

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

REGULAR MEETING
November 4, 2020
APPROVED MINUTES

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

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, November 4, 2020. Managers in attendance included: Greg Holmvik, Mike Christensen, Duane Erickson, Dean Spaeth, Mark Harless, Curt Johannsen and Raymond Hanson. In addition the following persons were in attendance: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Elroy Hanson, Tara Jensen, and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order at 8:30 a.m. with the pledge of allegiance.
3. Agenda Approval. A motion was made by Manager Harless and seconded by Manager Spaeth to approve the agenda with the following items being added to the Agenda. Carried:
 - Public Inquiries to Individual Managers
 - LIDAR updates
4. Meeting Minutes. A motion was made by Manager Erickson and seconded by Manager Christensen to approve the October 13, 2020, regular meeting minutes, with one correction under Goose Prairie. Carried.
5. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the payment of billings as presented. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Hanson approving the monthly financial report dated October 31, 2020. Carried.
7. Open Mic. Nobody spoke at this time.

PERMIT APPLICATIONS

8. James Borgen, Section 5-6, Mary Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #20-110 to replace a centerline culvert with a longer one, approximately a foot lower and regrade the roadway ditch with the condition that the applicant get approval from the road authorities (Norman County for the culvert, Mary Township for the ditchwork). Carried.
9. Larry Houge, Section 34, Hegne Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #20-122 to install a new 24" side inlet pipe with the condition that the culvert is installed without a flap gate and that the applicant get approval from the drainage authority (Norman County). Carried.
10. Manager Johannsen arrived at 8:51 am.

11. Randy Borgen, Section 2, Hendrum Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #10-112 to install a new inlet pipe into Project #1 with the condition that the culvert is installed without a flap gate, and with the condition that the outlet is installed above (however not more than 2 ft above) the elevation of the original design gradeline of the receiving ditch and the condition that the ditch banks 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 installation of riprap or other protection measures as necessary. Carried.

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

- Randy Borgen, Section 35, Lee Twp. Permit #20-118 to replace a field approach and 30" culvert with a new wider crossing and longer culvert and move the approach east to the property line.
- MN DNR, Section 27, Goose Prairie Twp. Permit #20-117 to install a field approach (dry block).
- Weber Family Farms, Section 13, Viding Twp. Permit #20-119 to replace a field approach and 30" culvert with a new wider crossing and longer 24" or 30" culvert.
- Weber Family Farms, Section 13, Viding Twp. Permit #20-121 to install a new field approach with a 24" culvert.

13. Duane Erickson, Section 23, Walworth Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #20-114 to install subsurface drain tile and lower and existing centerline culvert with standard tile conditions and the condition that the outlet is installed on the east side of the roadway (in section 23) and that the centerline culvert is installed with the same size pipe and with the condition that the culvert is not lowered more than 0.9 feet and with the condition that the roadway slopes are 3:1 slopes. Carried with Manager Erickson abstaining.

14. A motion was made by Manager Johannsen and seconded by Manager Hanson to continue tabling the following permit applications for reasons as noted. Carried.

- Dwight Fevig, Section 34, Walworth Twp. Permit #20-098 to install a weir and install two 48" centerline culverts pending a revised permit application or requesting the following information that was also requested in a May 7th, 2003 letter the last time this permit was applied for: 1) estimated 2, 5, 10, 25, 50, and 100-yr diverted peak flows; 2) Estimated resultant stage increase (water surface level increase) in the South Branch of the Wild Rice River between the CSAH No. 7 crossing and the location where the diverted coulee presently enters the South Branch; 3) estimated increase/decrease in flow rate on the South Branch of the Wild Rice River at location where the diverted coulee presently enters as well as two other downstream locations between that point and the Wild Rice River; 4) estimating resultant stage increase (water surface level increase) in South Branch of Wild Rice River at the same two downstream locations per item No. 3 above; and 5) channel dimensions and grade line of the diversion channel.
- Tim Hoff, Section 35, Hendrum Twp. Permit #20-079 to install field crossings with two 30" culverts pending MN DNR public waters permit.
- Mary Knopfler, Section 25, Ulen Twp. Permit #20-047 to install subsurface drain tile requesting revisions to the project to address concerns of downstream landowners.
- Riverview LLP, Section 32, Waukon Twp. Permit #20-097 to install culverts, runoff ponds and a tile lift station at the request of the applicant. Carried.

15. Raymond Hanson, Section 21, Rockwell Twp. A motion was made by Manager Erickson and seconded by Manager Johannsen to approve Permit #20-124 to install a field crossing with a 30" culvert. Carried with Manager Hanson abstaining.

16. Bruce Tufte, Section 11, Mary Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #20-123 to replace a field approach and 18" culvert with a new wider crossing and a longer 24" or 30" culvert. Carried.

17. Weber Family Farms, Section 33, Winchester Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #20-120 to install a new 18" inlet pipe into NCD 37 with the condition that the culvert is installed without a flap gate, and with the condition that the outlet is installed above (however not more than 2 ft above) the elevation of the original design gradeline of the receiving ditch and the condition that the ditch banks 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 installation of riprap or other protection measures as necessary. Carried.

18. Complaints. A motion was made by Manager Harless and seconded by Manager Hanson to close the Walworth-Erickson Complaint. Carried with Manager Erickson abstaining.

No action was necessary on the Borgen complaint.

The Pederson complaint is pending a field a review.

19. Chisholm Appeal. A motion was made by Manager Johannsen and seconded by Manager Erickson to approve the order denying the Chisholm appeal. Carried. A copy of the appeal is located at the end of this report in Appendix A.

20. Minerva Township. Engineer Bents provided an overview of findings following a site investigation. The landowner was informed of their ability to trap animals and remove the dam on their own property and advised how to work with MN DNR to remove blockages on adjacent property.

21. Goose Prairie. Engineer Bents reported that a MN DNR permit has been applied for. Administrator Ruud stated that he would be following up with landowners after fall harvest to resume negotiations. Manager Erickson voiced desire to hold a landowner meeting.

22. Community Flood Protection. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve a change order and final pay application from Sellin Brothers for work completed on the Halstad Levee project. Carried. Engineer Bents provided an update on the LOMR process, stating that the preliminary maps have been issued and are currently under a 90 day appeal period. The proposed effective date on maps for both communities is March 2021. It is anticipated that both cities will be removed from the flood plain at that time. A motion was made by Manager Spaeth and seconded by Manager Harless to authorize Chairman Holmvik and Secretary Johannsen to sign fee title and easement transfer documents for the City of Halstad levee properties. Carried.

23. Acquisition Properties. An overview of the acquisition locations was provided. A motion was made by Manager Harless and seconded by Manager Johannsen to request funding assistance for 12.5% of the project costs from the RRWMB. Carried with Manager Erickson opposed.

24. 1W1P. Administrator Ruud reported that the 60 day review period was completed with a few comments received from agencies. The comments received were incorporated into the plan. A public hearing will be held this afternoon, followed by a Policy Committee meeting in which the plan will be approved for presentation to the BWSR regional board. The plan will be returned for formal adoption following BWSR review. A motion

was made by Manager Hanson and seconded by Manager Johannsen to support submitting the plan for presentation to the BWSR regional committee. Carried.

25. Fall 2020 Ditch Repairs.

Norman County Ditch 1: A motion was made by Manager Hanson and seconded by Manager Johannsen to approve pay request 1 from Gordon Construction in the amount of \$34,960.00 for work completed. Carried.

Clay County Ditch 6: A motion was made by Manager Johannsen and seconded by Manager Harless to approve pay request 1 from Northern States Excavating in the amount of \$26,410.00 for work completed. Carried. Discussion was held regarding the spoil placement on the Kvalvog property adjacent to the system. A motion was made by Manager Hanson and seconded by Manager Erickson to send a letter to Mr. Kvalvog stating the Districts rights under drainage law for placement. The District as the ditch authority has an obligation to the landowners along the system to maintain the drainage and the authority to complete maintenance along the ditch system. Mr. Kvalvog will be notified that the District would consider payment for any quantifiable damages resulting from the maintenance of the ditch. Carried with Manager Johannsen opposed.

Manager Harless brought forward an area where sand was cleaned out of the South Branch and spread within the spoil bank which presented concern of it washing further downstream when the next highwater event occurs. Engineer Bents provided potential reasons for the spoil placement location in that area. Will review seeding the spoil, hauling away or working with adjacent property owners to place under top soil and determine if a better solution is available.

Clay County Ditch 45: A motion was made by Manager Hanson and seconded by Manager Spaeth to approve pay request 1 from Gordon Construction in the amount of \$23,981.61 for work completed. Carried.

Project 3, Project 12, Clay County Ditch 42 & 44 and Norman County Ditch 64: hoping to complete the first two this fall and the second two will likely be completed next fall.

Dalen Coulee: A motion was made by Manager Hanson and seconded by Manager Erickson to make a determination that an environmental assessment worksheet is not necessary due to the fact that no changes or impacts will result and work will be completed under an amendment to the previous permit. Carried. BWSR and SWCD have indicated they will not claim impacts, however the project needs to be reseeded. The work is anticipated to be done in 2021.

26. RCP. Engineer Bents reviewed categorical items that could be completed for the Green Meadow study area, positioning a future Board for potential voluntary acquisition opportunities in the future. A motion was made by Manager Johannsen and seconded by Manager Harless to authorize completing evaluation and landowner outreach items including acquisition method and planning, information development, hydraulic designs and analysis and public outreach. Carried with Managers Spaeth and Erickson opposed.

Engineer Bents displayed a presentation of all storage sites for the South Branch study area reviewed during past studies. These sites will be reevaluated during the next phase of the review.

27. Upper Reaches. Administrator Ruud reported that discussions continue and another landowner meeting will be held following the December Board meeting to discuss proposed plans.

28. LIDAR. A motion was made by Manager Johannsen and seconded by Manager Hanson to support the RRWMB participation in LIDAR data update. Carried.

29. Public Inquiries. Administrator Ruud reminded Managers to encourage parties to contact the District office with questions or concerns they might have.

30. Per Diems. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve payment of Manager per diems and expenses as distributed. Carried.

31. Meetings, Conferences and Seminars. A motion was made by Manager Johannsen and seconded by Manager Harless to approve Manager and Staff attendance at the 2020 MAWD conference, being held virtually, noting that any Managers registering to attend will be assigned as voting delegates. Carried.

32. There being no further business 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 11:13 am.

Curt Johannsen, Secretary

Date	Num	Name	Memo	Amount
Oct 14 - Nov 3, 20				
10/27/2020		QuickBooks Payroll Service	Created by Payroll Service on 10/26/2020	6,266.17
10/20/2020		Frandsen Bank	Service Charge	32.00
11/03/2020	ACH	Arvig		370.04
10/15/2020	ACH	US Treasury-Payroll	41-6145653	2,063.58

10/14/2020	ACH	PERA		1,033.15
10/16/2020	ACH	MN Dept of Revenue	5062265	371.00
10/15/2020	ACH	Aflac		168.30
10/30/2020	ACH	Minnesota Energy Resources Corporation		103.00
10/30/2020	ACH	Postalia		200.00
11/02/2020	ACH	MN Dept of Revenue	5062265	371.00
11/02/2020	ACH	US Treasury-Payroll	41-6145653	1,891.40
11/02/2020	ACH	PERA		980.62
10/14/2020	17704	Becker Co. Auditor		2,267.00
10/14/2020	17705	Braun Intertec Corporation	Geotech Analysis	1,145.25
10/14/2020	17706	Cardmember Service	September Billing	26.02
10/14/2020	17707	Clay County Auditor Treasurer		5,019.00
10/14/2020	17708	EcoLab	Pest Control	95.82
10/14/2020	17709	FP Mailing Solutions	Postage Meter Lease	118.63
10/14/2020	17710	Gordon Construction, Inc.		20,597.46
10/14/2020	17711	Greg Spaulding	Beaver Trapping	344.88
10/14/2020	17712	Hendrum City	Levee Mowing	1,900.00
10/14/2020	17713	Hillsboro Banner		221.44
10/14/2020	17714	Houston Engineering, Inc.		58,274.15
10/14/2020	17715	Kylie Wamstad	Map hanging - 3	325.00
10/14/2020	17716	MARCO, Inc. Mpls	Card reader	199.86
10/14/2020	17717	Matt Wagner	Beaver Control	925.55
10/14/2020	17718	McCollum Hardware, Inc.		88.67
10/14/2020	17719	MN PEIP		1,258.18
10/14/2020	17720	Morris Electronics, Inc.		1,175.80
10/14/2020	17721	Norman County Index-Ada		494.00
10/14/2020	17722	Norman County Treasurer/Auditor		186.00
10/14/2020	17723	Northwest Beverage, Inc.	water	9.00
10/14/2020	17724	Office Supplies Plus	Screen Cleaner	6.76
10/14/2020	17725	Ramona Leiseth	Spaeth Funeral Plant	42.75
10/14/2020	17726	Renae Kappes	cleaning - 3 months	300.00
10/14/2020	17727	Tony Sip	September Mowing	12,240.00
10/14/2020	17728	Gordon Construction, Inc.	Halstad Cleanout	14,855.40
10/14/2020	17729	Curt Johannsen		126.29
10/14/2020	17730	Dean P Spaeth		152.24
10/14/2020	17731	Duane L Erickson		141.81
10/14/2020	17732	Gregory R Holmvik		230.87
10/14/2020	17733	Mark L Harless		130.38
10/14/2020	17734	Michael K Christensen		136.06
10/14/2020	17735	Raymond M Hanson		251.57
10/14/2020	17736	Norman County Recorder	Halstad Document Recording (2)	92.00
10/14/2020	17737	Wambach & Hanson	September Legal	2,485.50
TOTAL				139,713.60

Appendix A

NOTICE OF ORDER DENYING APPEAL RE PERMIT #19-084

Dear Andrew Chisholm and Hiliary Chisholm:

A hearing on the appeal by Andrew Chisholm and Hiliary Chisholm (Collectively "Chisholm") to Permit #19-084 was held at the Wild Rice Watershed District Office at 11 5th Ave East in Ada, MN 56510 at 9:30 a.m. The Wild Rice Watershed District (WRWD) Board of Managers (Board) were present including: Greg Holmvik; Curt Johannsen; Mike Christiansen; Duane Erickson; Mark Harless; Dean Spaeth; and Ray Hanson. Also in attendance were: Jerry Bents, engineer for the WRWD; Kevin Ruud, administrator for the WRWD; Elroy Hanson, attorney for the WRWD; and Tara Jensen, secretary for the WRWD. In attendance by phone/zoom was Andrew Chisholm.

NOW, THEREFORE, based on the WRWD's record in this matter, having reviewed permit application #19-084 by Robert Brandt, both originally as submitted and as revised, and in consideration of the testimony of the district's engineer, Jerry Bents; and the testimony of Andrew Chisholm, the Board makes the following:

FINDINGS OF FACT

1. The WRWD received an Application For Permit #19-084 on or about 7-3-19 from Robert Brandt to install subsurface drain tile on roughly 49 acres of property located in the SW1/4 of Section 17, Township 144 North of Range 46 West in Norman Co., MN, with the application and attached map showing the location of the proposed work;
2. On 7-17-19, the Board considered Mr. Brandt's Application For Permit #19-084 and approved said permit with Standard Tile Conditions, subject to Mr. Brandt complying with any permitting requirements from township, county, state, or federal government agencies, and there were no objections to said permit;
3. Prior to the Approval on 7-17-19, the WRWD sent notice of the permit application to all landowners in the SW1/4 of Section 17 of McDonaldsville Township in Norman Co., MN.
4. On or about 7-20-20, the WRWD received an application from Robert Brandt to amend Permit #19-084 to allow a revised drain tile plan with a copy of the application and map showing the location of the proposed work and the revised drain tile plan attached to said Application;
5. The WRWD sent notice of the revised tile plan to all landowners in the West 1/2 of Section 17 of McDonaldsville Township in Norman Co., MN.
6. The WRWD Board considered the revised drain tile plan for Permit #19-084 at the WRWD regular meeting on August 12, 2020, and, after reviewing said revised drain tile plan with the WRWD's engineer, Jerry Bents, approved said revised drain tile plan for Permit #19-084 (subject to Standard Tile Conditions and compliance with any required permitting from other governmental agencies) as said work will not result in any additional water on adjoining property, nor any damage to, any other property owner;
7. On September 11, 2020, the WRWD received a letter from Andrew and Hiliary Chisholm dated September 10, 2020, appealing the Board's decision to approve Permit #19-084 with the revised tile plan as Chisholm believed said revised plan would result additional water being cast upon the Chisholm's property;
8. A hearing on the Chisholm's appeal of Permit #19-084 with the revised tile plan was held by the Board at

the WRWD office at 9:30 a.m. (see first paragraph above for specifics of those in attendance) with testimony given by: a. Jerry Bents, engineer for the WRWD, stating that Permit #19-084 with the revised tile plan would not result in any measurable increase in water on the Chisholm property, nor would it otherwise result in damage to the Chisholm property. Furthermore, Mr. Bents recommended that said Permit be approved by the Board, subject to Standard Tile Conditions and the requirement that Mr. Brandt obtain any other required permitting; and b. by: Andrew Chisholm, stating his concerns that Permit #19-084 with the revised tile plan would result in additional water being cast upon his property adjoining the Brandt property.

BASED ON THE ABOVE FINDINGS, having reviewed the WRWD file in its entirety, and in consideration of the comments/testimony of Jerry Bents and Andrew Chisholm, the WRWD Board upon motion made, seconded, and unanimously carried, hereby makes the following ORDER: The appeal of Andrew and Hiliary Chisholm to Permit #19-084 with the revised tile plan is hereby DENIED.

By: _____ Greg Holmvik, WRWD Chairman

Attested: _____ Curt Johannsen, WRWD Secretary

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Appendix B

List of Acronyms Used:

1W1P	One Watershed One Plan
BWSR	Board of Water and Soil Resources
CSAH	County State Aide Highway
LIDAR	Light Detection and Ranging
LOMR	Letter of Map Revision
MAWD	Minnesota Association of Watershed Districts
MN DNR	Minnesota Department of Natural Resources
NCD	Norman County Ditch
RCPP	Regional Conservation Partnership Program
RRWMB	Red River Watershed Management Board
SWCD	Soil and Water Conservation District
WRWD	Wild Rice Watershed District