

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

REGULAR MEETING
October 11, 2017
APPROVED MINUTES

A full list of acronyms used is available at the end of this report (Appendix C)

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, October 11, 2017. Managers in attendance included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mike Christensen and Curt Johannsen. Manager Raymond Hanson was absent. In addition the following persons were in attendance: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Elroy Hanson, Tara Jensen, and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order at 8:31 a.m. with the pledge of allegiance.
3. Agenda Approval. A motion was made by Manager Erickson and seconded by Manager Spaeth to approve the agenda with the following additions. Carried:
 - FM Diversion
4. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the payment of billings as presented, with the addition of two late bills from Norman County Recorder and Tammy Erickson. Carried.
5. Approval of Monthly Minutes. A motion was made by Manager Christensen and seconded by Manager Erickson to approve the Regular Meeting Minutes dated September 13, 2017, as presented. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Erickson to approve the monthly financial report and the quarterly financial report dated September 30, 2017, and the transfers from unassessed projects to Red River Construction as detailed in Appendix A at the end of this report. Carried.
7. Open Mic. Clay County Commissioner Frank Gross informed the Board than a letter of interest from a district resident was received in regards to the open WRWD Manager position. Interviews will be held at the Clay County Commission meeting on Tuesday, October 17.
8. Community Flood Protection. Engineer Bents stated that a borrow location had been determined for construction in Halstad. Consultants are currently working on developing a bid package with an anticipated start date for construction of June.
9. Moccasin Creek. Administrator Ruud updated the Board that the DNR site work near the creek is being completed without an application from the District. Attorney Hanson clarified that if work completed does not impact adjacent property owners a permit is not required for work done by the agency. It was suggested that District Staff communicate that the District expects that DNR follow our permitting policy, the same as other agencies do. Discussion was held regarding the courtesy of obtaining a permit, although it is not necessary. Administrator Ruud will correspond with DNR staff requesting that they following the permitting policy.

Discussion continued regarding submitting a resolution to MAWD for consideration at the 2018 Annual Meeting requesting a change to legislative stance regarding the topic.

10. RCPP. Administrator Ruud updated that letters were sent to landowners requesting participation on Interdisciplinary Teams formed as a part of the RCPP process. Meetings for South Branch and Moccasin Creek are scheduled for the end of November. It is anticipated that a Green Meadow meeting may be held in December.

11. Lower Wild Rice. Administrator Ruud is working to schedule a meeting with John Jaschke and Bill Penning regarding details of the easement. He added that a three year extension was granted by LSOHC and now needs to be approved during legislative sessions.

PERMIT APPLICATIONS

12. JR Dale, Sections 32 & 33, Sundal Twp. Engineer Bents provided an overview of the application and changes made since the September Board meeting. It was stated that the applicant has worked with adjacent property owners regarding proposed work near property lines, eliminating or making changes to proposed wetlands within 200 feet of adjacent property lines of concerned landowners. Corey Hanson spoke at length regarding his view that a 200 foot setback is not far enough due to soil composition.

13. Manager Johannsen arrived at 9:04 am.

14. JR Dale, Section 32 & 33, Sundal Twp (continued). Hanson continued to speak regarding his concern with lateral seepage. Patrick Chisholm stated that he would like to have a dike installed near the property line to prevent water from pooling in a current low area north of the property line and requested that the ditch through the property be maintained. A motion was made by Manager Spaeth and seconded by Manager Erickson to deny Permit #17-103 to construct wetland restorations, scrapes and construct berms. Attorney Hanson asked for Engineer opinion on the permit application and voiced concerns. Engineer Bents stated that there has not been a hydrogeologic study completed in the area. He continued by stating that a standard guideline of a 200 foot setback has been utilized in past scenarios, adding that some questions regarding setback distances and impacts cannot be answered without an earlier stated hydrogeologic study. Manager Erickson and Spaeth voted in favor of the motion. Managers Christensen, Johannsen and Chairman Holmvik voted against the motion. Motion failed due to lack of majority. A motion was made by Manager Johannsen and seconded by Manager Christensen to approve Permit #17-103 to construct wetland restorations. Motion carried with Managers Christensen, Johannsen and Chairman Holmvik in favor and Managers Erickson and Spaeth against.

Corey Hanson asked what options are available to him following board approval of the permit application. Attorney Hanson spoke regarding the appeal process which he could initiate. Hanson was notified that the appeal must be received by the District Office within 30 days of the Board decision. It was noted to Hanson that the District office is closed for a federal holiday on November 10, therefore an appeal must be received by the end of business on November 9th to meet the deadline.

15. Norman County Highway Department, Sections 3 & 11, Lake Ida Twp. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve Permit #17-120 to replace a 30" CMP and a 36" CMP with traps with a 48" equivalent arch pipe with a trap. Carried.

16. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve the following Permit applications with conditions as listed. Carried.

- Chad Aldrich, Section 2, Pleasant View Twp. Permit #17-087 to grade and backslope a roadway ditch and add a new driveway with a 24" culvert with the condition that the lower slope of the township road ditch bank is to be reinstated to the original condition prior to the work that was done and that the ditch banks will be seeded into grass.
- Chris Erickson, Section 10 & 26, Walworth Twp. Permit #17-127 to remove a field approach in section 10, install subsurface drain tile in section 26 with standard tile conditions and with the condition that the applicant get approval from the USFWS for any tile within 200 feet of the east property line.
- Eric Hoven, Section 30, Green Meadow Twp. Permit #17-125 to replace an 18" CMP and trap with a longer 18" CMP and trap and construct a wider field approach.
- Jerry Matter, Section 18, Riceville Twp. Permit #17-122 to install subsurface drain tile with standard tile conditions and the condition that the applicant get approval from the property owner where the tile will outlet (Tom Bergren).

17. Daniel Brandt, Section 4, Lake Ida Twp. A motion was made by Manager Johannsen and seconded by Manager Christensen to table Permit #17-121 and notice the SW1/4 of Section 4 of Lake Ida Twp or the permit is approved with standard tile conditions if the applicant provides written approval from the landowners to be noticed. Carried.

18. Darin Erickson, Section 16, Walworth Twp. A motion was made by Manager Spaeth and seconded by Manager Christensen to table Permit #17-126 and notice the N1/2 of Section 17 and the SE1/4 of Section 8 of Walworth Twp or the permit is approved with standard tile conditions if the applicant provides written approval from landowners to be noticed. Carried.

19. Manager Erickson left the board table.

20. Duane Erickson, Section 25, Home Lake Twp. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve Permit #17-113 to install subsurface tile and a water and sediment control basin project with the condition that the applicant provide revised plans for the WSCB project and drain tile showing the new outlet and standard tile conditions. Carried.

21. Manager Erickson returned to the board table.

22. A motion was made by Manager Johannsen and seconded by Manager Christensen to table the following permit applications with reasons as noted. Carried.

- Mahnomen County Highway Department, Section 10, Lake Grove Twp. Permit #17-123 to replace a bridge with box culverts to notice landowners two miles downstream and one mile upstream of the bridge location.
- Mahnomen County Highway Department, Section 11, Marsh Creek Twp. Permit #17-124 to replace a bridge with box culverts to notice landowners two miles downstream and one mile upstream of the bridge location.

23. Russel Olson, Section 32, Wild Rice Twp. A motion was made by Manager Johannsen and seconded by Manager Christensen to table Permit #17-128 to install subsurface drain tile to notice Sections 30 & 31 of Wild Rice Township. Carried.

24. Joe Prosby, Section 36, Rockwell Twp. A motion was made by Manager Johannsen and seconded by Manager Spaeth to approve Permit #17-105 to install subsurface drain tile with standard tile conditions and the condition that any tile that is placed within 200 feet of an adjacent property owner must have written approval from the adjacent landowner. Carried.

25. Aldrich Complaint. A motion was made by Manager Christensen and seconded by Manager Johannsen to notify Aldrich that it is the District expectation that restoration work will be complete at the site of the complaint prior to July 1, 2018. Carried.

26. Farmstead Ring Dikes. A motion was made by Manager Johannsen and seconded by Manager Spaeth to approve the following. Carried.

- Pay Request #1 for the Moore Ring Dike in the amount of \$13,966.20 payable to Gordon Construction.
- Pay Request #1 for the Germolus Ring Dike in the amount of \$60,484.50 payable to Gordon Construction.
- Change Order #1 for the Germolus Ring Dike in the amount of \$3,000.00 from Gordon Construction.

Engineer Bents added that he has met with the Todd family regarding necessary setbacks. An onsite review will be completed with the applicant prior to proceeding on the project.

27. City of Ada. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve a Resolution Approving Conveyance of Real Property as a result of the JD51 realignment process. Managers Christensen, Johannsen, Spaeth, Erickson and Chairman Holmvik voted in favor of the motion. No votes in opposition. Motion carried. A copy of the resolution can be found in Appendix B at the end of this report. A signed copy of the resolution is on file at the District office.

A motion was made by Manager Spaeth and seconded by Manager Christensen to approve a Limited Warranty Deed conveying the former JD51 property to the City of Ada. Carried. It was noted that the Deed will be recorded at the same time as the Limited Warranty Deed from the City of Ada conveying the new channel to the WRWD. A signed copy of the Deed is on file at the District office.

28. Goose Prairie. Administrator Ruud stated that we are working toward a preliminary report regarding the project area.

29. Project 12. Gladden Construction was the low bid and recently awarded the project. Necessary ROW has been acquired and construction will begin later in October.

30. Records Modernization Grant. District Staff has applied for a grant to financially assist with scanning records into digital files.

31. Board Secretary. A motion was made by Manager Spaeth and seconded by Manager Christensen to appoint Manager Johannsen as Board Secretary. Carried

32. Diversion. Manager Johannsen gave an update regarding the FM Diversion, a history of what has happened and permitting issues, highlighting what is currently going on and what is planned for the future. He recently attended a meeting with representatives from both states. Manager Johannsen attended as a downstream representative. A 16 member task force is being formed with representatives from each state appointed by respective Governors. The task force will have a 60 day time frame in which they will try to work towards a solution to current issues.

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

34. Bank Signature Cards. A motion was made by Manager Christensen and seconded by Manager Erickson to remove Sharon Askelson from the bank signature cards and add Curt Johannsen. Motion carried with Manager Johannsen abstaining.

35. November Meeting Date. The November Regular Board Meeting Date was moved to November 15th.

36. Meetings, Conferences, Seminars. A motion was made by Manager Christensen and seconded by Manager Spaeth to approve Manager and Staff attendance at the MAWD Annual Meeting and the Minnesota Water Resources Conference. Carried.

A motion was made by Manager Johannsen and seconded by Manager Christensen to approve Manager and Staff attendance at the 35th Annual Red River Basin Land & Water International Summit Conference.

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

Curt Johannsen, Secretary

Date	Num	Name	Memo	Amount
Sep 14 - Oct 11, 17				
09/19/2017		QuickBooks Payroll Service	Created by Payroll Service on 09/18/2017	5,385.23
10/03/2017		QuickBooks Payroll Service	Created by Payroll Service on 10/02/2017	5,986.15
10/08/2017	ACH	Arvig		318.34
10/05/2017	ACH	MARCO, Inc.	copier lease	518.35
09/15/2017	ACH	PERA		21.02
09/15/2017	ACH	US Treasury-Payroll	41-6145653	80.32
09/22/2017	ACH	MN Dept of Revenue	5062265	385.00
09/22/2017	ACH	US Treasury-Payroll	41-6145653	2,031.40
09/22/2017	ACH	PERA		797.63
10/10/2017	ACH	Ada City		219.17
09/20/2017	ACH	Tyler Technologies	Recorder's Document Search	6.00
09/20/2017	ACH	Tyler Technologies	Recorder's Document Search	6.00

10/04/2017	ACH	Aflac		230.52
10/06/2017	ACH	PERA		893.81
10/05/2017	ACH	MN Dept of Revenue	5062265	430.00
10/06/2017	ACH	US Treasury-Payroll	41-6145653	2,232.50
09/28/2017	ACH	Best Western Plus		187.30
10/03/2017	ACH	GoDaddy		20.17
09/28/2017	ACH	Craguns Resort	BWSR Academy	74.61
10/02/2017	ACH	Minnesota Energy Resources Corporation		53.00
10/10/2017	ACH	Verizon Wireless		68.63
10/11/2017	16481	Ada City	408 Reimbursement	460.80
10/11/2017	16482	AmeriPride	rugs	78.54
10/11/2017	16483	Becker Co. Auditor		2,519.00
10/11/2017	16484	Braun Intertec Corporation	Soil boring	1,413.50
10/11/2017	16485	BWSR Academy	Tara - 2 day registration	90.00
10/11/2017	16486	BWSR Academy	Nicole Registration	45.00
10/11/2017	16487	Clay County Abstract Company	Abstract Updating	1,050.00
10/11/2017	16488	Clay County Auditor Treasurer		6,345.00
10/11/2017	16489	Darrin Pinske	Permanent Easement	640.00
10/11/2017	16490	FP Mailing Solutions	Postage meter	118.63
10/11/2017	16491	Gordon Construction, Inc.	Germolus Req 1	60,484.50
10/11/2017	16492	Gordon Construction, Inc.	VOID: Germolus Change Order 1	0.00
10/11/2017	16493	Gordon Construction, Inc.	Moore Request 1	13,966.20
10/11/2017	16494	Houston Engineering, Inc.		47,941.87
10/11/2017	16495	MARCO, Inc. Mpls	Service MFiles	614.80
10/11/2017	16496	McCollum Hardware, Inc.	supplies	45.89
10/11/2017	16497	Morris Electronics, Inc.		216.25
10/11/2017	16498	Norman County Index-Ada	Legal Ads	253.80
10/11/2017	16499	Norman County Recorder		7.00
10/11/2017	16500	Norman County Recorder	Pinske Easement Recording Fee	46.00
10/11/2017	16501	Norman County Treasurer/Auditor		399.00
10/11/2017	16502	Norman County Treasurer/Auditor	Beaver Trapping Cost Share	30.00
10/11/2017	16503	Northwest Beverage, Inc.	Water	8.25
10/11/2017	16504	Ralph's Food Pride	supplies	24.99
10/11/2017	16505	Red River Watershed Management Board	1/2 Cost Share Reimbursement	90,041.67
10/11/2017	16506	Renae Kappes	cleaning - 2@60	120.00
10/11/2017	16507	Tony Sip	September Mowing	11,050.00
10/11/2017	16508	Wambach & Hanson	September Legal	2,474.15
10/11/2017	16509	Norman County Recorder	Perley and Hendrum Quit Claim Deed Recording	92.00
10/11/2017	16510	Tammy Erickson	Mowing - 7@30	210.00
10/11/2017	16511	Dean P Spaeth		103.50
10/11/2017	16512	Duane L Erickson		96.48
10/11/2017	16513	Gregory R Holmvik		87.73
10/11/2017	16514	Michael K Christensen		166.22
10/11/2017	16515	Curt Johannsen		82.05
TOTAL				261,267.97

Appendix A

Transfers from Red River Construction to Unassessed Projects and Ditches.

9/30/2017

	9/30/2017	RRC	Survey & Data
PROJECTS			
UNASSESSED			
#8 Moccasin Creek	1,270.00	(1,270.00)	
#35 Sande Detention	204.37	(204.37)	
#36 Marsh Creek	540.00	(540.00)	
#36 Northern Improvement Dam	4,074.61	(4,074.61)	
Project Development - other			
#336 - Community Dikes			
#11 - Perley Road Raise	359.83	(359.83)	
#12 - Hendrum Road Raise	1,627.01	(1,627.01)	
#364 - Property Acq/Demo	176.00	(176.00)	
Project Development - RRC			
#173 - Anderson Wetland	32.25	(32.25)	
#354 Goose Prairie WMA Storage	2,041.61	(2,041.61)	
#356 Green Meadow Project Team	(1,620.48)	1,620.48	
#357 Wild Rice Vik/Tufte/Heitman	11.08	(11.08)	
#12 Permits			
#87 - William Gomall Complaint	302.00	(302.00)	
#88 - Mahnomon County Airport	226.50	(226.50)	
#86 - Clyde Neset Complaint	226.50	(226.50)	
#85 - Kelly Gunderson Complaint	870.75	(870.75)	
#18 Violations - other	3,368.25	(3,368.25)	
#12 Permits - Other	25,608.13	(25,608.13)	
Special Revenue Fund Job:FEMA Programs			
FEMA 2011 1982 - Other			
	39,318.41	(39,318.41)	-
	39,318.41	-39,318.41	

Appendix B

RESOLUTION

A RESOLUTION APPROVING CONVEYANCE OF REAL PROPERTY

WHEREAS, the City of Ada, Minnesota ("City") has undertaken a project to construct and maintain a flood control system that includes a realignment of Judicial Ditch No. 51 ("Project");

WHEREAS, certain real estate acquired by the City for this project must be conveyed to the Wild Rice Watershed District ("WRWD"), and is situated within the County of Norman, State of Minnesota, and legally described on the attached Exhibit B which is incorporated by reference herein;

WHEREAS, the WRWD has also agreed to convey additional certain real estate held by the WRWD to the City, situated within the County of Norman, State of Minnesota, and legally described on the attached Exhibit A, which is attached and incorporated by reference herein;

WHEREAS, the WRWD approves the conveyance of the property described in Exhibit A to the City; and

WHEREAS, and it is in the best interest of the public and the WRWD to approve the conveyance of the real property to the City for purposes of the flood control Project.

NOW, THEREFORE, BE IT RESOLVED BY THE WILD RICE WATERSHED DISTRICT AS FOLLOWS:

1. The WRWD Board approves the conveyance of the real estate described on Exhibit A for purposes of the City's flood control Project, and the Chairman and Secretary/Treasurer are hereby authorized to execute any documents required for the completion of the conveyance, including, but not limited to, a Limited Warranty Deed, Purchase Agreement, Settlement Statement, and any other documents.

2. The Chairman and Secretary/Treasurer are further authorized to execute any additional documents that may be necessary or appropriate prior to the WRWD Board conveying possession of its interest in the real estate described on Exhibit A.

3. The conveyance by the WRWD to the City of Ada of the property described on Exhibit A is conditioned upon there being a contemporaneous conveyance by the City of Ada to the WRWD per a Limited Warranty Deed for the property described on Exhibit B, free of any liens or encumbrances, with the property described on Exhibit B to become part of the WRWD's Project No. 51 (Upper Reaches Project).

Upon motion duly made by Member _____ and seconded by Member _____, and upon being put to a vote, the above Resolution carried on the ____ day of _____, 2017, by the following vote:

Ayes:

Nayes:

Dated: _____

Chairman

Secretary/Treasurer

Appendix C

List of Acronyms Used:

CMP	Corrugated Metal Pipe
DNR	Department of Natural Resources
JD51	Judicial Ditch 51
LSOHC	Lessard-Sams Outdoor Heritage Council
MAWD	Minnesota Association of Watershed Districts
RCPP	Regional Conservation Partnership Program
ROW	Right of Way
WRWD	Wild Rice Watershed District
WSCD	Water and Sediment Control Basin