request. It is hoped in working with the State of MN and the DNR that more of the District's applicants can be funded.

Lease of Rural Home Acquisition Properties/Wetland Possibilities. Administrator Ruud reported that he had been contacted by the NRCS in Detroit Lakes concerning the possibility of them clearing trees on the former Ray Turner property which is adjacent to land purchased by Roger Kurpius and enrolled in the EWP program. A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to approve the request. **Motion failed for lack of a majority.** Consensus of Managers was for Administrator Ruud to request additional information. Also discussed was the possibility of using the formerly acquired properties for wetland possibilities. A **motion** was made by Manager Erickson and **seconded** by Manager Hanson authorizing the Administrator to investigate the possibility of leasing out acquisition properties including the former Thomas property. **Carried.**

**March 9, 2011:** Kurpius Request for Tree Removal on Turner Property, Sec 2 – Mary Twp. Administrator Ruud discussed the request from Roger Kurpius to do tree removal on the former Turner property in Section 2 of Mary Township, which is now owned by the District due to the FEMA rural acquisition program. A **motion** was made by Manager Hanson and **seconded** by Manager Ista to leave the trees as they are. **Carried.**

**June 8, 2011:** Rural Acquisition 2006 Demolition. Engineer Bents reported that bid opening for the demolition of the Merkle/Jacobson properties is scheduled for 10:00 am. On June 23, 2011. A **motion** was made by Manager Ista and **seconded** by Manager Hanson authorizing staff to award the bids to the lowest reasonable bidder. **Carried.**

**June 29, 2011:** Administrator Ruud reported that staff has been negotiating with Lori Merkle regarding a buyout of some of her property in the NW¼ of Mary Township, however she has concerns regarding taking land out of production. The property would be used to do a setback levee which the District has some funds from the 2009 FEMA funding. A **motion** was made by Manager Christensen and **seconded** by Manager Hanson authorizing staff to negotiate with Merkle and pay \$100 for an option. **Carried.**

**July 13, 2011:** Merkle and Jacobson Acquisition Properties. Engineer Bents recommended that the board accept the contract with Johnson Excavating for the demolition of the properties. A **motion** was made by Manager Spaeth and **seconded** by Manager Ista. **Carried.** Engineering Bents recommend that the board accept the contract from Brugen Environmental to complete the asbestos abatement of both properties. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen. **Carried.**

**September 14, 2011:** Administrator Ruud reported that the Watershed District recently purchased two additional properties with the 2009 acquisition program, Paquin and Woods. Brammer will be purchased in approximately ten days. Jordan Peck has an easement which a surrounding landowner needs to sign and the Johnson and Olson



purchase agreements will be completed soon. It is staff wishes that all will be closed prior to the next meeting. Regarding Jacobson and Merkle acquisitions from the 2006 program, they are complete. On September 28, 2011, an inspection will be done by FEMA representative. All bills and paper work will be done and submitted. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the pay request to Johnson Excavating in the amount of \$69,504.30 for the demolition of the Jacobson property. **Carried.** A motion was made by Manager Hanson and seconded by Manager Ista authorizing the final pay request to Johnson Excavating in the amount of \$7,722.70. **Carried.**

Following is a list of buyouts in 2011:

<b>Name</b>	<b>Address</b>	<b>Location</b>
Steve and Sandra Brammer	1093 160th St S Perley MN 56574	Section 34 – Lee Township
Andrew and Tracie Gerner	1262 210th Ave Halstad MN 56548	Section 6 – Hendrum Twp
Catherine Olson	1656 130th Ave Perley MN 56574	Section 14 – Lee Twp
Patrick and Donna Woods	1806 200th Ave NW Georgetown MN 56546	Section 1 – Georgetown Twp
Daniel and Leticia Paquin	1094 245th Ave Halstad MN 56548	Section 4 – Halstad Twp
John and Sandra Johnson	2033 US Hwy 75 Hendrum MN 56548	Section 7 – Hendrum Twp

## **G. Project #20, Ditch 45 in Clay County**

**October 12, 2011:** Administrator Ruud reported that Steve Ranz who owns property within the Project #20 ditch system requested a cleaning on Lateral #2, which in the District's current records is not included as a part of the actual ditch system. Ruud did a considerable amount of research, both in District records and at the Court House and did not find any documentation that Lateral #2 was removed or abandoned by the system. Therefore, a **motion** was made by Manager Hanson and **seconded** by Manager Christensen authorizing engineering to prepare a cost estimate and proceed with the cleaning on Lateral #2 as requested by Ranz. **Carried.**

## **H. Project #25, Ditch 38**

**April 13, 2011:** A **motion** was made by Manager Ista and **seconded** by Manager Spaeth to schedule a hearing on Project #25 for the purpose of Darrell Chisholm requesting to be allowed to drain into the ditch system. The hearing will be set for 11:00 a.m. on Wednesday May 11, 2011, at the office of the Wild Rice Watershed District located at 11 Fifth Avenue East, Ada, MN. **Carried.**

**May 11, 2011:**

### **HEARING PROJECT #25**

Chairman Holmvik called the Hearing on Project #25 to order at 9:00 a.m.

Under MN Statute 103E.401, a drainage authority shall consider the capacity of the outlet drainage system. If express authority is given to use the drainage system as an outlet, the drainage authority shall state, by order, the terms and conditions for use of the established drainage system as an outlet and shall set the amount to be paid as an outlet fee. The order must describe the property to be benefited by the drainage system and must state the amount of benefits to the property for the outlet. The property benefited is liable for assessments levied after that time in the drainage system, on the basis of the benefits as if the benefits had been determined in the order establishing the drainage system.

The landowner submitted a petition to the District to use the system as an outlet for a proposed tile system per the permit application. The following terms and conditions apply to the permit. The landowner contact and coordinate with NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland impacts. The landowner obtain approval from the necessary road authorities (township, county, state,...) for any work in the road R/W. The landowner is responsible for adequate erosion control measures as applicable. It will remain the responsibility of the landowner to maintain this protection as long as the tile is in place and operating. All gravity outlets be installed above (however not more than 2-feet above) the elevation of the original design grade-line of the receiving ditch or channel.

### **Board of Managers Order Allowing Use of Project #25 As Outlet**

A hearing was held on May 11, 2011, at the WRWD office at 9 a.m. at the district's office at 11 5th Ave. East in Ada, Minnesota. A quorum of the board of managers was present including the following: Chairman Greg Holmvik, Mike Christenson, Diane Ista, Dean Spaeth, John Austinson, Duane Erickson, and Ray Hanson. Also present were Jerry Bents, the district's engineer, Elroy Hanson, the district's attorney, office staff, and members of the public. The purpose of the hearing was for the board to consider a petition filed by CMGB to use Project #25 as an outlet.

Based on the testimony of the petitioner, testimony from the district's engineer, based on a review of the record/written documentation presented at the hearing, and on the motion of Manager Hanson, seconded by Manager Spaeth, and approved by a majority vote of the board (Manager Ista abstained), the board of managers makes the following FINDINGS OF FACT:

1. The landowner submitted a petition to the District to use the system as an outlet for a proposed tile system per the permit application for property described as 62.1 acres, more or less, located in the SW1/4 of the SE1/4; the SE1/4 of the SE1/4; and the NE1/4 of the SE1/4 of Section 32 of Spring Creek Township in Norman County, Minnesota located northwest of the existing Norman County Ditch #18, Lateral #1;
2. The district's engineer stated that all but approximately 8 acres of the petitioner's property being petitioned to use Project #25 as an outlet are already draining into said project, but were not included when the project was established;
3. The district's engineer stated that the additional acres draining into Project #25 will amount to less than 1% additional water and that Project #25 has the capacity to serve as an outlet for petitioner;
4. The board of managers considered the amount to charge for an outlet fee and considered the Engineer's Report dated May 6, 1985, at which time the project costs were estimated to be \$174,130 and the total benefits to the project per the Viewers' Report were \$273,212.50. Thus the initial cost for construction was approximately 63% of the benefits at that time. Since that time the Watershed District has also completed routine maintenance of the project for the past 26 years. Based on these figures, and to take into consideration inflation, the board concludes that an outlet fee equal to 130% of the benefitting rate be charged x 62.1 acres x \$75/acre, or \$6,054.75.
5. The board of managers requires additional conditions for allowing petitioner to use Project #25 as an outlet that:
  - a. petitioner contact and coordinate with the NRCS/SWCD/FSA any approval/clearance regarding potential wetland impacts, if any;
  - b. that necessary road authorities be consulted and appropriate permits obtained;
  - c. that petitioner is responsible for adequate erosion control measures at the outlet of the tile system to be installed including the installation of riprap or other protection measures as may be applicable and that petitioner maintain this protection as long as the tile is in place and operating; and
  - d. that all gravity outlets be installed above (however not more than 2 feet above) the elevation of the original design gradeline of the receiving ditch or channel.

**BASED ON THE ABOVE FINDINGS OF FACT, THE BOARD OF MANAGERS MAKES THE FOLLOWING ORDER:**

1. Petitioner is hereby given express authority to use Project #25 as an outlet for the tile system he is proposing per his permit application, subject to the terms and conditions specified below.
2. The terms and conditions of being allowed to use Project #25 as an outlet are as follows:
  - a. The petitioner must contact and coordinate with NRCS/SWCD/FSA offices to ensure approval/ clearance regarding any potential wetland impacts.
  - b. The petitioner must obtain approval from the necessary road authorities (township, county, state,...) for any work in the road R/W.
  - c. The petitioner is responsible for adequate erosion control measures at the outlet of the tile system. This should include the installation of riprap or other protection measures as applicable. It will remain the responsibility of the petitioner, as well as the future owners of the subject property, to maintain this protection as long as the tile is in place and operating.
  - d. All gravity outlets for the tile shall be installed above (however not more than 2 feet above) the elevation of the original design gradeline of the receiving ditch or channel.
3. The petitioner shall pay an outlet fee of \$6,054.75 (based on 62.1 acres x 130% x \$75 per acre).
4. The board establishes the benefits on the petitioned area to be \$75/acre for use in calculation of future operation and maintenance assessments for Project #25. The property described at paragraph one of the Findings of Fact shall be added to the current benefitting area for Project #25 and the Norman County Auditor's office shall be so notified by the district's administrator.
5. The watershed district shall be reimbursed for the actual costs associated with this petition, with those costs to include administrative, engineering and legal expenses incurred between the time of the petition and completion of the hearing. The amount of those costs shall be calculated by the district's administrator and provided to the

petitioner for payment. If there is disagreement as to those costs, then petitioner shall bring the issue of such costs back to the board for further consideration.

Dated: May 11, 2011

The hearing was closed and the Managers returned to the regular meeting.

## **I. Project #30, Ditch in Anthony, Pleasant View and Green Meadow Twps**

**March 9, 2011:** Engineer Bents explained the proposed FEMA repair in Sections 20-24 of Anthony Township and Section 19 of Pleasant View Township. A **motion** was made by Manager Spaeth and **seconded** by Manager Spaeth and seconded by Manager Hanson authorizing staff to work on determining land price and compensation and moving toward a hearing. **Carried with Manager Ista abstaining.**

**April 13, 2011:** A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to offer landowners whose property is needed for the project \$3,000 per acre and rent of \$120 per acre for two years. **Carried.** Consensus of Managers was that they would act as their own viewers.

**May 11, 2011:** Administrator Ruud informed the board that he has received executed options on seven of the eight landowners needed for land on the Project 30 repair site. A draft Viewers' Report was presented to the Board of Managers. A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve the benefits and damages and adopt the rates as presented, effective Friday May 13, 2011. **Carried with Manager Ista abstaining.** A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to set the date of the hearing for Project 30 Repair for 9:00 a.m. on Wednesday, June 8, 2011. **Carried.**

**June 8, 2011:** Hearing on Project 30. Chairman Holmvik called the hearing on Project 30 to order at 9:00 a.m. Manager Ista moved to the audience and is not taking part in the voting or the discussion as a Board member, but rather a landowner on the project. Engineer Bents gave a PowerPoint presentation, a hard copy which is available at the District office. The total cost of the project is estimated to be approximately \$630,048 with \$358,620 FEMA funding and the balance of \$200,000, assessed back to the project. Testimony was taken from landowners. Jerry Bitker stated that he agreed the ditch needs to have the repairs but felt additional funding should come from Norman County. He also raised concerns regarding maintaining the eligible weight limits on the bridge for loaded farm trucks and machinery using the crossing to haul to storage. Curt Sorenson expressed concerns regarding the fact that the water needs to be slowed down before any maintenance is done and stated that since the work on Highway #19 was completed by the county an additional three to four times the amount of water is coming into the system. Considerable discussion was held regarding the additional flow coming into the system in recent years, the elevation drop from the east end of the system to the outlet, larger culverts placed in and along County Highway #19 and the need for upstream storage. Diane Ista agreed with the need for upstream storage, but stated that too, takes funding and at the current time, the District does not have funds for a project of this kind. Curtis Sorenson also stated that if the project goes through he would need a lot more compensation and would like in writing that the land would be cleaned up to its original condition prior to construction. After Chairman Holmvik called three times for any additional comments and there were none, the public comments portion of the hearing was closed at 9:55 a.m. Managers discussed the concerns of landowners and taking into consideration their thoughts. Manager Erickson's thought was to delay the project and come up with a better idea. Manager Spaeth stated that if the District doesn't do the repair at the present time they will lose the FEMA funds. Engineer Jerry Bents stated that the Board of Managers has an obligation to repair the ditch under current ditch law. After considerable discussion, a **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve repairing the ditch as the repair report was presented. **Carried with Manager Ista abstaining and Manager Erickson opposed.** At this time the hearing was closed and Manager Ista moved back to the Board table.

**June 29, 2011:** Administrator Ruud provided counter offers from Jonathon and Curt Sorenson for property along the Project 30 repair site in Section 21-145-47. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth authorizing Chairman Holmvik or Administrator Ruud to execute the counter offers. **Carried.** Engineer Bents and Administrator Ruud discussed options for paying the local share of the costs for the repair project. A **motion** was made by Manager Hanson and **seconded** by Manager Austinson authorizing Bents and Ruud to investigate either a five or ten year bond sale and bring back to the board. **Carried.** Bents reported that bid opening for the project is scheduled for July 21, 2011.

**July 13, 2011:** A **motion** was made by Manager Ista and **seconded** by Manager Christensen to use Eller and Associates to serve as the district's financial advisor for the bond sale. **Carried.** A **motion** was made by Manager

Christensen and **seconded** by Manager Spaeth to authorize Greg Holmvik to sign any paperwork with the Norman County to execute any and all paperwork the bond sale. **Carried.** Scheduled to open bids on July 21, 2011 with a completion date of August 31, 2011.

**August 10, 2011:** A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to award the repair project to the low bidder, All Seasons Contracting in the amount of \$392,286.10. **Carried.** Bents and Ruud stated that they have been working with Rick Munter, Norman County Auditor/Treasurer and Carolyn Drude with the bonding to develop a cost saving plan on funding the local share.

**August 31, 2011:** Engineer Bents reported that the contract was awarded and they are currently waiting on contractors to provide bond and insurance.

**September 14, 2011:** Project 30 Repair. Engineer Bents reported that the repair project is scheduled to begin Wednesday September 21, 2011. Staff has been working with Ellers and ASC., who did the bonding for Hendrum and Perley in an effort to shorten the term of the bond payoff for the communities and use a portion of the over bonding to fund the repair project and use an interest rate in repayment.

**October 12, 2011:** Engineer Bents distributed correspondence from All Seasons Contracting in regards to their contract with the District for repair of Project #30. All Seasons is requesting that they be released from the contract due to the fact that they underbid the job and would lose a considerable amount of money. Bents stated that the District still holds the bid bond which is approximately \$40,000. Discussion followed, including the possibility of using the second bidder, however Bents opinion was that if the District rebid the job in early spring the bids may come in a lot lower. Attorney Hanson recommended the need to communicate with both All Seasons and the bid bond company to research the possibility of using the bid bond and/or notifying All Seasons that they hold the responsibility of the costs that the District incurs over the amount that they bid the job. A motion was made by Manager Erickson and seconded by Manager Hanson authorizing staff and legal counsel to investigate all possibilities and bring back answers at the proposed special meeting. **Carried.**

**October 27, 2011:** Raymond Weidenborner, All Seasons Contracting was in attendance. Engineer Bents distributed correspondence from All Seasons Contracting in regards to their contract with the District for repair of Project #30. All Seasons is requesting that they be released from the contract due to the fact that they underbid the job and would lose a considerable amount of money. Bents stated that the District still holds the bid bond which is approximately \$40,000. Discussion followed, including the possibility of using the second bidder, however Bents' opinion was that if the District rebid the job in early spring the bids may come in lower and the fact that the second bidder would not accept the job without various bid modifications. Attorney Hanson had concerns with going with the second bidder but allowing changes to the original contract and also recommended the need to communicate with both All Seasons and the bid bond company to research the possibility of using the bid bond. A motion was made by Manager Erickson and seconded by Manager Ista authorizing staff and legal counsel to investigate all possibilities and bring back answers at the November meeting. **Carried.**

## V. 2011 Meeting Minutes in Review

All meeting minutes from 2011 have been reviewed. The items pertaining to a certain project or program have been moved to the section titled **IV. Plan Performance** of this report. All other items have been abbreviated under the monthly headings shown below.

### A. January

#### REGULAR MEETING

January 12, 2011

#### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, January 12, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None.

In addition the following persons were in attendance: Administrator Kevin Ruud, Office Assistant/Project Manager Kari Kujava, Attorney Hanson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

Agenda Approval. A **motion** was made by Manager Christensen and **seconded** by Manager Spaeth to approve the agenda. **Carried.**

COE WRRFS. Engineer Bents reported that he received notice from the COE staff that the terrestrial study which is the last item on the Feasibility Study is completed. The project will be closed from their books.

Manager Ista asked Norman County Engineer Mick Alm if and when he intended to get the repair done on County Road #147 in Section 21 of Anthony Township. He assured her that he would get it done as soon as he could this spring. Ista stated that she felt the damage to the road was a serious hazard and it had been way too long in getting repaired.

Administrator Ruud stated that in the past the District bid its ditch maintenance spraying and mowing contracts on a one year basis. The land rental agreements were on a three year term and recently Wes Carlsrud came in the office and stated that for him to do a better job for the district he needs to update his equipment and would need to have a longer contract to be able to do that. The benefit to the board is once you make a decision you don't need to do it for three years. When we do put the proposals out, can it be for three years. It would be advertised for a three year term, assuming with gas there would be a fuel surcharge written into the contract. Manager Christensen made a **motion** that was **seconded** by Manager Hanson authorizing a three year contract with a fuel surcharge written into the contract at the next hiring of a contractor for mowing and spraying. **Carried.**

Engineer Bents reported that reimbursement payments have been received from the NRCS except the Mike Borgen dike. The ring dike advertisement results were five requests, two for improvements and three for new ones. Manager Erickson asked about the wetland mitigation costs that could be included for ring dikes; in the future would the dike be built where this was necessary and if the District still intended to do this. Manager Ista stated that this is an issue that will be brought before the State Legislature. Erickson stated that he didn't think that the District should even do a ring dike that required mitigation. Manager Hanson stated that the Board cannot specifically deny someone a ring dike because that might need mitigation acres.

Attorney Hanson discussed the land rental bids (bid tab available upon request at the District office) and stated that the contracts, subject to a 30 day notice provision, which will end on January 17, were sent to Dana Braseth, the high bidder and James Jirava who has the first right of refusal on the one property. No reply has been received at this time. Manager Spaeth asked if the written bid provided by bidders was a binding contract and Attorney Hanson replied, yes. He stated that if the bidder would back out the District would possibly rebid the land and a lawsuit would be against the high bidder for the amount that he bid.

Attorney Hanson stated that there is nothing more for the District to do on the Fugleberg lawsuit at this time; it is in the process of a possible resolution by both parties.

Lower Wild Rice TMDL Implementation Plan. Administrator Ruud stated that the TMDL Grant was based on us paying out incentives to do things to improve. To get a 319 grant you cannot use an implementation plan that uses incentives it has to be construction based projects. We have to update our plan from an incentive plan to a project plan based. The cost to the Watershed would be a part of Kevin's time and then the SWCD time. A **motion** was made by Manager Hanson and **seconded** by Manager Erickson authorizing staff to change the written terms in the grant agreement from an incentive program to a construction based program. **Carried.**

Administrator Ruud read a letter from Wayne Lee in which he stated that he received notice from Mick Alm, on a bridge removal in Sections 31 of Mary and Section 6 of Viding Township. Lee expressed concerns regarding possible increase in flow downstream of the removed bridge and asked if there were any other possible ideas or solutions. Ruud stated that the concern is by taking out the bridge are they going to increase the flow of water through there. Engineer Bents stated that in September the downstream property owners were notified and then it



was approved in October 13, meeting, it was approved with the condition that they had to match the ditch slopes and provide adequate erosion protection. Bents felt that their appeal might be best if they went to Clay County. Manager Ista recommended that staff notify Lee that a permit was issued with the recommendations and that he might contact Clay County. Ruud stated that he would do that.

Administrator Ruud explained that in reading the history of the Watershed District and Board members, as he has been doing, due to board changes over the years, new Managers are now being appointed three in two consecutive years and one in the third. He felt it might be better to work at changing this so that it goes back to a two in the majority of the years. Manager Hanson asked where the actual problem is. Ruud stated that the problem exists when you replace three Managers two years in a row which could change the complete focus of the board from what it should be. Manager Hanson stated that if the only way to cure it, we just forget about it and we worry about it when it becomes a problem.

Administrator Ruud reported that as the Watershed we are a member of an Upper Reaches Emergency Plan Taskforce comprised of the City, County and Watershed, and need to appoint a person, define what they are responsible for during a flood event, and when debris gets in the river channel and it has a potential to impact any of our cities, the Watershed is the fiscal entity that is responsible for paying for it, but it takes a majority vote to decide. Bob Ramstad has represented the Highway Department, it has been the Mayor of City of Ada. Ruud stated that he wanted to make sure that we are current and appointed. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to appoint Greg Holmvik. Holmvik was asked if he would do it, he stated that he did not mind the work, but Ruud also has the experience. Manager Austinson stated he thought it had to be a Board member, **rescinded** his motion and would like to appoint Administrator Ruud. Manager Ista **second**. **Carried**.

Attorney Hanson and Engineer Bents left the meeting at noon.

Financial Report Dated December 31, 2010. Manager Austinson made a **motion** that was **seconded** by Manager Hanson to approve Managers per diem and expenses. **Carried**. Doug Marcussen presented the financial report. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve the Financial Report as presented. **Carried**.

Administrator Ruud reported that there currently are two loans at the bank that are due January 15, 2011, one for \$250,000 and one for \$285,000 with two options, either pay or renew. The former Radeck land which is currently owned by the District is being used for collateral for the 250K and the CD as collateral for the 285K. Interest due is \$4,981.64. The District will have to pay interest which is \$4,981.64 on the CD and the bank will redo with no fees associated. The 250K loan has three options: as 1 year 4.5% with principal due at maturity. 20 year with 3 year lock 5.3% interest; go 20 years with a five year rate lock 6.2% interest and we owe \$6,578 in interest. The finance committee recommended option 2 to which Manager Hanson agreed. Holmvik stated that the rent money would be used to pay this. The rent would cover the interest and tax on both loans and the balance on the principal. A **motion** was made by Manager Spaeth to go with Option #2 and use the rent money. **Seconded** by Manager Hanson authorizing the chairman and the treasurer to negotiate the best terms at the Bank. **Carried**.

Ruud stated that he was authorized by the chairman of the finance committee to obtain quotes for computer equipment which includes three desktops, a mail exchange server, and upgrade two laptops that would have the Windows 7 Operating System and the same software. Ruud obtained two quotes one from Morris Electronics and Office Supplies Plus. \$7,005.96 from Morris Electronics and \$8,500.74 Office Supplies Plus. The finance committee recommended approval. A **motion** was made by Manager Christensen and **seconded** by Manager Erickson to approve going with lowest bid. **Carried**. Administrator Ruud reported that to digitize all of our ditch records of the Ditch Modernization Grant, Tim Goetz of Marco Equipment, where the District copier/scanner has software that can be attached to the copier, to do this. To purchase this equipment through the Ditch Modernization Grant the project work plan needs to be changed to cover \$12,000 in equipment costs. The District is obligated to spend 30K with the grant, and we would spend 8K and the grant 4K. Kean, however, recommended the district purchase the software it with the local share of the grant. A **motion** was made by Manager Spaeth and **seconded** by Manager Erickson to purchase the equipment with this method. **Carried**.

A **motion** was made by Manager Christensen and **seconded** by Manager Spaeth authorizing Administrator Ruud to access safety deposit boxes, discuss Watershed District financial information and work with Frandsen Bank and Trust. **Carried**.

A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to approve the minutes of the December 8, 2010, meeting, with the correction of adding Manager Christensen and deleting Manager Holmvik who is listed twice. **Carried**.

Administrator Ruud stated that staff would like to have a Board Development Workshop on January 26, 2011 at 8:30 a.m. with Managers to discuss goals and objectives for 2011, financial aspects of the District, future objectives and policies and procedures of the Board. Manager Erickson stated that he would like to bring several items to the table for discussion with a roll call vote on each item. Ruud stated that you cannot do a roll call vote or vote at all at a workshop.

There being no further business to come before the Board of Managers a **motion** was made by Manager Austinson and **seconded** by Manager Erickson to adjourn the meeting. **Carried**. Chairman Holmvik adjourned the meeting at 2:00 p.m.

## B. February

### REGULAR MEETING

February 9, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, February 9, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Attorney Hanson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

Agenda Approval. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve the agenda. **Carried**.

Approval of Billings. A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to approve payment of the billings as distributed with the exception of the payment to the Unemployment Office. **Carried**.

Former Administrator's Unemployment Status. Discussion was held regarding the fact that former Administrator Steve Dalen is again drawing unemployment benefits against the District. Upon staff research, it appears that he has been working under the Pinnacle Water Management Inc., status and Managers felt that more investigation should be done. A **motion** was made by Manager Ista and **seconded** by Manager Hanson authorizing staff to investigate the claim and pay if necessary. **Carried**.

Open Microphone. David Larson met with Managers to request authorization to remove snow from the ditch system of Project #29 in Sections 20-21 of Atlanta Township, if necessary in the spring. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve his request. **Carried**.

Wild Rice Feasibility Study Update. A copy of the monthly report from Nan Bischoff was distributed to the Board for review. Engineer Bents reported that the terrestrial study is complete and on file at the District office. The project will be closing soon.

Anderson Wetland Mitigation. A copy of correspondence received from the US COE, regarding the wetland banking credits for the Anderson Wetland Project was distributed to the Managers for review. This correspondence stated that in order to determine if the bank site would meet vegetation performance standards, the aerial percent cover of the three plant species present within the bank area needs to be provided. The Norman County SWCD did the original determination, however this information was not included. A **motion** was made by Manager Austinson and **seconded** by Manager Christensen authorizing staff to proceed with the investigation and provide to the COE. **Carried with Manager Erickson opposed**.

Accountant Marcussen distributed and presented the Financial Report dated January 31, 2011. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve the financial report as presented. **Carried**.

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the Managers Per Diems and Expenses as distributed. **Carried**.

A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve the minutes of the January 12, 2011, meeting as distributed. **Carried**.

A **motion** was made by Manager Ista and **seconded** by Manager Erickson authorizing Managers attendance at the 13th Joint Annual Conference of the Red River Watershed Management Board with the Red River Basin Flood Damage Reduction Work Group on March 15-16, 2011, at the Courtyard by Marriot in Moorhead, MN, and the MAWD Legislative Reception and Day at the Capital on March 23-24, 2011. **Carried**.

A **motion** was made by Manager Spaeth and **seconded** by Manager Ista authorizing Administrator Ruud to enter into an agreement to prepare the 2009 and 2010 annual report for the District. **Carried**.

There being no further business to come before the Board of Managers, a **motion** was made by Manager Austinson and **seconded** by Manager Erickson to adjourn the meeting. **Carried**. Chairman Holmvik adjourned the meeting at 11:30 a.m.

## C. March

### REGULAR MEETING

March 9, 2011

#### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, March 9, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Attorney Hanson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Hanson and **seconded** by Manager Ista to approve the agenda. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve payment of the billings as distributed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the minutes of the February 9, 2011, as distributed. **Carried.**

A **motion** was made by Manager Christensen and **seconded** by Manager Hanson authorizing staff to advertise for a three year contract for District mowing and spraying. **Carried.**

Open Microphone. Steve Gee, a landowner southwest of Borup, requested that some of the snow be removed from the ditch by his home this spring, prior to flooding to prevent water into his home site. Manager Holmvik stated that if a landowner was requesting this to protect his home and farmsite, the board should consider it. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth authorizing Gee approval of a permit application to do the work at his own expense. **Carried.** Administrator Ruud will assist the landowner with details.

At 11:30 a.m. the board took a short break.

Doug Marcussen presented the Financial Report. Managers also discussed the issue of former administrator Steve Dalen drawing unemployment. Current Administrator Ruud did file a claim as directed following the February meeting. Marcussen stated that most likely if the District would be refunded due to Dalen drawing unemployment while working, the funds would come through the state. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve the financial report as presented and authorizing staff to follow up on the appeal process with the results to be brought to the next board meeting. **Carried.**

A motion was made by Manager Ista and seconded by Manager Hanson to approve the payment of Managers per diems and expenses. **Carried.**

Attorney Hanson and Engineer Bents left the meeting at 2:00 p.m.

Sorenson Electric Quote for Rewiring Office. Administrator Ruud discussed hiring an electrician to rewire the District office in an effort to change the three phase which it is currently wired for to a two phase. This would save the District approximately \$75 per month or a total of \$900 per year. A **motion** was made by Manager Ista and **seconded** by Manager Hanson authorizing staff to obtain a couple of quotes and choose what is best. **Carried.**

Annual Report 2009. Administrator Ruud reported that Marijo Vik has been working on the 2009 Annual Report, which is near completion. He is in the process of contacting BWSR to determine if it is necessary to include the complete financial report as distributed from the State of MN Auditors due to the easy access of this information via web sites.

Administrator Ruud reported that the District's new mail server is now up and running. Board members who would like a separate email account through the District can come by the office and he will set it up for them.

Manager Erickson stated that he would like to hold a full board meeting to discuss tiling within the District. Consensus of Managers was for staff to take care of that.

There being no further business to come before the Board of Managers, a **motion** was made by Manager Hanson and **seconded** by Manager Erickson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 2:30 p.m.

### SPECIAL MEETING

March 30, 2011

#### APPROVED MINUTES

A Special Meeting of the Wild Rice Watershed District was held on Wednesday March 30, 2011, at the office of the District located at 11 Fifth Avenue East, Ada, MN. The purpose of the meeting was to discuss taxable levies, Moccasin Creek O & M, Tile policy, Permits, WRWD land owned by the District and the 2009 Annual Report. The following members were in attendance: Dean Spaeth, John Austinson, Duane Erickson, Greg Holmvik, Raymond Hanson, Mike Christensen and Diane Ista. Managers absent: None. In addition the following persons

were in attendance: Administrator Ruud, Engineer Jerry Bents, Loretta Johnson, Attorney Hanson and landowners and interested persons. Chairman Holmvik called the meeting to order at 1:00 p.m.

Mn/DOT, Highway Resurface. Manager Erickson asked that the board reconsider the motion made at the March 9, 2011, meeting to approve the permit application of MN DOT, which allowed the height of the highway to remain the same elevation as it currently is by the Mark Harless farm. Erickson wanted to change the motion and allow the elevation of the highway to be raised two inches. Erickson stated that the District could assist Harless with a ring dike enhancement around his farm. Attorney Hanson stated that procedurally a motion would have to have to be made and seconded and pass by a two thirds majority, and notice would need to be given to MNDOT for the change and allow them to be at the meeting. Manager Hanson felt that if MN DOT were unhappy they had the opportunity to contact the District, which they did not do.

Taxable Levies. Manager Erickson distributed to Managers and attendees financial information regarding the taxable levies that he wanted the public to know about and discuss at the April regular meeting.

Tile Policy. Administrator Ruud discussed correspondence received from Mick Alm, Norman County Highway Engineer, regarding the District's tiling policy. Mick Alm, who was present gave some ideas of what he wanted. Alm stated that he thought the Board should make sure that the outlet is adequate to take the water. Administrator Ruud asked Alm if any of the District's approved tiling permits drained into Norman County Ditch roads and Alm stated no. Manager Hanson felt the District should continue doing what they are, but with putting the requisites together into policy form. After considerable discussion the consensus of Managers was to put this on the April agenda.

Flood Damage Reduction Goals. Administrator Ruud questioned Managers if they have flood damage reduction goals. Manager Erickson suggested the Board return to working on the Borup off channel site that was considered several years ago. He also talked about doing more research and work in the two foot bounce factor and stated that Governor Dayton and DNR Commissioner Landwehr were talking about this issue being used on State Land.

WRWD Owned Land Options. Administrator Ruud discussed the fact that State Officials have notified the District office that the law does not allow for income from bonding fund grants. The District has been renting out land purchased with bonding funds. Ruud stated that Kent Lokkesmoe, DNR, will notify the office when they determine what course of action to take. Administrator Ruud distributed a list of Watershed District small parcels that have been acquired as a result of the rural acquisition program and asked board members if they thought it would be feasible to have Mark Aanenson, H.E. check into the possibility of establishing wetlands for wetland banking on these properties. A motion was made by Manager Ista and seconded by Manager Erickson authorizing staff and consultants to work on the wetlands issues and the possibility of leasing or donating any of the properties.

**Carried.**

Annual Report 2009. Consensus of Managers was to accept the draft annual report presented by Marijo Vik for printing with the removal of private contact numbers and addresses.

There being no further business to come before the Board of Managers a motion was made by Manager Erickson and seconded by Manager Hanson to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 4:00 p.m.

## D. April

### REGULAR MEETING

April 13, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, April 13, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Attorney Hanson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to approve the agenda with the addition of Manager Erickson's request to discuss the tax levy and WRP and John Voz, Ducks Unlimited. Administrator Ruud also stated that the PRAP scheduled for 11:00 a.m. will be held in May. **Carried.**

A **motion** was made by Manager Ista and **seconded** by Manager Hanson to approve payment of the billings as distributed. **Carried.**

Consensus of Managers was to table the March minutes until all are completed for the May meeting.

Open Microphone. Eric Zurn discussed two box culverts that he would like to see installed at 330th Street along County Road 101 or the road raised when Project D on Upper Becker is built. David Stumbo felt that the RRWMB levy should be held in check.

Wild Rice COE Feasibility Study. Engineer Bents stated that there are no changes, the COE is working on a close out to the project.

Beaver Control Contract. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve the contract as distributed of Jim Wagner for beaver control. Discussion followed. Manager Erickson stated that he would like the contract split up. Manager Ista felt that Wagner was saving the District funds by his knowledge and physically removing of the dams in addition to the beaver control. **Carried.**

Finance Committee Meeting Report. Administrator Ruud stated that he requested a 3% raise for staff at the committee meeting. A **motion** was made by Manager Christensen and **seconded** by Manager Ista to approve the request. **Carried.**

Unemployment Insurance Issues. Administrator Ruud reported that UEI sent the District a check for the overpayment and Accountant Marcussen is in contact with that office regarding former Administrator's unemployment insurance.

River Watch Program Wayne Goeken gave a presentation on the River Watch Program and requested a donation from the Watershed in the amount of \$750 to assist with the training of students. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve the request. **Carried.** A **motion** was made by Manager Ista authorizing staff to give presentations on the River Watch Program at the local schools. Chairman Holmvik called for a second to the motion three times. There being no second the motion **failed** for lack of a second.

Tile Permit – Standard Conditions. Managers reviewed a draft copy of suggestions prepared by Engineer Bents of conditions and recommendations for the installation of subsurface drain tile, as requested by the Board of Managers at the previous meeting. After considerable discussion, a **motion** was made by Manager Erickson and **seconded** by Manager Austinson to table any action and authorizing Administrator Ruud to contact other watershed districts in an effort to determine what rules and regulations they may or may not have. **Carried.**

Manager Ista left the meeting at noon.

Staff Goals. Manager Holmvik suggested that the Chairman of every township in the District be notified and asked if they knew of any areas within their townships that landowners may consider for retention. No action taken. Manager Erickson stated that he had asked for John Voz, who indicated to him that water could be stored on WRP land, if he could come and give a presentation to the board. No action was taken. Manager Spaeth stated that for the record he does have two areas on his property that could hold water. Manager Hanson asked that the minutes be sent out before the regular monthly meeting for Managers to review.

Managers Per Diems and Expenses. Administrator Ruud discussed per diems and what is authorized for payment when Managers attend meetings. Consensus of the Board was that if a Manager wants to attend a meeting and it is not previously authorized by the board they first contact the office for approval. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve payment of Managers Per Diem and Expenses as distributed. **Carried.**

There being no further business to come before the Board of Managers a **motion** was made by Manager Spaeth and **seconded** by Manager Austinson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 2:25 p.m.

## E. May

### REGULAR MEETING

May 11, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, May 11, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Attorney Hanson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Austinson and **seconded** by Manager Christensen to approve the agenda with the addition of Manager Erickson's request to discuss the any issues related to Upper Becker Step/Submittal early while landowners may be here and Manager Ista the status of the Norman County SWCD's work on Moccasin Creek. **Carried.**

A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve payment of the billings as distributed and discussed. **Carried** with Manager Ista opposed.

A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve the March 9, 2011, meeting minutes as distributed. **Carried.** A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the March 30, 2011, special meeting minutes as distributed. **Carried.** A

**motion** was made by Manager Hanson and **seconded** by Manager Ista to approve the April 13, 2011, meeting minutes as distributed. **Carried.**

Open Microphone. Brent Kappes spoke stating that he felt the mowing and spraying on the projects and ditches has been successful and works well for maintaining the systems for drainage during the spring and summer months.

Mowing and Spraying Bids. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to accept the bid of Wes Carlsrud for the spraying of the District's projects, ditches and rural acquisition sites. Manager Erickson questioned if that was the only bid submitted and Administrator Ruud replied yes. **Carried with Manager Erickson opposed.** Two bids were received for mowing of the District's projects and ditches, Arvid Ambuehl at a price of \$100 per hour and Tony Sip at a price of \$85 per hour. A **motion** was made by Manager Ista to accept the bid of Arvid Ambuehl because of his past services and his knowledge of the District. Chairman Holmvik called three times for a second and **with no second, the motion failed.** A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to accept the bid of Tony Sip. **Carried.**

J.D. 51 Ice Control Structure Repair. A **motion** was made by Manager Hanson and **seconded** by Manager Ista to approve the Final Pay Request in the amount of \$1,345.65 to Robert Schroeder Construction for the repair of J.D. 51 Ice Control Structure. **Carried.**

Realignment of Watershed District Boundaries. At 9:45 a.m., Dan Wilkens, Sand Hill Watershed District, met with Managers to request support from the Watershed for a realignment of watershed district boundaries, with the Sand Hill. Wilkens stated that he began working on this when newer LIDAR information became available. The changes would move 5,282.4 acres from the Wild Rice to the Sande Hill and the Wild Rice would gain 1,490 from the Sande Hill. A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to provide a Letter of Support to the Sande Hill Watershed District's request for realignment of the Districts' boundaries, to be the same as the maps presented with a minor change. **Carried.**

Program Review and Assistance Program (PRAP) Don Buckhout from MN BWSR distributed information regarding the Board of Water and Soil Resources (BWSR) program in which they work with Local Units of Government (LGU) in reporting progress toward management plan goals and objectives. Buckhout and Brian Dwight are requesting that the Watershed District participate in this objective. Consensus of Managers was to work with BWSR on this program. Buckhout stated that he would begin initially providing information to Administrator Kevin Ruud and then later he would attend another board meeting for discussion and review.

Election of Officers. Chairman Holmvik turned the meeting over to Vice Chairman Christensen. Vice Chairman Christensen called for nominations for Chairman. Manager Spaeth made a **motion** to nominate Greg Holmvik for Chairman. Manager Hanson **seconded** the motion. Manager Austinson made a **motion** that nominations cease and that the Secretary cast a unanimous vote for Holmvik. **Carried.** Chairman Holmvik resumed the office of Chairman. Chairman Holmvik called for nominations for Vice Chairman. A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to nominate Mike Christensen for Vice Chairman. Manager Ista made a **motion** that nominations cease and the secretary cast a unanimous vote for Mike Christensen as Vice Chairman. **Carried.** Chairman Holmvik called for nominations for Secretary. Manager Hanson made a **motion** to nominate John Austinson, and Manager Christensen **seconded** the motion. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson that the nominations cease and the Secretary cast a unanimous vote for John Austinson for Secretary. **Carried.** Chairman Holmvik called for nominations for Treasurer. Manager Hanson made a **motion** to nominate Manager Spaeth and Manager Austinson **seconded** the motion. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson that nominations cease and the Secretary cast a unanimous vote for Dean Spaeth as Treasurer. **Carried.**

A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve payment of Managers Per Diems and Expenses as distributed, for May 11, 2011. **Carried.**

Permit Tile Standard Conditions. After considerable discussion the following conditions were approved by the Managers as standard conditions for tile permitting. A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to approve the following. **Carried.**

1. Recommendation that the applicant contact and coordinate with the NRCS/SWCD/FSA offices to ensure approval/clearance regarding any potential wetland issues (and with the USFWS for installation of tile on any parcel that is under easement from the USFWS).
2. Recommendation that the applicant obtain approval from the necessary road authorities (township, county, state,...) for any work in the road R/W and the drainage authorities (county) for outlets to legal ditches not under WRWD watershed jurisdiction.
3. Approved with the condition that the applicant is responsible for adequate erosion control measures at the outlet of the tile system. This should include the installation of riprap or other protection measures at pump outlets. It will remain the responsibility of the applicant to maintain protection measures at pump outlets. It will remain the responsibility of the applicant to maintain this protection as long as the tile is in place and operating.

4. Approved with the condition that all gravity outlets be installed above (however not more than 2 feet above) the elevation of the original design gradeline of the receiving ditch or channel.
5. Pumped Outlets Only – Approved with the condition that the pump(s) not be operated during freezing conditions and during times of downstream flooding.

Financial Report Dated April 30, 2011. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the financial report as presented by Accountant Marcussen. **Carried.**

Finance Committee Report. Administrator Ruud reported that the lowest rate for borrowing the funds to pay the funds to the DNR is through Northwestern Bank at Hendrum. At this time, they are in the process of appraising the property used as collateral. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth authorizing Administrator Ruud to prepare and update the \$500,000 operating loan and authorizing Chairman Holmvik to execute the document. **Carried.**

Renewal of Consultants Contracts. Administrator Ruud stated that staff did not place ads in local papers for the advertisement of consultants due to the fact that for the last approximately 20 years there has been no change and the costs incurred for the advertising when there were no changes. Ruud also stated that it may be a thought if the Managers want to advertise, they wait until December and then the renewal would be effective on January 1, 2012, as the office staff is going to go to a calendar year with their agreements. A **motion** was made by Manager Christensen and **seconded** by Manager Austinson to renew consultants in January of 2012. **Carried.**

Meetings/Conferences. A **motion** was made by Manager Ista and **seconded** by Manager Christensen authorizing Managers attendance at the MAWD Tour and meeting June 16-19 at Thief River Falls. **Carried.**

There being no further business to come before the Board of Managers a **motion** was made by Manager Spaeth and **seconded** by Manager Austinson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 2:30 p.m.

## F. June

### REGULAR MEETING

June 8, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, June 8, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Christensen and **seconded** by Manager Ista to approve the agenda with the addition of renewal of CD Loan at Frandsen Bank, authorization of chairman and treasurer to sign papers, resolution for chairman to sign subgrant agreements for FEMA disaster, and Manager Erickson requested to add TMDL Grant, NRE on Becker Dam Project, O & M Plan on Moccasin Creek and Manager Ista the Downstream Impacts Group and Engineer Bents Jacobson & Merkle demolition bids. **Carried.**

Chairman Holmvik asked for a motion to approve billings and reported that Treasurer Spaeth had reviewed the invoices. A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve payment of the billings as distributed and discussed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the May 11, 2011, meeting minutes as distributed. **Carried.**

Downstream Impact Committee Report Manager Ista requested consideration from the Board of Managers to support the Downstream Impacts Committee by submitting comments that state opposition to the COE regarding Plan #2 for the Fargo Diversion. Ista also requested a donation of at least \$1,000 to support the committee for legal assistance. Managers objected to the donation of any funds. Due to the time constraint and the hearing scheduled for Project 30, further comments were delayed until later in the meeting. At this time Chairman Holmvik recessed the meeting to be reconvened following the Hearing on the Repair of Project 30.

**COMPLAINTS** Gene Thompson Complaint Section 31, Flom Township, by Robert Thompson. Engineer Bents reported on the complaint filed by Gene Thompson that Robert Thompson had done illegal cleaning in Section 31 of Flom Township. Bents stated that Technician Mark Aanenson and Manager Christensen completed an on-site investigation and determined that a violation existed and there were photos shown that clearly depict cleaning into the clay. Manager Christensen stated that it is clearly a violation done without a permit and much deeper than just cleaning. After considerable discussion a **motion** was made by Manager Ista and **seconded** by Manager Christensen to notify Robert Thompson of the violation and the fact that he is required to restore the area to its original condition by July 13, 2011, (the July Board meeting). **Carried with Manager Erickson opposed.**

Permit Fees. Manager Hanson discussed the possibility of charging a fee for permits. The District



spends a lot of time and funds on permitting, investigations and administrative work. He stated that his point was to get reimbursed for the costs incurred. Discussion ranged from who may or may not be exempt, how the fees would/could be calculated, or charging a flat fee. Manager Erickson stated that he disagreed with the whole concept and felt it would not go over well with landowners. Manager Hanson stated that this would be a specific expense towards your operation and no different than the fees that are paid for building permits, hunting and fishing licenses, etc. Manager Christensen didn't agree with charging of the fees for a Watershed District permit. Manager Ista felt that the Board should wait until Attorney Hanson has a chance to review the issue. Chairman Holmvik stated that it could be placed on the agenda in a couple of months and Manager Spaeth stated that would give him time to visit with constituents regarding the issue.

Halstad Telephone Company Easement. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the request by the Halstad Telephone Company for an easement in the Northwest Corner of Norman County. **Carried.**

. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve payment of Managers per diems and expenses as submitted. **Carried.** Accountant Marcussen presented the financial report dated May 31, 2011. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the financial report as presented. **Carried.** A **motion** was made by Manager Hanson and **seconded** by Manager Christensen authorizing Chairman Holmvik and Treasurer Spaeth to execute the renewal of the CD loan at Frandsen Bank and a check for the interest due in the amount of \$3,219.33 to be issued to Frandsen Bank. **Carried.**

TMDL Grant Application. Manager Erickson requested that Administrator Ruud make sure that the TMDL Grant application is addressed.

Downstream Impact Committee Report The Managers returned to discussing Ista's request for financial support to be used for legal resources to the Downstream Impact Committee and a letter to the COE stated that the District opposes the Fargo Diversion Plan as presented. Consensus of Managers was to not support the committee financially; however a **motion** was made by Manager Hanson and **seconded** by Manager Christensen to submit the same letter to the COE as previously submitted stated that the District opposed the current plan as presented. **Carried.** Manager Erickson asked Board members if he could attend the upcoming Red River Downstream Impacts Group Meeting. He was told that he could attend if he chose, but could not charge his expenses to the District to be reimbursed.

Administrator Ruud stated that the District office will be closed Monday June 27, 2011, due to electrical upgrades to the Wild Rice Building.

Contractor Notice Regarding Permits. Manager Christensen recommended that staff send a letter to Lunde (contractor who did the work on the violation previously discussed) notifying him that when he does construction needing permits from the District, he must have the permit in hand prior to doing the work. Administrator Ruud stated that he would take care of that.

There being no further business to come before the Board of Managers, a **motion** was made by Manager Erickson and **seconded** by Manager Hanson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 12:15 p.m.

## **SPECIAL MEETING**

**June 29, 2011**

### **APPROVED MINUTES**

The special meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, June 29, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Christensen and **seconded** by Manager Ista to approve the agenda. **Carried.**

Robert Thompson Violation. Discussion followed regarding the violation of Robert Thompson for work done in Section 31 of Home Lake without a watershed district permit. It was reported that Technician Mark Aanenson reviewed the complaint and stated that it is clearly a violation to which Attorney Hanson agreed. Neighbors and landowners were given the opportunity to express their ideas. Managers Ista and Holmvik agreed that it is a violation of watershed district rules. Gene Thompson felt that there was a problem with the side slope that should be corrected and also expressed an issue with a board member being included in the discussion, who he felt, had a conflict of interest. Attorney Hanson stated that there is at least a perceived conflict of interest, but didn't know for sure if he did or did not. Manager Erickson stated that he has no financial interest in the action on this permit and over the years he has had sons and grandsons who have done work for Robert Thompson, his family planted and

harvested on a fee basis. A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the after the fact Permit Application #16-29-11-1 of Robert Thompson to clean a ditch to the south for proper drainage in Section 31 of Home Lake Township. **Carried with Manager Ista opposed.** A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to accept the permit as presented today as restoration for the violation from the June regular meeting. **Carried.**

There being no further business to come before the Board of Managers a **motion** was made by Manager Hanson and **seconded** by Manager Ista to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 11:00 a.m.

## G. July

### REGULAR MEETING

July 13, 2011

#### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, July 13, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, and Mike Christensen. Absent: Raymond Hanson. In addition the following persons were in attendance: Administrator Kevin Ruud, Kari Kujava, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by John Austinson and **seconded** by Manager Spaeth to approve the agenda with the addition of acquisition for the Merkel and Jacobson properties, and Manager Erickson requested to put Project 42 back on the agenda for 9:00 to keep consistent with the past agendas. **Carried.**

Chairman Holmvik asked for a motion to approve billings and reported that Treasurer Spaeth had reviewed the invoices. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to approve payment of the billings as distributed and discussed. **Carried.**

A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to approve the June 8, 2011, meeting minutes as distributed. Opposed: Diane Ista. **Carried.**

A **motion** was made by Manager Ista and **seconded** by Manager Spaeth to accept the June 2011 financials. **Carried.**

Managers Per Diems. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Christensen to adjourn the meeting. **Carried.**

## H. August

### REGULAR MEETING

August 10, 2011

#### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, August 10, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Christensen and **seconded** by Manager Austinson to approve the agenda with the addition of Manager Erickson requested to add WRP Programs approved by Congressman Collin Peterson with \$10Million for retention, land appraisals and the cost of land and Manager Ista Tim Kohler and other NRCS issues and a request for funds from the Watershed District by the Norman County SWCD for a software license. **Carried.**

Chairman Holmvik asked for a motion to approve billings and reported that Treasurer Spaeth had reviewed the invoices. A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to approve payment of the billings as distributed and discussed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the Special Meeting Minutes for June 29, 2011, as distributed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to approve the Final Pay Request to Ziegler Construction in the amount of \$2,332.90 for the Mike Borgen ring dike. **Carried.**

USGS Amendment of Joint Funding Agreement for Water Resources Investigations. A **motion** was made by Manager Hanson and **seconded** by Manager Christensen authorizing the District to execute the Grant

Amendment with the USGS for suspended sediment transport reducing the total amount from \$106,000 to \$86,000 a reduction of \$20,000. **Carried.**

Open Microphone. Jim Jirava spoke in regards to an issue on Lindsay Lake. He stated that the USFWS recently burned off the area and upon looking at the area following the burn, it was very obvious that dirt work and drainage work was done. He wanted this information to be of record and stated that he intended to view the area again.

Engineer Bents stated that as a part of the DFIRM grant currently contracted with Norman and Clay Counties, a portion of the work was offered to the SWCDs which they could have income in the amount of \$18,000. It has now become necessary to purchase a software license to do the current work which Houston Engineering did some time ago. The portion provided to the SWCDs requires this license. Curtis Borchert, Norman County SWCD, came to the meeting requesting that the District contribute \$1,500 towards the computer software. Manager Hanson stated that it wouldn't be very wise for the District to pay \$1,500 to the SWCDs towards a software program which Houston Engineering already has purchased, for SWCDs to make \$18,000. Manager Christensen stated that this is a county issue and recommended that the SWCDs approach their respective counties. A **motion** was made by Manager Hanson and **seconded** by Manager Christensen to deny the request by the SWCDs for cost share funds for the software program. **Carried with Manager Erickson opposed.**

General Budget for 2012. The proposed 2012 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 11:00 a.m. on Wednesday September 14, 2011, at the office of the Wild Rice Watershed District located at 11 Fifth Avenue East, Ada, MN. Manager Christensen **seconded** the motion for the adoption of the 2012 proposed administrative budget and, upon the vote being taken, the same was declared unanimously approved and **carried.**

A **motion** was made by Manager Ista and **seconded** by Manager Austinson authorizing staff to approve permit applications that were tabled by the board at the meetings, if the conditions include approval from downstream landowners and the applicant provides this written approval and documentation of the written approval to the Administrator. **Carried.**

At 10:30 a.m. Paul Munsterteiger and a MN DOT Highway Department Engineer met with Managers to discuss possible methods that could be used by MN DOT engineers to determine issues that may come up due to regulations imposed by the Watershed, earlier in their process of designing proposed highway improvements. This could eliminate the need to make changes late which end up costing more money. Further discussion will be held later.

Don Buckhout, BWSR, Performance Review and Assistance Program (PRAP). Don Buckhout, along with Brian Dwight, met with Managers to review the PRAP questions that had been sent to the Managers earlier. Following is discussion and questions.

### **BWSR PERFORMANCE REVIEW AND ASSISTANCE PROGRAM**

1. How often does your board/committee review your plan or assess progress on planned objectives?

The last time it was reviewed was probably 2008.

2. Where has your organization made the most progress in implementing your long-range plan objectives in the past few years? To what do you attribute that progress?

Raymond Hanson stated that the best success is projects that we get money for, it is not as good with those we don't get money. Jerry Bents mentioned the current successful projects which include Project 30 FEMA repair, farmstead ring dikes, Community Ring Dikes consisting of Hendrum, Perley, and Shelly and earlier, the Olson Agassiz, Lockhart Project and Heiberg Dam.

Hanson stated that maintenances issues are a high priority and the District maintains, repairs and even improves current projects.

3. For which plan objective(s) has your organization had the most difficulty making progress? What are the most likely reasons for this lack of progress?

Consensus was that flood damage reduction things were the most difficult to achieve, due somewhat to the complexity of working with a wide range of people and situations. Diane Ista stated that goes back to water storage and the difficulty of obtaining storage sites. We have a diverse issue on this board when it comes to ideas on flood control storage. Raymond Hanson stated that we don't have trouble doing projects that make sense and are cost

effective. It is not like a road, it is different if the projects would meet the criteria of being cost effective. That is where we have the stumbling block. There should be some way to measure what the good is to the people of the community. There is a problem with some of these grandiose projects. Don Buckhout asked if the challenge for the District in a sense is having the trust of the people in the project areas to do this. He stated that (flood damage reduction projects) is incorporated into your plan and that is why it is important to put into your plan what you can do and the importance of the means that you use to accomplish flood damage reduction can vary. You can build into the plan criteria in what you would like to accomplish. One of these criteria could be the component of cost effective.

4. Since the plan was completed, have there been any unforeseen opportunities or problems that have influenced your board's/committee's decisions about which objectives to pursue? Explain those influences.

Administrator Ruud stated that it seems that every time we start off with a board with a project, we spend money and get just about there and then the squeaky wheel comes along, and we go on to the next one. Because of this we have gone from the west side of the district all the way to the east and we don't have any other place to go. If the landowners support a proposed project, we run into permitting issues. The flood of 2009 changed the issues here, funding became available for almost \$5M in construction this year. Unforeseen things have happened since the plan was written. Attorney Hanson stated that with our democratic process comes a change in the board and their thoughts and ideas and that will continue to happen.

5. What are the five most significant factors that are affecting (positively or negatively) your organization's ability to implement our planned objectives?

- a) Money
- b) Permitting
- c) Landowner support
- d) Agency procrastination
- e) DNR and mitigation

6. For which of the factors listed in # would your organization like some assistance for either taking better advantage of positive factors or overcoming negative factors? Identify the type of assistance that would be most helpful.

Don Buckhout stated that everybody wants money and there are millions of dollars available through the State of MN Clean Water management. You get to decide how to use the money.

Brian Dwight stated that he would be more than willing to assist the District in obtaining some of this funding. They stated that they wouldn't be the magnitude of impoundments but other things could be done. There are opportunities out there. Don Buckhout stated that he will want to come back to the board in October and give a draft report of the comments. Brian Dwight felt there would be real benefit to the Board to use these questions, to which Don Buckhout agreed.

2010 Audit, Kim Durbin, Dreesse Risky, Vallager. Kim Durbin, Auditor, met with Managers and presented the 2010 audit for review. She stated that she would be mailing out originals to Managers from her office and felt the audit went well and there were no control policy type findings or legal compliance findings.

Managers Per Diems and Expenses. A **motion** was made by Manager Spaeth and **seconded** by Manager Christensen to approve the Managers per diems and expenses as distributed. **Carried.**

John Austinson left the meeting at noon.

Financial Report Dated July 31, 2011. Doug Marcussen presented the Financial Report. Upon review a **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the financial report as distributed. **Carried.** Administrator Ruud brought up Managers contacting consultants to obtain information that probably could have been available at the District office with no cost to the District. Manager Erickson stated that the board should send him the billing at Attorney Hanson's office for questions he asked regarding Red River Watershed Management Board levies, and he would pay it himself. Consensus of Managers was that they should contact the office or Ruud first with questions, prior to talking to consultants which incurs costs to the District. Manager Hanson did state, however, that the door shouldn't be completely closed to Managers using consultants if they unable to get the answers at the office.

Duane Erickson left the meeting at 1:45 p.m.

Watershed District Buffer Strips and Easements on Ditch Systems. Administrator Ruud reported that with mowing and spraying contractors out doing their jobs they are noticing that some landowners appear to be encroaching on the easements of the ditch systems. Attorney Hanson stated that although easements may or may not be recorded the District does have prescriptive easements. Managers discussed working on the process of recording easements on the ditch systems.

Project and Ditch System Proposed Levies for Year 2012. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to approve the proposed Project and Ditch System Levies to present for a final approval at the September Regular Meeting. **Carried.**

Manager Ista stated that she would like Tim Kohler, NRCS, to be on the agenda for September as he has information regarding possible future cost share funding from that agency.

There being no further information to come before the Board of Managers a **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 2:00 p.m.

## **SPECIAL MEETING**

**August 31, 2011**

### **APPROVED MINUTES**

The special meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, August 31, 2011. Managers in attendance included Diane Ista, Greg Holmvik, John Austinson, Raymond Hanson and Mike Christensen. Absent: Duane Erickson and Dean Spaeth. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:35 a.m.

A motion was made by Manager Hanson and seconded by Manager Christensen approving the execution of a bank loan in the amount of \$860,000 from the Northwest Bank of Hendrum and authorization of signatures of Chairman Holmvik and Treasurer Spaeth. **Carried.**

Manager Erickson previously requested Administrator Ruud to provide Managers with an information packet for review that Erickson put together on the levy process. Erickson stated that he was struggling the most with the RRWMB levies. Chairman Holmvik reviewed a publishing for their Financial Hearing, by the Sand Hill Watershed District of the programs that were funded by the RRWMB levies. Holmvik stated that the levy has not changed; the increase comes from the land values escalating. If landowners feel that their land values are too high, they need to attend their tax equalization board meetings. Manager Ista stated that these funds provide a way for water management in the districts. Erickson stated that he just wanted the public to be aware of the numbers. Manager Hanson stated that this will be acted on at the hearing scheduled for 11:00 a.m. on Wednesday September 14, 2011, and felt that he too, wanted the public to be informed, however he didn't feel that Managers should be trying to influence the public and act like an advocacy group.

Manager Erickson left the teleconference meeting at 10:45 a.m.

Transfers. A table of proposed transfers in and out of the Red River Construction Account was distributed for Managers review and will be acted on at the September meeting.

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 10:45 a.m.

## **I. September**

### **REGULAR MEETING**

**September 14, 2011**

### **APPROVED MINUTES**

The regular meeting of the Wild Rice Watershed District Board of Managers was held on **Wednesday, September 14, 2011.** Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, John Austinson, Raymond Hanson and Mike Christensen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A motion was made by Manager Austinson and seconded by Manager Spaeth to approve the agenda with the addition of Manager Erickson requested to add Lindsey Lake, Manager Ista mowing questions, and asking Attorney Hanson if the Detroit Lakes paper needs to be used for advertising.

**Carried.**

A motion was made by Manager Ista and seconded by Manager Austinson to approve payment of the billings as distributed and discussed. **Carried.**

A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the Regular Meeting Minutes dated August 10, 2011 and the Special Meeting Minutes dated August 31, 2011, as distributed. **Carried.**

Manager Erickson distributed a signature sheet of citizens who attended a recently held meeting at the Lindsey Lake where landowners allege that a block has been established by the USFWS. Those

in attendance at that meeting were Duane Erickson, Jim Jirava, Tom Bergeron, Steve Mattson and Eric Zurn. Jirava stated that there is definitely a berm and landowners would like to take soil borings prior to the USFWS working on their construction project. He also stated that he has no idea when this work was done. Manager Erickson asked if Administrator Ruud would contact USFWS and request a meeting for landowners and USFWS personnel at the site, stating that they would like to address and obtain permission to do soil boring, in writing, determine an elevation that the lake would be maintained and if there is a blockage have it removed. Ruud indicated that he would contact USFWS and try to get an on-site meeting time.

Dave Stumbo, landowner, stated that with the upcoming Red River Watershed Management Board levy being set, there will be an increase in funds received by this method. He felt that the District should be frugal because a vast amount of the funds the RRWMB obtains is spent on administration and thought the amount should be reduced. It was noted by Chairman Holmvik that the reason the amount of funds has increased is not due to increase in the levy but rather due to the value of farmland property increasing because of higher sales.

A motion was made by Manager Spaeth and seconded by Manager Hanson authorizing the Line of Credit at Frandsen Bank to \$500,000 and Chairman Holmvik and Treasurer Spaeth to sign the loan. **Carried.**

At 9:45 a.m. a motion was made by Manager Austinson and seconded by Manager Christensen to recess the meeting to be reconvened at 10:00 a.m. **Carried.**

Complaint/Violation, Section 16, McDonaldsville Township. Duane Hoven submitted a complaint regarding a blockage in Section 16, McDonaldsville Township put in without a permit and on his property. A motion was made by Manager Hanson and seconded by Manager Spaeth with an order for Tim Sargent to remove the berm within 30 days or provide evidence that the berm is on his property. **Carried.**

The meeting was recessed at 11:00 a.m. for the purpose of holding the Hearing on the District budget.

#### **PROPOSED BUDGET FOR ADMINISTRATIVE ACCOUNT**

A motion was made by Manager Hanson and seconded by Manager Austinson 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 approve the following proposed budget for the adoption of the 2012 proposed administrative budget. **Carried.**

Project and Ditch Levies. A motion was made by Manager Hanson and seconded by Manager Ista to approve the following proposed project and ditch levies for 2012. Note that the levy has been changed for Project #30 to five percent. **Carried.**

The hearing was closed at 11:30 a.m. and the regular meeting reconvened.

A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the Managers Per Diems and Expenses as distributed. **Carried.**

Accountant Doug Marcussen presented the financial report dated. A motion was made by Manager Hanson and seconded by Manager Christensen to approve the Financial Report Dated August 31, 2011. **Carried.**

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 11:45 a.m.

## **J. October**

### **REGULAR MEETING**

**October 12, 2011**

### **APPROVED MINUTES**

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, October 12, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, Raymond Hanson and Mike Christensen. Absent: John Austinson. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents, Attorney Hanson and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A motion was made by Manager Christensen and seconded by Manager Spaeth to approve the agenda with the addition of Manager Erickson requested to add hunting on Watershed District owned land, Moccasin Creek, and Diane Ista's replacement appointment, Manager Ista questions regarding a permit of Leon Johnson and Administrator Ruud Project #14 Ditch 45. **Carried.**

Manager Ista asked Norman County Highway Engineer Mick Alm if he had completed the repair of the County Road #147 washout in Anthony Township, which she had reported quite some time ago. Alm replied that no, he had not repaired the road as of yet.

A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the Regular Meeting Minutes dated July 13, 2011. Carried. No action was taken on the September 14, 2011 regular minutes.

A motion was made by Manager Hanson and seconded by Manager Spaeth to approve payment of the billings as distributed and discussed. Carried.

Manager Erickson stated that he received a call asking if private persons can hunt on Watershed District property. Consensus of Managers and Attorney was that it is permissible, however the current renter should be notified.

Open Microphone.

- George Read stated that with the current consistent problems regarding beaver on Upper Becker Dams, recommended looking into drainage tiles to prevent beaver from plugging the inlet.
- Jerry Chisholm talked about the pipes that he installed in Section 25 of Green Meadow Township without a permit, and requested that the pipes be allowed to stay in place until a proper pipe size is determined.

Manager Erickson questioned if Manager Ista's resignation effective in November would be a good time for the District to begin the process of staggering appointments to change the current situation which allows numerous board members reappointments in the same year. This occurred over the past few years as a result of a change in the number of appointees to Mahnom County and another appointment of a former board member. Manager Hanson recommended just leaving the appointments as they are.

Engineer Bents distributed a FEMA spreadsheet illustrating the 2011 FEMA projects and stated that the majority of the work is completed. No action taken.

Don Buckhout, BWSR Performance Review and Assistance Program (PRAP) Review. Don Buckhout met with Managers to review the PRAP with Managers. A portion of the summary stated that the WRWD finds itself in the position of having Managers and an administrator who were all appointed to their positions after the current watershed management plan was developed. Consequently, the Managers are not unanimous in their support of the plan goals and objectives. This lack of consensus on the priorities of the watershed district is a factor that may be affecting the board's expressed difficulty in implementing flood damage reduction projects. It is not uncommon for other watershed districts to face such issues in their project development/implementation, but in the Wild Rice it seems this lack of a common agenda about how best to manage the district's resources is a particular liability. Most of the successes in project implementation that the staff identified are the result of efforts by former Managers. The Managers do a good job of pursuing options, investigating alternative on projects, and taking advantage of their experienced district engineer. Also, the district provides good financial support for and works well with the soil and water conservation districts in their watershed, particularly the Norman SWCD. Action items that need short term attention include the annual report submitted by midyear; rules, date of last revision or review, website, content compliant and communication piece, sent within the last 12 months. Commendations showing exemplary performance included administrator on staff, staff training, public drainage records, implementation and/or strategic review, website contains additional content, obtains stakeholder input, coordination with county board and city/Township officials, and partnerships, cooperative projects done with neighboring LGUs.

Manager Hanson disagreed with Buckhout's thoughts on accomplishing flood control projects and felt that the District has done a good job, acting on permits, maintaining and doing upkeep on projects and ditches in the districts responsibility, numerous ring dike projects and the Hendrum and Perley community levies. Hanson went on to say that the reason at this time the district is not moving forward with a project is lack of funds and that the current project has been tabled until further funding becomes available.

Manager Ista disagreed with that fact stating that she felt certain board members do not want the project and that they do not represent the entire watershed, rather just their area.

Don Buckhout stated that he would like written comments provided to him within approximately one month, or by November 10. Chairman Holmvik discussed having a special meeting to review and provide answers to Buckhout. Buckhout completed his presentation at 9:35 a.m.

Wild Rice Watershed District Ten Year Plan. Brian Dwight, BWSR, stated that although the District's Ten Year Plan is scheduled for an update next year, currently BWSR is working with MPCA to work out a schedule and it may be better to wait until that schedule is available before starting work on the plan. He will have additional information by December.

Manager Erickson distributed a sign-up sheet taken from a meeting held with Lindsey Lake area landowners held on September 26, 2011, along with staff from the WRWD, USFWS and Ducks Unlimited. Ryan Frohling, USFWS, spoke on behalf of that agency. Erickson stated that landowners want the DNR to change the Ordinary High Water Mark (OHM) and stated that he felt that either the Wild Rice Watershed District or landowners have to appeal this decision by the DNR. Manager Hanson stated that he supports the principal of this but not monetarily, and doesn't think the Watershed District should be supporting this endeavor financially.



A request was received from the Norman County Highway Department to use the former Turner property currently owned by the District through a FEMA buyout for temporary storage of clay for road repairs. A motion was made by Manager Hanson and seconded by Manager Ista to provide the Highway Department with a three year lease agreement for those purposes. **Carried.**

Administrator Ruud reported that with January being the time to renew consultant contracts, the staff will be advertising in the months of November and December to be acted on at the January meeting.

A motion was made by Manager Christensen and seconded by Manager Spaeth authorizing Watershed District Managers and/or Staff to view or perform financial actions from the various banking accounts as described below: **Carried with Manager Ista opposed.**

It takes the signatures of two officers of the Wild Rice Watershed District Board of Managers to do Board authorized wire transfers, sign Loan Papers/Line of Credit, purchase Cashier's Check, sign checks, and open new accounts.

The staff of the Wild Rice Watershed District made up of Kevin Ruud, Administrator, Loretta Johnson, Assistant Administrator, and Doug Marcussen, Accountant can only do the financial actions described below.

Administrator Kevin Ruud will have the authorization to transfer funds into and out of the three following accounts of the Wild Rice Watershed District: Checking Account, Money Market Account and the Line of Credit. The method authorized will be either via online banking, a service provided by Frandsen Bank and Trust to its clients, transfer funds by phone or in person. The limit of transferring funds would be established at \$500,000 per day. Administrator Ruud is allowed access to the safety deposit box and to make deposits.

Assistant Administrator Loretta Johnson would be authorized to view the online accounts of the Wild Rice Watershed District including the Checking Account, Money Market Account and the Line of Credit. Johnson would have the authority to download the bank statements, access to the safety deposit box, and allowed to make deposits to the bank.

Administrative Assistant Kari Kujava is allowed access to the safety deposit box and to make deposits to the bank.

Accountant Doug Marcussen would be authorized to view the online accounts of the Wild Rice Watershed District including the Checking Account, Money Market Account and the Line of Credit and use Automatic Withdrawal on the Checking Account for the purpose of paying IRS Federal withholding taxes, Minnesota withholding Taxes, Minnesota withholding Taxes and PERA for Managers and Employees.

Any other Board authorized financial transactions, other than those listed above, will require the signatures of two officers of the Wild Rice Watershed District Board of Managers.

Doug Marcussen presented the financial report. A motion was made by Manager Hanson and seconded by Manager Ista to approve the Financial Report dated September 30, 2011. **Carried.**

A motion was made by Manager Hanson and seconded by Manager Spaeth to approve payment of the Managers Per Diems and Expenses as distributed. **Carried.**

## **SPECIAL MEETING**

**October 27, 2011**

### **APPROVED MINUTES**

A Special meeting of the Wild Rice Watershed District Board of Managers was held on Thursday, October 27, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson and Mike Christensen. Absent: John Austinson and Raymond Hanson. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents, Attorney Hanson and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

Paul Krabbenhoft, Clay County SWCD requested financial assistance from the District to fund additional staff in the CCSWCD office to promote Pheasants Forever conservation programs. Consensus of the Board was to not supply any funding at this time.

MAWD Annual Meeting, December 1-3, Alexandria, MN. A motion was made by Manager Christensen and seconded by Manager Ista authorizing Managers and Staff attendance at the Annual Meeting. **Carried.** Administrator Ruud noted that staff will take care of registration if noticed by the November meeting.

Brian Dwight assisted Managers and staff in reviewing the Performance Report Prepared by Don Buckhout and distributed to Managers. Consensus was for staff to review comments and prepare a draft to be assessed and provided to the Board for approval prior to submittal to Buckhout at BWSR.

There being no further business to come before the Board of Managers a motion was made by Manager Erickson and seconded by Manager Spaeth to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 11:10 a.m.

## K. November

### REGULAR MEETING

November 9, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, November 9, 2011. Managers in attendance included Diane Ista, Dean Spaeth, Greg Holmvik, Duane Erickson, Raymond Hanson, and John Austinson. Absent: Mike Christensen. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Bents, Attorney Hanson and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth to approve the agenda with the addition of cleaning ditches on Watershed District property, Marco proposal, efficiency and benefit cost ratios related to projects, right of way and easements on Project #42 Upper Becker Dams. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to approve the bills as distributed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Ista to approve the Regular Meeting Minutes dated October 12, 2011 Meeting. Carried. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve the Special Meeting Minutes dated October 27, 2011, with the correction in Paragraph #3, of second by Manager Hanson to Ista. **Carried.**

Open Microphone. Gerry Schram, Becker County Commissioner recommended that Watershed District Managers attend the Annual Meeting conference seminars, especially those that pertain to building consensus, communication, email and phone conferences.

Watershed District Manager Appointment. Curt Johannsen was introduced to the Board as the new appointee effective November 10, 2011, replacing Diane Ista, who is moving out of the area.

A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to approve the following response to the Board of Water and Soil Resources for the Performance Review Report. **Carried.**

#### **Level II Performance Review Report**

#### **Recommendation #1.**

Action items:

**Annual Report:** this has been addressed by the new administrator as shown getting the 2010 annual report out in a timely fashion. The district is lining up an auditing firm to get the financials done early in the year and has the report writer lined up for the 2011 report. This should allow the District to get the Annual Report out in April or May at the latest.

#### **Recommendation #2.**

Action items:

##### **Rules:**

This will be put on the agenda to be looked at over the winter months.

##### **Website:**

We will be adding a link to our website which will make all information that has been entered into our server by the end of the year. This will include the financial records, permits, and projects.

##### **Communication:**

We will be working with the new Public Information Officer of the Red River Water Management Board to improve getting information out to the people of the District. We will also be putting out notices in the local newspapers when the financial information and Annual Reports are available on the website.

#### **Recommendation #3.**

Action items:

1. Managers should familiarize themselves with the Watershed Management Plan (Sections 4, 5, and 6 of the Plan at a minimum, preferably the whole plan). This should be done once the Board has made it through the latest round of appointment in April and May of 2012.
2. Engage in a strategic planning discussion to develop a vision and mission statement for the Wild Rice Watershed District and a general consensus on strategies to support that mission.
3. We need to delay the next scheduled plan update due to the potential of changing of several Board members. In the meantime, the Board should engage in discussion as to what type of support, changes or amendments to the plan need to take place to move the Board to a consensus base with regard to the plan by the end of 2012.

#### **Recommendation #4.**

Action items:

1. The newly seated Board needs to familiarize themselves (with a minimum of Sections 1-5) with the Project Team Handbook.
2. The Board needs to invite Paul Wannarka and Brian Dwight to discuss the Project Team Process to the newly seated Board in August or September of 2012.
3. Once the 2012 Board has met the above two items, they should look at updating the long range plan.

Dalen Coulee Project, Cleanout Section 2, Georgetown and Section 35, Lee Township. A request for cleanout was received by the District and Engineer Bents estimates that if a contractor would be available this fall the estimated cost would be 15 – 18,000. A **motion** was made by Manager Ista and **seconded** by Manager Hanson to authorize staff to hire a contractor for a fall cleanout providing the cost doesn't exceed the engineer's estimate. **Carried.**

Administrator Ruud reported that an email was received from former watershed Chairman Warren Seykora stating that he was storing 26 rolls of Enkamat and requested that they be removed as he needed the space for rental storage. A **motion** was made by Manager Erickson and **seconded** by Manager Spaeth authorizing Managers Erickson and Hanson to contact Seykora and make arrangements to look at the Enkamat and remove the product as soon as possible. **Carried.**

MARCO Proposal for M-Files Software. Administrator Ruud presented information regarding the proposal for the installation of M-Files Computer Software. Ruud stated that the software upgrade would provide the public and staff an easier, better product to access the data information that is available at the District office. A **motion** was made by Manager Spaeth and **seconded** by Manager Austinson to approve the proposal submitted by MARCO. **Carried.**

Cleaning Ditches on Watershed District Property. Dan Pritchard contacted the office regarding ditches on the former Lee land that the District currently owns and rents out to Braseth requesting that the ditches be cleaned. A **motion** was made by Manager Erickson and **seconded** by Manager Spaeth authorizing staff to coordinate with Managers Erickson and Austinson, Braseth and Pritchard to determine what should be done. **Carried.**

Managers discussed the upcoming MAWD Annual Conference to be held at Alexandria, and Chairman Holmvik noting that Managers might want to attend at the very least the Thursday seminar.

A **motion** was made by Manager Hanson and **seconded** by Manager Ista authorizing the execution of an engagement letter for the 2012 audit with Drees, Risky & Vallager Accounting Firm. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Spaeth authorizing approval of the staff compensation package as presented to the Board. **Carried.**

At 9:45 a.m. a **motion** was made by Manager Spaeth and **seconded** by Manager Hanson to recess the meeting until 10:00 a.m. at which time permits will be on the agenda. **Carried.**

Chairman Holmvik called the meeting back to order 10:00 a.m.

#### **COMPLAINTS/VIOLATIONS**

A complaint was filed against John Brandt alleging that ditching without a permit was done in Section 21, Green Meadow Township. Staff and Technician Mark Aanenson reviewed the area and stated that there is clearly a violation, no permit was submitted to the Wild Rice Watershed and the ditching was down into the clay. A **motion** was made by Manager Spaeth and **seconded** by Manager Hanson stating that the Board of Managers' decision is that it is a violation of District

rules and issued an order that it must be restored to its original condition by Wednesday, November 16, 2011. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the Financial Report Dated October 31, 2011, as presented. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve Managers Per Diems and Expenses as presented. **Carried.**

Manager Austinson thanked Manager Ista for her time on the board.

There being no further business to come before the Board of Managers, a **motion** was made by Manager Hanson and **seconded** by Manager Austinson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at 11:05 a.m.

## L. December

### REGULAR MEETING

December 14, 2011

### APPROVED MINUTES

The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, December 14, 2011. Managers in attendance included Dean Spaeth, Greg Holmvik, Duane Erickson, Raymond Hanson, John Austinson, Mike Christensen and new appointee Curt Johannsen. Absent: None. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Technician Mark Aanenson, Attorney Hanson and various other interested taxpayers and landowners.

Chairman Holmvik called the meeting to order 8:30 a.m.

A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to approve the agenda with the addition of SWCD grant extension, WRP/RIM possibilities and Norman County GIS possibilities. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the bills as distributed. **Carried.**

A **motion** was made by Manager Hanson and **seconded** by Manager Austinson to approve the Regular Meeting Minutes dated September 14, 2011 and the November 9, 2011, with a change in a motion because Mike Christensen was not in attendance. **Carried.**

Administrator Ruud reported to the board that due to the overwhelming amount of data that staff has digitized into the server, it is not working properly and the technical support team has advised that the District is in need of a new server. Ruud presented proposals and a **motion** was made by Manager Austinson and **seconded** by Manager Christensen authorizing the purchase to Morris Electronics in the amount of \$11,308.18. Also included in the motion is authorization to change the Survey & Data closing out to Equipment Upgrade. **Carried.**

A **motion** was made by Manager Christensen and **seconded** by Manager Hanson authorizing execution of the FY2010 State of MN BWSR Competitive Grants Program extending the final progress date to February 1, 2013. **Carried.**

Curt Johannsen, new member appointed as of November 10, 2011, was officially sworn into office by Attorney Hanson.

Manager Hanson discussed the possibility of the District charging a fee for permits and/or site visits by staff and consultants; possible redetermination of benefits on projects; control gates on tile projects and use of the Clean Water Fund and aspects of RIM/WRP in an effort to access additional funding for projects from Congressman Collin Peterson's legislation. The consensus of the board was to table these discussions until winter when they intend to review policies and procedures for the District.

At 9:45 a.m. the meeting was recessed for 15 minutes and reconvened at 10:00 a.m.

### COMPLAINTS/VIOLATIONS

John Brandt Violation, Section 21, Green Meadow Twp. Administrator Ruud reported that John Brandt has worked on the restoration as deemed by the Board of Managers. Brandt asked what would happen if it washed out in the spring and he was told that he would again have to restore it. No further action was taken.

Stewart Klask Complaint, Sections 25/26, Pleasant View Twp. Stewart Klask filed a complaint against Lowell Johnson alleging that two culverts between Sections 25/26 of Pleasant View Twp. were raised. After investigation by Watershed Technicians and staff it was their determination that due to the length of time and lack of evidence, no violation could be proven. A **motion** was made by Manager Hanson and **seconded** by Manager Spaeth to deny the complaint. **Carried.**

Lowell Johnson Complaint, Section 25, Pleasant View Twp. Lowell Johnson filed a complaint against Leon Johnson for cleaning a ditch in Section 25, Pleasant View Twp., and requested that it be restored to the original. A **motion** was made by Manager Johannsen and **seconded** by Manager Hanson to deny the complaint based on the evidence provided. **Carried.**

RRWMB (Red River Watershed Management Board) Levies. Manager Erickson discussed the RRWMB levies and how and the amount that is levied.

A **motion** was made by Manager Johannsen and **seconded** by Manager Spaeth authorizing payment of MN Energy Resources in the amount of \$36.26. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Christensen authorizing payment of Managers per diems and expenses. **Carried.**

A **motion** was made by Manager Austinson and **seconded** by Manager Hanson to approve the Financial Report dated November 30, 2011, as presented by Doug Marcussen. **Carried.**

There being no further information to come before the Board of Managers a **motion** was made by Manager Hanson and **seconded** by Manager Austinson to adjourn the meeting. **Carried.** Chairman Holmvik adjourned the meeting at Noon.

## VI. Financial and Audit Reports

This section summarizes the District's financial activity for the period from January 1 through December 31, 2011.

By law, the Wild Rice Watershed District is allowed to establish a number of funds for the purpose of carrying out their duties. To finance these funds, the District levies an "ad valorem" tax, meaning in "proportion to the value," over the entire District and is based on the property value, rather than benefits. The following is a brief summary of types of funds established and the ways they assist in carrying out the goals of the District. A detailed report of all activity within the respective fund accounts is available for review at the District's office.

The **Administrative Fund** is the general operating fund of the District. The fund is set up for the purpose of providing for the general administrative expenses and for the construction and maintenance of projects of common benefit to the District. The levy to fund the Administrative Fund may not exceed 0.02418 percent of the tax capacity or \$250,000, whichever is less.

The **Survey and Data Acquisition Fund** is established and used only if other funds are not available to the District to pay for surveying and/or obtaining additional data. The levy against the taxable market value of property in the District may not exceed 0.02418 percent. The balance of the fund is not to exceed \$50,000. When a project is proposed and there is surveying done prior to establishing the project, the newly established project shall repay the survey and data acquisition fund for such costs.

The **Works of Common Benefit Fund** is established to cover costs attributable to the basic management features of projects initiated by the District. This Works of Common Benefit Fund receives its support from the Administrative Fund.

The **Red River Watershed Management Board Construction Fund** is established and used for the development of programs and projects of benefit to the District. The levy to fund the Red River Water Management Construction Fund may not exceed .0486 percent of the taxable market value of the property in the District. One-half of the levied funds received are sent to the Red River Watershed Management Board for programs and projects that have common benefit in the Red River Basin.

**Special Levies** are collected on certain flood control and drainage projects that have an established benefiting area under Minnesota law. Each project is its own entity unto itself, managed by the District. Special levies are used to fund repair and maintenance of the individual projects. Each project maintains its own account, with surplus fund invested in interest bearing deposits. An annual review is conducted in August to review and determine if establishment of maintenance review is needed.

**Other income** sources that are received by the District include funds from grants and aids, as well as reimbursement from other government agencies.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA

FINANCIAL STATEMENTS

DECEMBER 31, 2011

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WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
DECEMBER 31, 2011

BOARD OF MANAGERS

2011

Greg Holmvik	Chairman
Raymond Hanson	Vice Chair
Dean Spaeth	Treasurer
John Austinson	Secretary
Mike Christensen	Manager
Curt Johannsen	Manager
Duane Erickson	Manager

**Drees, Risky & Vallager, Ltd.**  
*Certified Public Accountants*

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 1405 Library Circle  
 Telephone (701) 746-4466  
 FAX (701) 772-6659

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 117 South Broadway  
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 FAX (218) 281-5245

INDEPENDENT AUDITORS' REPORT

Board of Directors  
 Wild Rice Watershed District  
 Ada, Minnesota

We have audited the accompanying financial statements of the governmental activities and the major funds of the Wild Rice Watershed District as of and for the year ended December 31, 2011, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of Wild Rice Watershed District's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

As discussed in Note 1, the Wild Rice Watershed District prepares its financial statements on the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position – modified cash basis of the governmental activities and each major fund of the Wild Rice Watershed District as of December 31, 2011 and the respective changes in financial position – modified cash basis for the year then ended in conformity with the basis of accounting described in Note 1.

The District has implemented Government Auditing Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* for the year ended December 31, 2011.

In accordance with *Government Auditing Standards*, we have also issued our report dated June 12, 2012, on our consideration of the Wild Rice Watershed District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in conjunction with this report in considering the results of our audit.

The Wild Rice Watershed District has not presented Management's Discussion and Analysis in accordance with the basis of accounting described in Note 1, which has been determined necessary to supplement, although not required to be part of, the basic financial statements.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Wild Rice Watershed District's basic financial statements as a whole. The statements and schedules listed in the table of contents as supplementary information are presented for purposes of additional analysis and are not a required part of the financial statements. The supplementary information is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole on the basis of accounting described in Note 1 or as otherwise indicated.

DREES, RISKEY & VALLAGER, LTD.

Certified Public Accountants

June 12, 2012  
Crookston, Minnesota

## BASIC FINANCIAL STATEMENTS

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
STATEMENT OF NET ASSETS - MODIFIED CASH BASIS  
DECEMBER 31, 2011

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ASSETS

Current Assets:

Petty cash	\$ 200
Pooled cash and investments	<u>2,019,104</u>
Total Current Assets	<u>2,019,304</u>

Restricted Assets:

Pooled cash and investments	<u>285,000</u>
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Capital Assets:

Property and equipment	3,284,116
Less: accumulated depreciation	<u>(150,084)</u>
Net Capital Assets	<u>3,134,032</u>

TOTAL ASSETS	<u>\$ 5,438,336</u>
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LIABILITIES

Other Noncurrent Liabilities:

Due within one year	\$ 312,563
Due in more than one year	<u>755,143</u>
TOTAL LIABILITIES	<u>1,067,706</u>

NET ASSETS

Investment in capital assets, net of related debt	\$ 3,134,032
Restricted	285,000
Unrestricted	<u>951,598</u>

TOTAL NET ASSETS	<u>\$ 4,370,630</u>
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The accompanying notes are an integral part of these financial statements.

WILD RICE WATERSHED DISTRICT

ADA, MINNESOTA

STATEMENT OF ACTIVITIES - MODIFIED CASH BASIS

FOR THE YEAR ENDED DECEMBER 31, 2011

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		Program Revenues			Net (Expenses) Revenues and Changes in Net Assets
		Special Assessments and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
FUNCTION/PROGRAMS	Expenses				
General administration	\$ (208,495)	\$ -	\$ -	\$ -	\$ (208,495)
RRWMB management and construction	(405,652)	-	20,769	-	(384,883)
COE feasibility study	(125)	-	-	-	(125)
Project development	(24,129)	-	1,978	-	(22,151)
Wetland banking program	(3,897)	-	-	-	(3,897)
Ditch systems	(87,978)	124,465	-	-	36,487
FEMA projects	(21,373)	-	1,362	-	(20,011)
Other projects and studies	(5,391,818)	338,217	4,351,557	-	(702,044)
Interest on long-term debt	(29,381)	-	-	-	(29,381)
Total Governmental Activities	<u>\$ (6,172,848)</u>	<u>\$ 462,682</u>	<u>\$ 4,375,666</u>	<u>\$ -</u>	<u>(1,334,500)</u>
General Revenues:					
Property taxes					1,350,658
Intergovernmental, (not restricted to specific programs)					66,068
Miscellaneous					223,547
Interest earnings					<u>851</u>
Total General Revenue					<u>1,641,124</u>
Changes in Net Assets					306,624
Net Assets - Beginning					<u>4,064,006</u>
Net Assets - Ending					<u>\$ 4,370,630</u>

The accompanying notes are an integral part of these financial statements.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
BALANCE SHEET - MODIFIED CASH BASIS  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2011

5

	<u>General</u>	<u>Special Revenue Fund</u>	<u>Capital Project Fund</u>	<u>Total</u>
ASSETS				
Petty cash	\$ 200	\$ -	\$ -	\$ 200
Pooled cash and investments	80,521	299,206	1,639,377	2,019,104
Restricted cash and investments	<u>285,000</u>	<u>-</u>	<u>-</u>	<u>285,000</u>
 TOTAL ASSETS	 <u>\$ 365,721</u>	 <u>\$ 299,206</u>	 <u>\$ 1,639,377</u>	 <u>\$ 2,304,304</u>

FUND BALANCE				
Restricted	285,000	-	-	285,000
Committed	-	-	1,639,377	1,639,377
Assigned	-	299,206		299,206
Unassigned	<u>80,721</u>	<u>-</u>	<u>-</u>	<u>80,721</u>
 TOTAL FUND BALANCE	 <u>\$ 365,721</u>	 <u>\$ 299,206</u>	 <u>\$ 1,639,377</u>	 <u>\$ 2,304,304</u>

Amounts reported from governmental activities in the Statement of Net Assets are different because:

Total fund balance per Balance Sheet, from above	\$ 2,304,304
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When capital assets (land, building, equipment and infrastructure) that are to be used in governmental activities are purchased or constructed, the costs of those assets are reported as expenditures in governmental funds. However, the statements of net assets includes those capital assets among the assets of the District as a whole.

Cost of capital assets	3,284,116
Accumulated depreciation	(150,084)

Long-term liabilities, including compensated absences, are not due and payable in the current period and therefore, are not reported in the funds.	<u>(1,067,706)</u>
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NET ASSETS	<u>\$ 4,370,630</u>
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The accompanying notes are an integral part of these financial statements.



WILD RICE WATERSHED DISTRICT

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ADA, MINNESOTASTATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - MODIFIED CASH BASIS  
GOVERNMENTAL FUNDS  
FOR THE YEAR ENDED DECEMBER 31, 2011

	General	Special Revenue Fund	Capital Project Fund	Total
REVENUES				
Property taxes	\$ 266,220	\$ 542,219	\$ 542,219	\$ 1,350,658
Intergovernmental				
Federal flow through State	-	-	217,978	217,978
State	60,280	20,769	3,980,205	4,061,254
RRWMB	5,788	-	62,669	68,457
Other local	-	-	94,045	94,045
Special assessments	-	-	462,682	462,682
Miscellaneous	23,483	-	200,915	224,398
Total Revenues	355,771	562,988	5,560,713	6,479,472
EXPENDITURES				
General administration	189,875	-	1,421	191,296
RRWMB management and construction	-	405,652	-	405,652
COE feasibility study	-	-	125	125
Project development	-	-	24,129	24,129
Wetland banking program	-	-	3,897	3,897
Ditch systems	-	-	87,978	87,978
FEMA projects	-	-	21,373	21,373
Other projects and studies	-	-	5,900,034	5,900,034
Debt Service:				
Principal retirement	535,000	-	94,643	629,643
Interest and agent fees	5,076	-	24,305	29,381
Total Expenditures	729,951	405,652	6,157,905	7,293,508
Revenues Over (Under) Expenditures	(374,180)	157,336	(597,192)	(814,036)
OTHER FINANCING SOURCES (USES)				
Proceeds from Debt Issued	285,000	-	860,000	1,145,000
Revenues & Other Sources Over (Under) Expenditures & Other Uses	(89,180)	157,336	262,808	330,964
Fund Balance (Deficit), January 1	454,901	141,870	1,376,569	1,973,340
Fund Balance (Deficit), December 31	\$ 365,721	\$ 299,206	\$ 1,639,377	\$ 2,304,304

The accompanying notes are an integral part of these financial statements.

ADA, MINNESOTARECONCILIATION OF CHANGE IN FUND BALANCES OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES - MODIFIED CASH BASIS

Net Change in Fund Balances - Total Governmental Funds	\$ 330,964
Governmental funds report capital outlay as expenditures, while governmental activities report depreciation expense allocating those expenditures over the life of the asset:	
Capital Asset purchases capitalized	525,120
Depreciation expense	(25,692)
Governmental funds report proceeds from long term debt as an other financing source. However, in the government wide statements, these proceeds are reported as long-term liabilities. The amount of debt proceeds for the current year is:	(1,145,000)
The (increase) decrease in compensated absences does not require the use of or provide current financial resources but is recorded as an adjustment to expense in the statements of activities	(8,411)
Repayment of debt principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets.	<u>629,643</u>
Change in Net Assets - Governmental Activities	<u>\$ 306,624</u>

The accompanying notes are an integral part of these financial statements.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS  
FOR THE YEAR ENDED DECEMBER 31, 2011

The Wild Rice Watershed District, (the "District") was established under the Minnesota Watershed Act as an agency of the State of Minnesota. The purpose of the District is to carry out conservation of the natural resources of the State of Minnesota through land utilization, flood control, and other needs upon sound scientific principles for the protection of the public health and welfare and the provident use of natural resources. The District serves an area in Northwestern Minnesota and includes all or parts of the following counties: Becker, Clay, Clearwater, Mahnomen, Norman and Polk. The District is governed by the Board of Managers, which is composed of seven members appointed by the county boards in accordance with Minnesota Statutes.

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

As discussed in Note 1.C, these financial statements are presented on a modified cash basis of accounting. This modified basis of accounting differs from accounting principles generally accepted in the United States of America (GAAP). Generally accepted accounting principles include all relevant Governmental Accounting Standards (GASB) pronouncements. In the government-wide financial statements, Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or after November 30, 1989, have been applied, to the extent applicable to the modified cash basis of accounting, unless those pronouncements conflict with or contradict GASB pronouncements.

A. Reporting Entity

The financial statements of the District include all organizations, funds and account groups over which the District's Board exercises significant influence over and, or is financially accountable or organizations for which the nature and significance of their relationship with the District is such that exclusion would cause the Wild Rice Watershed District's financial statements to be misleading. Currently, the District does not have any component units.

B. Basis of Presentation

*Government-Wide Financial Statement*

The Statement of Net Assets and Statement of Activities display information about the reporting government taken as a whole. They include all funds of the reporting entity except any fiduciary funds. The statements would distinguish between governmental and business-type activities (if any). The District displays all operations as governmental activities, because generally governmental activities are financed through taxes, intergovernmental revenues and other non-exchange revenues.

*Fund Financial Statements*

Fund financial statements of the District are organized into funds, each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts that constitute its assets, liabilities, fund equity, revenues and expenditures. Funds are typically organized into two major categories: governmental and proprietary. The District currently has no proprietary or fiduciary funds.

An emphasis is placed on major funds within the governmental categories. A fund is considered major if it is the primary operating fund of the District or meets the following criteria:

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

1. Total assets, liabilities, revenues or expenditures of that individual governmental fund are at least 10 percent of the corresponding total for all funds of that type, AND
2. Total assets, liabilities, revenues or expenditures of the individual governmental fund are at least 5% of the corresponding total for all governmental funds combined.

*Governmental Funds*

General Fund

The general fund is the primary operating fund of the District and always classified as a major fund. It is used to account for all activities except those legally or administratively required to be accounted for in other funds.

Special Revenue Fund

The special revenue fund is used to account for the proceeds of specific revenue sources (other than capital projects) where the expenditures are legally restricted for purposes specified in the grant or project agreements. The reporting entity includes the special revenue fund as a major fund.

Capital Projects Fund

The capital projects fund is used to account for the financial resources to be used for the acquisition or construction of capital projects. The reporting entity includes the capital projects fund as a major fund.

C. Measurement Focus and Basis of Accounting

Measurement focus is a term used to describe the recognition of revenues and expenditures within the various financial statements. Basis of accounting refers to “when” transactions are recorded regardless of the measurement focus applied.

*Measurement Focus*

In government-wide Statement of Net Assets and the Statement of Activities, governmental activities are presented using the economic resources measurement focus, within the limitations of the modified cash basis of accounting, as defined below.

In the fund financial statements, the “current financial resources” measurement focus or the “economic resources” measurement focus, as applied to the modified cash basis of accounting is used as appropriate:

All governmental funds utilize a “current financial resources” measurement focus. Only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

When fund balance resources are available for use, it is the government's policy to use restricted, committed, assigned, and unassigned resources as they are needed in that order.

*Basis of Accounting*

In the government-wide Statement of Net Assets and Statement of Activities governmental activities are presented using a modified basis of accounting. This basis recognizes assets, liabilities, net assets, revenues and expenditures when they result from cash transactions with a provision for depreciation in government-wide statements. This basis is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

As a result of the use of modified cash basis of accounting, certain assets and their related revenues (such as accounts receivable and revenue for billed or unbilled services provided in current year) and certain liabilities and their related expense (such as accounts payables, unpaid good or services received in the current year and accrued expenses) are not recorded in these financial statements.

If the District utilized the basis of accounting recognized as generally accepted, the fund financial statements for governmental funds would use the modified accrual basis of accounting and the government-wide financials would be presented on the accrual basis of accounting.

D. Budgets

The budget is prepared using the same method of accounting as the financial statements. The annual adopted budget is not legally binding on the District, with the exception of the budget for the administrative fund, which is limited by state statute at \$250,000 and set by the Board for 2011 at \$250,000.

E. Revenues

In the Statement of Activities, modified cash basis revenues that are derived directly from each activity or from parties outside the District's taxpayers are reported as program revenues. The District has the following program revenues; direct project cost reimbursements and project special assessments, rental income and operating and capital grants specific to projects. All other governmental revenues and general tax levies are classified as general revenue.

F. Property Taxes

The District levies property taxes on property owners within the District, which becomes an enforceable lien as of January 1. Taxes are levied in September and are payable to counties on May 15 and October 15 (November 15 for farm property) of the following year. The District levies the tax, while the respective counties collect and remit the tax collections to the District. Property taxes are recognized when received from the counties under the cash basis of accounting.

The District also levies special assessments through the counties against property owners who obtain direct benefits from projects or property owners who request, through the petition process, to have a project undertaken. The special assessment collections are recorded in a manner similar to that for property taxes.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

G. Compensated Absences

All full-time employees and part time employees that work at least 23 hours a week will receive paid time off (PTO) benefits, which vests upon termination. PTO may be accrued up to a maximum of 320 hours. PTO time is earned at the end of each month of employment pursuant to the following schedule:

<u>Years of Continuous Employment</u>	<u>Rate Per Month</u>
0 - 1 year	6 hours
1 - 2 years	8 hours
2 - 3 years	10 hours
6 years and over	14 hours

H. Cash and Investments

Cash balances from all funds are pooled and invested to the extent available in authorized investments authorized by Minnesota statutes. Earnings from such investments are allocated to the respective funds on the basis of average cash balance participation by each fund. Funds with deficit averages are charged with the investment earnings lost in financing the deficits.

I. Restricted Assets

The District has a certificate of deposit that has been pledged as collateral on a note payable, which restricts the use of such funds making them unavailable for appropriations and not expendable financial resources.

J. Capital Assets

The District's modified cash basis of accounting reports capital assets resulting from cash transactions and reports depreciation where appropriate.

All capital assets are valued at historical cost or if donated recorded at its estimated fair value. Infrastructure assets acquired prior to January 1, 2004 are not capitalized, but subsequent acquisitions are recorded at cost.

In the government-wide financial statements, capital assets arising from cash transactions are accounted for as an expense in the Statement of Net Assets, with accumulated depreciation reflected in the Statement of Net Assets. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. Capitalization thresholds of \$500 for equipment and building improvements and \$10,000 for infrastructure are used to report capital assets. Estimated useful lives being used are summarized below:

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

Building & improvements	19 - 40 years
Infrastructure	25 – 70 years
Equipment, furniture and fixtures	5 – 20 years

In governmental fund financial statements, capital assets arising from cash transactions acquired for use in governmental fund operations are accounted for as capital outlay expenditures of the governmental fund upon acquisition.

K. Long-Term Debt

All long-term debt arising from cash transactions to be repaid from governmental fund resources is reported as a liability only in the government-wide statements.

Any long-term debt arising from cash basis transactions of governmental funds is not reported as a liability in the fund financial statements. Debt proceeds would be reported as other financing sources and the payment of principal and interest reported as expenditures.

L. Equity

In the government-wide financial statements equity is classified as “net assets” and displayed in three components:

1. Investment in Capital Assets, Net of Related Debt – consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by any outstanding debt issued that is attributable to the acquisition, construction, or improvements of those assets.
2. Restricted Net Assets – Consists of net assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws and regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
3. Unrestricted Net Assets – All other net assets that do not meet the definition of “restricted” or “invested in capital assets, net of related debt.”

M. Net Assets/Fund Balance

The difference between assets and liabilities is “Net Assets” on the government wide financial statements and “Fund Balance” on the governmental fund financial statements.

In the governmental fund financial statements, fund balances are classified as nonspendable, restricted, committed, assigned or unassigned.

Nonspendable fund balance represents a portion of fund balance that includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

Restricted fund balance represents a portion of fund balance that reflects constraints placed on the use of resources (other than nonspendable items) that are either: (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed fund balance includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision making authority which is the Board of Managers through a resolution.

Assigned fund balance represents amounts constrained by the government's intent to be used for specific purposes, but neither restricted nor committed.

Unassigned fund balance represents residual classification for the general fund. This classification represents fund balance not assigned to other funds and not restricted, committed, or assigned to specific purposes within the general fund. The general fund should be the only fund that reports a positive unassigned fund balance amount. In other governmental funds, if expenditures incurred for specific purposes exceeded the amounts restricted, committed, or assigned to those purposes, it would be necessary to report a negative unassigned fund balance.

The first priority is to utilizing the restricted before unrestricted fund balance when both are available. Committed funds will be considered spent first when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classification could be used like assigned or unassigned.

N. Interfund Balances

In the process of aggregating the fund information for the government-wide Statement of Net Assets and Statement of Activities, some amounts reported as interfund activity and balances in the fund financial statements have been eliminated or reclassified.

O. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

P. Subsequent Events

Wild Rice Watershed District has evaluated subsequent events through June 12, 2012, the date which the financial statements were available to be issued.



WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 2. CASH

In accordance with applicable Minnesota Statutes, the District maintains deposits at depository banks authorized by the District's Board.

Minnesota Statutes require that all deposits be protected by federal deposit insurance, corporate surety bond, or collateral. The market value of collateral pledged must equal 110% of the deposits not covered by federal deposit insurance or corporate surety bonds.

At December 31, 2011, all deposits were protected by federal deposit insurance, corporate surety bond, or collateral as required by Minnesota Statute.

Interest Rate Risk

The District does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit Risk

The District is authorized by Minnesota Statutes to invest in the following: direct obligations or obligations guaranteed by the federal government or its agencies; share of investment companies registered under the Federal Investment Company Act of 1940 and is rated in one of the two highest rating categories by a statistical rating agency, and all of the investments have a final maturity of thirteen months or less; general obligations rated "A" or better; revenue obligations rated "AA" or better, general obligations of Minnesota Housing Finance Agency rated "A" or better; commercial paper issued by United States' corporations or their Canadian subsidiaries, of the highest quality category by at least two nationally recognized rating agencies, and maturing in 270 days or less; Guaranteed Investment Contracts guaranteed by a United States commercial bank or insurance company, domestic branch of a foreign bank and with a credit quality in one of the top two highest categories; repurchase or reverse repurchase agreements and securities lending agreements with financial institutions qualified as a "depository" by the government entity, with banks that are members of the Federal Reserve System with capitalization exceeding \$10,000,000, a primary reporting dealer in U.S. government securities to the Federal Reserve Bank of New York, or certain Minnesota securities broker-dealers. The District has no investment policy that would further limit its investment choices.

Concentration of Risk

The District does not have a formal investment policy that would restrict the amount that may be invested with any single financial institution.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 3. CAPITAL ASSET

Capital assets activity resulting from modified cash basis transactions for the year ended December 31, 2011, was as follows:

	Beginning Balance	Additions	Deletions	Ending Balance
<u>Capital Assets</u>				
Land	\$ 1,673,944	\$ 498,013	\$ -	\$ 2,171,957
Building and improvements	75,002	-	-	75,002
Infrastructure	964,830	27,107	-	991,937
Office equipment	42,232	-	-	42,232
Other equipment	2,988	-	-	2,988
Total	<u>2,758,996</u>	<u>525,120</u>	<u>-</u>	<u>3,284,116</u>
<u>Accumulated Depreciation</u>				
Building and improvements	29,730	1,875	-	31,605
Infrastructure	67,179	16,754	-	83,933
Office equipment	25,094	6,913	-	32,007
Other equipment	2,389	150	-	2,539
Total	<u>124,392</u>	<u>25,692</u>	<u>-</u>	<u>150,084</u>
Net Capital Assets	<u>\$ 2,634,604</u>	<u>\$ 499,428</u>	<u>\$ -</u>	<u>\$ 3,134,032</u>

Depreciation expense of \$ 25,692 for the year ended December 31, 2011 is included in general and administrative program costs.

NOTE 4. LONG-TERM DEBT

The following is a summary of the long-term debt transactions for the year:

	Beginning of Year Balance	New Issues	Debt Retired	End of Year Balance	Due Within One Year
Notes Payable:					
Northwestern Bank NA	\$ -	\$ 860,000	\$ 94,643	\$ 765,357	\$ 27,563
Frandsen Bank	-	285,000	-	285,000	285,000
Frandsen Bank	285,000	-	285,000	-	-
Frandsen Bank	250,000	-	250,000	-	-
	<u>535,000</u>	<u>1,145,000</u>	<u>629,643</u>	<u>1,050,357</u>	<u>312,563</u>
Compensated absences	<u>8,938</u>	<u>10,528</u>	<u>2,117</u>	<u>17,349</u>	<u>-</u>
Total Long-Term Liabilities	<u>\$ 543,938</u>	<u>\$ 1,155,528</u>	<u>\$ 631,760</u>	<u>\$ 1,067,706</u>	<u>\$ 312,563</u>

WILD RICE WATERSHED DISTRICT  
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NOTES TO BASIC FINANCIAL STATEMENTS

Long-term indebtedness is made up of the following issues as of December 31, 2010, excluding compensated absences:

	<u>Original Issue</u>	<u>Security Interest</u>	<u>Interest Rate</u>	<u>Maturity</u>	<u>Balance</u>
Notes Payable:					
Northwestern Bank NA	\$ 860,000	Land	3.15%	7/15/2012	\$ 765,357
Frandsen Bank	\$ 285,000	Certificate of deposit	4.50%	6/13/2012	<u>285,000</u>
					<u>\$ 1,050,357</u>

The annual debt service requirements to maturity, including principal and interest, for long-term debt, except compensated absences, as of December 31, 2011 are as follows:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2012	\$ 312,563	31,517	344,080
2013	27,359	23,272	50,631
2014	28,239	22,391	50,630
2015	29,148	21,482	50,630
2016	<u>653,048</u>	<u>20,544</u>	<u>673,592</u>
	<u>\$ 1,050,357</u>	<u>\$ 119,206</u>	<u>\$ 1,169,563</u>

NOTE 5. DEFINED BENEFIT PENSION PLANS STATEWIDE

Plan Description

All full-time and certain part-time employees of the Wild Rice Watershed District are covered by a defined benefit pension plan administered by the Public Employees Retirement Association of Minnesota (PERA). PERA administers the General Employees Retirement Fund (GERF) which is a cost-sharing multiple-employer retirement plan. This plan is established and administered in accordance with Minnesota Statutes, Chapter 353 and 356.

GERF members belong to either the Coordinated Plan or the Basic Plan. Coordinated members are covered by Social Security and Basic members are not. All new members must participate in the Coordinated Plan.

PERA provides retirement benefits as well as disability benefits to members, and benefits to survivors upon death of eligible members. Benefits are established by State Statute, and vest after three years of credited service. The defined retirement benefits are based on a member's average salary for any five successive years of allowable service, age, and years of credit at termination of service.

Two methods are used to compute benefits for PERA's Coordinated and Basic Plan members. The retiring member receives the higher of step-rate benefit accrual formula (Method 1) or a level accrual formula (Method 2). Under Method 1, the annuity accrual rate for a Basic Plan member is 2.2 percent of average salary for each of the first 10 years of service and 2.7 percent for each remaining year. The annuity accrual rate for a Coordinated Plan member is 1.2 percent of average salary for each of the first 10 years and 1.7 percent for each remaining year. Under Method 2, the annuity accrual rate is 2.7 percent of average salary

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

for Basic Plan members and 1.7 percent for Coordinated Plan members for each year of service. For all GERP members hired prior to July 1, 1989 whose annuity is calculated using Method 1, a full annuity is available when age plus years of service equal 90. Normal retirement age is 65 for Basic and Coordinated members hired prior to July 1, 1989. Normal retirement age is the age for unreduced Social Security benefits capped at 66 for Coordinated members hired on or after July 1, 1989. A reduced retirement annuity is also available to eligible members seeking early retirement.

There are different types of annuities available to members upon retirement. A single-life annuity is a lifetime annuity that ceases upon the death of the retiree. No survivor annuity is payable. There are also various types of joint and survivor annuity options available which will reduce the monthly normal annuity amount, because the annuity is payable over joint lives. Members may also leave their contributions in the fund upon termination of public service, in order to qualify for a deferred annuity at retirement age. Refunds of contributions are available at any time to members who leave public service, but before retirement benefits begin.

The benefit provisions stated in the previous paragraphs of this section are current provisions and apply to active plan participants. Vested, terminated employees who are entitled to benefits but are not receiving them yet, are bound by the provisions in effect at the time they last terminated their public service.

PERA issues a publicly available financial report that includes financial statements and required supplementary information for GERP. That report may be obtained on the web at [mnpera.org](http://mnpera.org) or by writing to PERA, 60 Empire Drive #200, St. Paul, Minnesota, 55103-2088 or by calling (651) 296-7460 or 1-800-652-9026.

#### Funding Policy

Minnesota Statutes Chapter 353 sets the rates for employer and employee contributions. These statutes are established and amended by the state legislature. The District makes annual contributions to the pension plans equal to the amount required by state statutes. GERP Basic Plan members and Coordinated Plan members are required to contribute 9.10% and 6.25%, respectively, of their annual covered salary in 2011. The District is required to contribute the following percentages of annual covered payroll: 11.78% for Basic Plan GERP members, 7.25% for Coordinated Plan GERP members. The District's contributions to the Public Employees Retirement Fund for the years ending December 31, 2011, 2010 and 2009 were \$7,686, \$5,846, and \$5,846, respectively. The District's contributions were equal to the contractually required contributions for each year as set by state statute.

#### NOTE 6. EXPENDITURES EXCEED APPROPRIATIONS

Expenditures exceeded appropriations in the general fund for the year ended December 31, 2011 by \$ 479,951 . This was caused by debt retirement payment made which had not been included in the budget. No remedial action is necessary at this time.

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 7. RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District carries commercial insurance coverage's on its commercial property and for liability, personal and advertising injury, non-owned auto and a miscellaneous floater. Insurance coverage has not been reduced from the prior year, and settlements have not exceeded insurance coverage in any of the past three years.

NOTE 8. CONTINGENCIES

Grants

The District participates in state and federal grant programs, which are governed by various rules and regulations of the grantor agencies. Costs charged to the respective grant programs are subject to audit and adjustment by the grantor agencies; therefore, to the extent that the District has not complied with the rules and regulations governing the grants, refunds of money received may be required and the collectability of any related receivable at December 31, 2011, may be impaired. The District is not aware of any significant contingent liabilities relating to compliance with the rules and regulations governing the respective grants.

Claims and Litigation

The District is involved in some legal actions relating to projects undertaken or attempted to be undertaken. Although the outcomes cannot be determined, the District believes any potential liability would not have a material impact on the financial condition of the District.

REQUIRED SUPPLEMENTAL INFORMATION

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
BUDGETARY COMPARISON SCHEDULE - MODIFIED CASH BASIS  
GENERAL FUND  
FOR THE YEAR ENDED DECEMBER 31, 2011

	<u>Budgetary Amounts</u>			Variance with
	<u>Original</u>	<u>Final</u>	<u>Actual</u>	<u>Final Budget</u>
REVENUE				
Property taxes	\$ 250,000	\$ 250,000	\$ 266,220	\$ 16,220
Intergovernmental	-	-	66,068	66,068
Miscellaneous	-	-	23,483	23,483
Total Revenue	<u>250,000</u>	<u>250,000</u>	<u>355,771</u>	<u>105,771</u>
EXPENDITURES				
Salaries & benefits	80,000	80,000	69,308	10,692
Utilities	11,000	11,000	9,968	1,032
Supplies, publications and postage	34,000	34,000	10,717	23,283
Insurance and bonding	19,000	19,000	11,393	7,607
Engineering	15,000	15,000	8,091	6,909
Legal, accounting and audit	34,500	34,500	10,295	24,205
Advisory board	1,000	1,000	-	1,000
Managers' per diem	19,000	19,000	13,400	5,600
Managers' expenses	14,000	14,000	6,839	7,161
Organization dues	2,500	2,500	2,125	375
Overall plan	1,500	1,500	-	1,500
Mediation	5,000	5,000	-	5,000
Other	1,000	1,000	46,876	(45,876)
Capital improvements	12,500	12,500	863	11,637
Debt Service:				
Principal retirement	-	-	535,000	(535,000)
Interest and agent fees	-	-	5,076	(5,076)
Total Expenditures	<u>250,000</u>	<u>250,000</u>	<u>729,951</u>	<u>(479,951)</u>
Revenues Over (Under) Expenditures	-	-	(374,180)	(374,180)
OTHER FINANCING SOURCES (USES)				
Proceeds from Debt Issued	-	-	285,000	285,000
Revenues & Other Sources Over (Under) Expenditures & Other Uses	-	-	(89,180)	(89,180)
Fund Balance, January 1	<u>454,901</u>	<u>454,901</u>	<u>454,901</u>	<u>-</u>
Fund Balance, December 31	<u>\$ 454,901</u>	<u>\$ 454,901</u>	<u>\$ 365,721</u>	<u>\$ (374,180)</u>

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
NOTES TO BUDGETARY COMPARSION  
FOR THE YEAR ENDED DECEMBER 31, 2011

Budgets are prepared by the District on the same basis of accounting used in the preparation of its fund financial statements. The budget presented in this report is prepared in accordance with the cash basis of accounting. All appropriations lapse at year-end.

The budget is adopted through passage of a resolution by the board. Administration can authorize the transfer of budgeted amounts within the general fund. The State imposed an administrative budget limit for all Minnesota Watershed Districts of \$250,000 for the year ended December 31, 2011.



## SUPPLEMENTAL INFORMATION

WILD RICE WATERSHED DISTRICT  
ADA, MINNESOTA  
SCHEDULE OF CHANGES IN FUND BALANCES - MODIFIED CASH BASIS  
FOR THE YEAR ENDED DECEMBER 31, 2011

	Fund	Receipts				Expenditures	Transfers	Fund
	Balance	Taxes &	Capital &	Other	Total	Direct	In	Balance
	(Deficit)	Special	Operating	Receipts				
	January 1	Assessments	Grants				(Out)	December 31
GENERAL FUND	\$ 454,901	\$ 266,220	\$ 66,068	\$ 308,483	\$ 640,771	\$ 729,951	\$ -	\$ 365,721
SPECIAL REVENUE FUND JOB								
RRWMB management	141,870	542,219	20,769	-	562,988	405,652	-	299,206
CAPITAL PROJECTS FUND JOBS								
Works of common benefit	21,867	-	21,490	-	21,490	7,117	(17,369)	18,871
FEMA funds remainder 96	320	-	-	-	-	-	-	320
Permits								
General	(46,183)	-	-	-	-	68,020	44,504	(69,699)
Violations	(874)	-	-	-	-	1,247	825	(1,296)
Phase 6 Pederson Brothers	(13)	-	-	-	-	-	13	-
Phase 19 Brian Borgen Complaint	(13)	-	-	-	-	-	13	-
Phase 21 Ueland Violation	(45)	-	-	-	-	-	-	(45)
Phase 27 Vik Dike	(3,473)	-	-	-	-	-	3,473	-
Phase 29 Klemetson\Erickson	3,542	-	-	-	-	-	-	3,542
Phase 33 Ambuch\Vik Violation	(14)	-	-	-	-	-	14	-
Phase 46 Airhart Violation	(727)	-	-	-	-	-	727	-
Phase 47 Home Lake Complaint	(538)	-	-	-	-	-	538	-
Phase 48 Dean Heitman	(38)	-	-	-	-	-	38	-
Phase 49 Chisholm\Hanson Violation	(1,475)	-	-	-	-	-	1,475	-
Phase 50 Brian Borgen UR Complaint	(230)	-	-	600	600	-	-	370
Phase 51 James Wagner Sr. Complaint	(456)	-	-	-	-	-	456	-
Phase 52 Stalboerger\Jirava\Bergren	(930)	-	-	-	-	-	930	-
Phase 53 Gillis	(896)	-	-	-	-	-	896	-
Phase 54 Terry Guttormson Complaint	(506)	-	-	-	-	-	506	-
Phase 55 Mike Christensen Complaint	(48)	-	-	-	-	-	48	-
Phase 56 Jim Jirava 2010 Complaint	(199)	-	-	-	-	-	199	-
Phase 57 JD 51 Borgen Complaint	(96)	-	-	-	-	-	96	-
Phase 24 B Borgen vs P Borgen	50	-	-	-	-	-	-	50
Phase 58 Thompson Violation	-	-	-	-	-	410	-	(410)
Phase 59 Strand Complaint	-	-	-	-	-	321	-	(321)
Phase 60 Brad Arrends Complaint	-	-	-	-	-	99	-	(99)
Phase 61 Violation Sargent	-	-	-	-	-	248	-	(248)
Phase 63 Klask\Johnson Complaint	-	-	-	-	-	154	-	(154)
Phase 64 L Johnson\Brandt Complaint	-	-	-	-	-	483	-	(483)
Flood Mitigation COE 205	1,699	-	-	-	-	-	-	1,699
WRR COE Feasability Study								
General	(18,826)	-	-	-	-	125	18,245	(706)
RRWMB construction	1,908,187	542,219	20,767	-	562,986	18,691	(284,158)	2,168,324
Legislative funding	(395)	-	-	-	-	-	75	(320)
Mediation FDR work group-July '05-'06	(187)	-	-	-	-	-	-	(187)
Mediation FDR work group-July '06-'07	8,638	-	-	-	-	-	-	8,638
Mediation FDR work group-July '07-'08	4,473	-	-	-	-	-	-	4,473
Survey & data	15,335	-	-	37	37	-	-	15,372
Project Development								
Upper Moccasin Creek flood storage	(8)	-	-	-	-	-	-	(8)
Data Practices	(1,590)	-	-	-	-	-	-	(1,590)
South Branch - Off Channel Inv.	(24,471)	-	-	-	-	-	1,202	(23,269)
Riverwatch Stream Guage Monitoring	-	-	-	-	-	11,932	-	(11,932)
Public information\media	(8,239)	-	-	-	-	182	1,605	(6,816)
BWSR-Ditch Mapping Grant	(17,793)	-	-	-	-	-	-	(17,793)
USGS-264 S Branch Guage Station	(48)	-	-	-	-	-	-	(48)
2006 Water Res Dev (WRDA)	(1,931)	-	-	-	-	-	-	(1,931)
USGS Sediment Investigation	(20,564)	-	-	-	-	10,000	20,565	(9,999)
TV Dam Reevaluation	(59)	-	-	-	-	-	-	(59)
Mahnomen Drainage Issues	(13,473)	-	1,978	-	1,978	1,972	15,116	1,649
Home Lake Storage #266	371	-	-	-	-	-	-	371
Soil and Water Conservation District								
Storage Sites #265	(71,083)	-	-	-	-	-	71,083	-
Upper Felton-Alternative	(86)	-	-	-	-	-	-	(86)
TMDL Study WRR	-	-	-	-	-	43	-	(43)
Water Management Investigation	(5,546)	-	-	-	-	-	4,184	(1,362)
Heitman Project	(2,395)	-	-	-	-	-	-	(2,395)

## ADA, MINNESOTA

## SCHEDULE OF CHANGES IN FUND BALANCES - MODIFIED CASH BASIS

	Fund Balance (Deficit) January 1	Receipts				Expenditures  Direct	Transfers  In (Out)	Fund Balance (Deficit) December 31
		Taxes & Special Assessments	Capital & Operating Grants	Other Receipts	Total			
CAPITAL PROJECTS FUND JOBS (Cont'd)								
MPCA Grant	10,000	-	-	-	-	-	-	10,000
Vik Lawsuit	(15,021)	-	-	-	-	-	15,021	-
2009 Drainage System Modernization #334	10,975	-	-	-	-	44,993	34,031	13
Geographic Information Systems WRWD Mapping #277	17,779	-	-	-	-	-	-	17,779
Data Request #280	(744)	-	-	6	6	2,359	2,334	(763)
South Branch Storage #284	22,943	-	-	-	-	-	-	22,943
Natural Resource Conservation District Small Project #338	(740)	-	-	-	-	-	740	-
Norman/Mahnomen FIS Grant #339	(68,376)	-	143,840	-	143,840	118,232	-	(42,768)
Downstream Impact WG #340	(642)	-	-	-	-	-	642	-
WRWD Projects	(3,431)	-	-	-	-	-	-	(3,431)
Wetland Banking Program Anderson wetland restoration	(2,207)	-	-	-	-	3,897	2,176	(3,928)
Flood Mitigation Projects Acquisition/Demolition - DR 1175								
Kesselberg 1175	(104)	-	-	-	-	-	-	(104)
Norman Cty Rural Acquisition-DR 1479	802	-	-	-	-	-	-	802
Farm Ring Dikes	(101,582)	-	41,179	64,377	105,556	65,978	57,548	(4,456)
Acquisitions 2006	(56,307)	-	221,868	42	221,910	253,394	-	(87,791)
Community Ring Dikes #336	(86,472)	-	-	-	-	1,501	-	(87,973)
Community Ring Dikes II	283,430	-	3,359,147	-	3,359,147	3,577,157	-	65,420
Acquisitions 2009	(25,217)	-	517,396	18,683	536,079	609,512	-	(98,650)
#348 Acq Mitigation Sites	-	-	-	-	-	735	-	(735)
#349 2011 Acquisition	-	-	-	-	-	1,411	-	(1,411)
#1 Hess	-	-	-	-	-	1,050	-	(1,050)
WRWD Projects								
Upper Reaches	795	117,732	-	-	117,732	46,319	(724)	71,484
Phase #6 - JD #51	(11,165)	-	-	-	-	-	-	(11,165)
2006 Slide Repairs JD #51	(917)	-	-	-	-	-	-	(917)
Marsh River Analysis	11,620	-	-	-	-	-	-	11,620
Northern Improvement Dam	(2,905)	-	-	-	-	700	3,367	(238)
Lake Ida Detention	5,020	-	-	-	-	-	-	5,020
Project No. 1, Norman Co. D. #1	8,467	7,770	-	-	7,770	9,346	(724)	6,167
Project No. 2 - Heiberg Dam	52,121	2,765	-	-	2,765	1,006	(724)	53,156
Project #3, Co County #20	13,130	535	-	-	535	172	(724)	12,769
Project #4, Becker Dams	74,936	16,156	-	-	16,156	5,092	(724)	85,276
Project #5, Norman Polk	220,367	16,605	-	-	16,605	20,906	(724)	215,342
Project #6, Lake Ida	7,748	3,918	-	-	3,918	2,905	(724)	8,037
Project #8, Moccassin Creek	(4,485)	-	-	-	-	6,414	-	(10,899)
Project #9 - South Branch	145,892	31,286	-	-	31,286	25,244	(724)	151,210
Project #10 - Mashaug Creek	(362)	-	-	-	-	6,097	346	(6,113)
Project #12 - WR Twp. Ditch	(7,625)	7,124	-	-	7,124	1,363	(724)	(2,588)
Project #13 Olson Agassiz	22,853	3,827	690	-	4,517	4,248	(724)	22,398
Project #14, N.C. Ditch #45	9,610	2,118	-	-	2,118	3,616	(724)	7,388
Project #16, Anthony Twp.	6,086	3,587	-	-	3,587	2,504	(724)	6,445
Project #17, Lockhart Twp.	29,261	2,491	-	-	2,491	2,311	(724)	28,717
Project #18 N.C Ditch #64	90,026	3,203	-	-	3,203	2,897	(724)	89,608
Project #19, #35, 10 & 16	46,539	7,604	-	-	7,604	10,670	(724)	42,749
Proj. #20, Clay J.D. #45, Lat. 1 & 2	96,282	31,575	-	-	31,575	9,568	(724)	117,565
Project #23, NC. D #34, Lat #1	39,183	374	-	-	374	61	(724)	38,772
Project #25, N.C. Ditch #38	42,054	-	-	7,055	7,055	3,374	(724)	45,011
Project #27, Lat. A Mahn. Co. #3	10,129	2,296	-	-	2,296	4,049	(724)	7,652
Project #29, Atlanta Twp.	7,531	4,147	-	-	4,147	2,631	(724)	8,323
Pro. #30 - Anth. Pl. V, Gr. Medo	2,263	54,498	-	-	54,498	148,031	(724)	(91,994)
Project. #31, Hegne Twp. Ditch	13,693	9,647	-	-	9,647	7,518	(724)	15,098
Project #32, Hegn Anthony Cutoff	22,632	2,786	-	-	2,786	1,995	(724)	22,699
Project #34, Lat. B Mahn. #3	19,785	2,046	-	-	2,046	748	(724)	20,359
Proj. #35, Sande Detention	(569)	-	-	-	-	929	570	(928)
Project #36, Marsh Creek #3	(3,194)	-	-	-	-	345	3,191	(348)
Project #38, Rockwell Dam	(9,138)	-	-	-	-	1,003	9,274	(867)
Project #39-Mashaug Dam	(243)	-	-	-	-	119	224	(138)
Project #40 Dalen Coulee	20,369	4,127	-	-	4,127	25,050	(724)	(1,278)

## ADA, MINNESOTA

## SCHEDULE OF CHANGES IN FUND BALANCES - MODIFIED CASH BASIS

	Fund	Receipts				Expenditures	Transfers	Fund
	Balance (Deficit) January 1	Taxes & Special Assessments	Capital & Operating Grants	Other Receipts	Total	Direct	In (Out)	Balance (Deficit) December 31
CAPITAL PROJECTS FUND JOBS (Cont'd)								
Project #42 S. Branch Storage	(737,432)	-	-	-	-	-	-	(737,432)
- Phase 1 Wetland Review	(13,761)	-	-	-	-	-	-	(13,761)
- Phase 2 Channel Alt.	(4,526)	-	-	-	-	-	-	(4,526)
- Phase 3 Final Design & Const.	(23,019)	-	-	-	-	23,472	-	(46,491)
- Phase 4 Land Acquisition Assistance	(18,581)	-	-	-	-	36	-	(18,617)
- Phase 5 Richard Property Survey	(8,167)	-	-	-	-	-	-	(8,167)
- Phase 6 Richards Data	(4,643)	-	-	-	-	-	-	(4,643)
#329 - Upper Becker Geotech	(44,398)	-	-	-	-	-	-	(44,398)
#330 - Upper Becker Design	(168,648)	-	-	-	-	-	-	(168,648)
#331 - CD #18 Geotech and Design	(138,152)	-	-	-	-	-	-	(138,152)
Upper Becker Project Costs	(100,633)	-	-	108,753	108,753	139,602	-	(131,482)
#01 Cost Share Funds - RRWMB	(208,520)	-	-	-	-	3,438	(724)	(212,682)
Proj #42 #284 Non Leviable	-	-	-	860,000	860,000	669,609	17,423	207,814
Ditch Systems								
N.C. #11	5,445	-	-	-	-	544	(724)	4,177
N.C. #12	27,403	5,501	-	-	5,501	1,188	(724)	30,992
N.C. #15	6,899	2,759	-	-	2,759	1,475	(724)	7,459
N.C. #18	20,946	-	-	-	-	2,182	(724)	18,040
N.C. #18, LAT. #1	(226)	-	-	-	-	200	(724)	(1,150)
N.C. #21	3,206	1,798	-	-	1,798	105	(724)	4,175
N.C. #22	1,902	-	-	-	-	-	-	1,902
N.C. #37	9,363	9,348	-	-	9,348	4,339	(724)	13,648
J.D. 53 - Main	(53,495)	45,538	-	-	45,538	7,406	(724)	(16,087)
J.D. 53 LAT #1	18,074	4,212	-	-	4,212	24,378	(724)	(2,816)
J.D. 53 LAT #2	10,950	-	-	-	-	11,880	(724)	(1,654)
J.D. #56	67,296	16,802	-	-	16,802	7,227	(724)	76,147
J.D. #56, LAT #1	31,478	8,191	-	-	8,191	6,701	(724)	32,244
Clay Co. #4 #269	-	-	-	-	-	7,399	(724)	(8,123)
Clay Co. #6	6,121	6,155	-	-	6,155	598	(724)	10,954
Clay Co. #7	2,662	-	-	-	-	-	(724)	1,938
Clay Co. #8	11,603	7,043	-	-	7,043	778	(724)	17,144
Clay Co. #14	(8,487)	2,453	-	-	2,453	153	(724)	(6,911)
Clay Co. #18	(26,117)	11,001	-	-	11,001	10,237	(724)	(26,077)
Clay Co. #42	4,820	1,759	-	-	1,759	1,143	(724)	4,712
Clay Co. #44	7,986	1,053	-	-	1,053	-	(724)	8,315
Clay Co. #52	9,063	852	-	-	852	45	(724)	9,146
FEMA 2000	2,267	-	-	-	-	-	-	2,267
FEMA 2001	469	-	-	-	-	-	-	469
FEMA 2002	(4,691)	-	-	-	-	-	-	(4,691)
FEMA 2006	(35,426)	-	-	-	-	16,968	-	(52,394)
FEMA 2009	(49,136)	-	-	-	-	4,274	-	(53,410)
FEMA 2010	17,015	-	-	-	-	131	-	16,884
FEMA 2011	-	-	-	1,362	1,362	2,148	-	(786)
Dfirm Mahnomen County	(13,059)	-	26,542	-	26,542	24,495	-	(11,012)
Fugleberg Legal	(344)	-	-	-	-	-	344	-
Maccasin Creek Channel	(440)	-	-	-	-	179	448	(171)
Maccasin Creek Tile/Outlet	(1,050)	-	-	-	-	3,295	1,050	(3,295)
Clean Water Legacy Grant	92,730	-	-	-	-	23,786	-	68,944
Project 42 Unassigned	(1,948)	-	-	-	-	-	-	(1,948)
Unassigned	(139)	-	-	-	-	-	-	(139)
Total Capital Projects Jobs	1,376,569	1,004,901	4,354,897	1,060,915	6,420,713	6,157,905	-	1,639,377
TOTAL	\$ 1,973,340	\$ 1,813,340	\$ 4,441,734	\$ 1,369,398	\$ 7,624,472	\$ 7,293,508	\$ -	\$ 2,304,304

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AUDITORS' REPORT ON LEGAL COMPLIANCE

Board of Managers  
Wild Rice Watershed District  
Ada, Minnesota 56701

We have audited the financial statements of the Wild Rice Watershed District, as of and for the year ended December 31, 2011, and have issued our report thereon dated June 12, 2012. The District prepares its financial statements on the modified cash basis, which is a comprehensive basis of accounting other than generally accepted accounting principles.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the comptroller general of the United States and the provisions of the *Minnesota Legal Compliance Audit Guide for Local Government*, promulgated by the Legal Compliance Task Force pursuant to Minn. Stat. 6.65. Accordingly, the audit included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

The *Minnesota Legal Compliance Audit Guide for Local Government* covers seven main categories of compliance to be tested: contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims and disbursements, miscellaneous provisions and tax increment financing. Our study included all of the listed categories, except tax increment financing which did not apply to the District.

The results of our tests indicate that for the items tested the Wild Rice Watershed District complied with the material terms and conditions of applicable legal provisions, except as noted in the schedule of internal control and compliance findings. Further, for the items not tested, based on our audit and the procedures referred to above, nothing came to our attention to indicate that the Wild Rice Watershed District had not complied with such legal provisions.

This report is intended solely for the information and use of the District Board of Managers, management, and the Office of the State Auditor of Minnesota and is not intended to be and should not be used by anyone other than these specified parties.

DREES, RISKEY & VALLAGER, LTD.

Certified Public Accountants

June 12, 2012  
Crookston, Minnesota

**Drees, Risky & Vallager, Ltd.**  
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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING  
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS*

Board of Managers  
Wild Rice Watershed District  
Ada, Minnesota 56701

We have audited the financial statements of Wild Rice Watershed District, as of and for the year ended December 31, 2011, and have issued our report thereon dated June 12, 2012. The District prepares its financial statements on the modified cash basis, which is a comprehensive basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Wild Rice Watershed District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses, as defined above. However, we identified certain deficiencies in internal control over financial reporting, described in the accompanying schedule of findings and responses that we consider to be significant deficiencies in internal control over financial reporting, 2011-1 and 2011-2. A *significant deficiency* is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Wild Rice Watershed District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

The District's response to the finding identified in our audit is described in the accompanying schedule of findings and responses. We did not audit Wild Rice Watershed District's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the District Council, management, others within the organization, and federal and state awarding agencies and is not intended to be, and should not be used by anyone other than these specified parties.

DREES, RISKEY & VALLAGER, LTD.

Certified Public Accountants

June 12, 2012  
Crookston, MN 56716

WILD RICE WATERSHED DISTRICT  
SCHEDULE OF INTERNAL CONTROL AND COMPLIANCE FINDINGS  
FOR THE YEAR ENDED DECEMBER 31, 2011

FINDING 2011-01

Condition:	Lack of sufficient segregation of duties in the cash receipts and disbursement process.
Cause:	Size and cost constraints limiting the number of District personnel available within the municipality to perform accounting duties.
Effect:	The lack of segregation of duties reduces the level of internal controls over financial reporting which could adversely affect the ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements.
Recommendation:	The areas should be reviewed periodically and consideration given to improving the segregation of duties in the most effective manner possible.
Management's Response:	The District is aware of this situation and will continue to monitor operations, but believes it would not be cost efficient at this time to add staff and believes the most effective control lies in its awareness and oversight of this situation.

FINDING 2011-02

Condition:	An internal control deficiency over financial reporting may be determined present in the absence of the District's preparation of its financial statements. This control deficiency could result in a material misstatement to the financial statements that would not be detected or prevented.
Cause:	As auditors we were requested to draft the financial statements and accompanying notes to the financial statements.
Recommendation:	It is the responsibility of management and those charged with governance to make the decision whether to accept the degree of risk associated with this condition because of cost or other considerations.
Management's Response:	The board charged with governance may be willing to accept the degree of risk associated with this condition because cost to provide additional control may exceed any benefit realized by the District and other considerations.