

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

REGULAR MEETING
April 8, 2020
APPROVED MINUTES

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

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday, April 8, 2020, via telecommunication methods due to the COVID-19 pandemic. Bookkeeper Tara Jensen was in attendance at the District Office. Managers in attendance from remote locations included: Greg Holmvik, Duane Erickson, Dean Spaeth, Mark Harless, Mike Christensen, Curt Johannsen and Raymond Hanson. In addition, the following persons were in attendance from remote locations: Administrator Kevin Ruud, Engineer Jerry Bents, Attorney Elroy Hanson, Administrative Assistant Stacy Purrington, Marijo Vik and Bruce Paakh.
2. Chairman Holmvik called the meeting to order 8:30 a.m. via rollcall voice attendance.
3. Agenda Approval. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve the meeting agenda as presented with the addition of the following items. Carried.
 - Money Market Transfer
 - Sweep authorization
 - Envirothon Donations
 - Pump Indicator
 - Upper Reaches Bank Repair
 - DRM Grant
4. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve payment of billings as presented. Carried.
5. Meeting Minutes. A motion was made by Manager Johannsen and seconded by Manager Christensen to approve the March 12, 2020, meeting minutes as presented. Carried.
6. Manager Erickson joined the meeting at 8:35 am.
7. Approval of Financial Report. A motion was made by Manager Hanson and seconded by Manager Harless to approve the monthly and quarterly financial report dated March 31, 2020, as presented, and the transfers from unassessed projects to Red River Construction as detailed in Appendix A at the end of this report. Carried.
8. Open Mic. No one spoke at this time.
9. Goose Prairie WMA. Administrator Ruud gave an overview of the status of the offer and counteroffer presented by Paakh. Discussion was held between Paakh and Managers regarding areas of concern or question. A motion was made by Manager Johannsen and seconded by Manager Hanson to table making a further decision on the current counteroffer until the appraisal report is completed. Carried. It is anticipated that the appraisal report will take into consideration some of the concerns presented by Paakh.

PERMIT APPLICATIONS

10. J&J Bitker, Section 1, Pleasant View Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to deny Permit #20-011 to install a new 36" culvert due to downstream landowner concern. Carried.

11. J&J Bitker, William Chisholm, Section 6, Green Meadow Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to table Permit #20-015 to install a new 36" culvert pending a field review. Carried.

12. Frank Burkholder, Section 23, Strand Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #20-014 to install subsurface drain tile with standard tile conditions and the condition that the applicant acquire written approval from the adjacent property owner (Kelly Gunderson) where the tile will be placed and written approval from the road authority for any work within the road right-of-way. Carried.

13. Darin Erickson, Section 3, Home Lake Twp. A motion was made by Manager Hanson and seconded by Manager Harless to approve Permit #18-061 to install subsurface drain tile with standard tile conditions and the condition that the applicant acquire written approval from the adjacent property owner (Joann Lofgren) where the tile for the outlet will be placed and written approval from the road authority for any work within the road right-of-way. Carried with Manager Erickson abstaining. It is noted this permit application was amending a previously approved permit.

14. Jeff Gillespie, Section 15, Home Lake Twp. A motion was made by Manager Hanson and seconded by Manager Erickson to approve Permit #20-012 to install subsurface drain tile with standard tile conditions and the condition that the applicant acquire written approval from the adjacent property owner (John & Joseph Brainerd) where the tile will be placed and written approval from the road authority for any work within the road right-of-way. Carried.

15. A motion was made by Manager Hanson and seconded by Manager Erickson to approve the following permit applications with standard tile conditions. Carried.

- Jerred Jirava, Section 22, Spring Creek Twp, Becker County. Permit #20-008 to install subsurface drain tile.
- Jerred Jirava, Section 18, Beaulieu Twp. Permit #20-009 to install subsurface drain tile.
- Jerred Jirava, Section 7, White Earth Twp. Permit #20-010 to install subsurface drain tile.

16. Roger Kurpis, Section 25, Lockhart Twp. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve Permit #20-003 to install a field approach with a 24" or 36" diameter culvert. Carried.

17. City of Ulen, Section 28, Ulen Twp. A motion was made by Manager Erickson and seconded by Manager Hanson to approve Permit #20-013 to install streets, ditches, culverts, an infiltration basin and storm sewer for a new residential subdivision. Carried.

18. Allen Zimmer, Section 36, Marsh Creek Twp. A motion was made by Manager Johannsen and seconded by Manager Hanson to return Permit #19-119 to install subsurface drain tile, informing the applicant that they can reapply if the requested information becomes available. Carried.

19. Complaints. Engineer Bents reported that more work was done at the site of the Chisholm/Bitker Complaint in an effort to restore the block to its previous elevation. Staff will visit the site and report back findings at the May meeting. No new updates on other open complaints.

20. Goose Prairie WMA/City of Perley. Administrator Ruud read RESOLUTION OF WILD RICE WATERSHED DISTRICT RE MINNESOTA BONDING FUNDING (Appendix B at the end of this report). A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the resolution as read. Resolution adopted via roll call vote with Chairman Holmvik, Managers Christensen, Erickson, Harless, Johannsen, Hanson, Spaeth voting for. None against. It is noted that Goose Prairie was prioritized higher due to the current MNDOT construction calendar for overlay through Perley.

21. Community Flood Protection. Engineer Bents reported that the LOMR for both Hendrum and Halstad was submitted. We are waiting to hear if more data is needed. It is anticipated that a final determination would be returned in approximately 3-4 months. The state grant for the City of Halstad was extended to the end of the year. Attorney Hanson read RESOLUTION OF WRWD TO TRANSFER OWNERSHIP OF LEVEE SYSTEM PROPERTY TO HALSTAD (Appendix C at the end of this report). A motion was made by Manager Hanson and seconded by Manager Johannsen to approve the resolution as read. Resolution adopted via roll call vote with Chairman Holmvik, Managers Christensen, Erickson, Harless, Johannsen, Hanson, Spaeth voting for. None against.

Engineer Bents added that gate repairs are being completed in Hendrum. New gaskets will be installed following the flood.

22. Acquisition Properties. Administrator Ruud stated that we are waiting for a response from the Heritage council on the Welch property. There are two other parties who are waiting for appraisals to be completed. Benefit Cost Analysis might be necessary on these dependent on the appraisal findings.

23. Ring Dikes. Administrator Ruud updated the Board that a verbal agreement for the Hanson borrow site was reached. We are waiting to receive signed documents back for the formal agreement. Construction will begin once conditions allow.

24. 1W1P. The process is about 75% complete. The steering committee continues to meet and work on implementation scenarios and plan development. The Policy and Advisory Committee meetings scheduled for the end of March have been postponed.

25. RCPP. Updates on the progress will be given at the May meeting.

26. Advisory Committee. A meeting of the Citizen's Advisory Committee was scheduled for this past Monday. It was not held due to the current pandemic situation.

27. FireFrost Club Grant Support. A motion was made by Manager Harless and seconded by Manager Hanson to authorize Chairman Holmvik to sign the Right of Way authorization as found in Appendix D at the end of this report. Carried.

28. Upper Reaches Bank Repair. Administrator Ruud reported that a meeting regarding the Jacobson repair request will be held once social distancing limitations are lifted.

29. DRM Grant. We are on track to complete document scanning by the April 30th grant deadline.

30. Money Market Transfer. A motion was made by Manager Harless and seconded by Manager Hanson to authorized a transfer of funds from the Bremer Money Market account to the Frandsen Money Market account, leaving a balance of \$1,000,000 in the Bremer account if interest rates remain comparable to what they were at the time of the meeting. Carried.
31. Money Market Sweep. A motion was made by Manager Johannsen and seconded by Manager Spaeth to authorize setting up a sweep between the Money Market and checking accounts, so long as there is not a cost associated with the service. Carried.
32. Envirothon Donations. A motion was made by Manager Hanson and seconded by Manager Erickson to authorize SWCD to utilize the 2019 donations toward other educational programs if so desired. After discussion, Manager Hanson amended motion and Manager Erickson amended second to clarify the program must provide some benefit or correlation to the Watershed District. Carried.
33. Pump Indicator. Administrator Ruud indicated that a Board discussion would be held at a later time to determine when the pump indicator on the website should be switched from on to off during flooding events.
34. Per Diems. A motion was made by Manager Hanson and seconded by Manager Spaeth to pay all Managers for the teleconference Board meeting. Carried. It was noted any other claims can be included on the May Per Diem list.
35. There being no further business to come before the Board of Managers, a motion was made by Manager Hanson and seconded by Manager Harless to adjourn the meeting. Carried. Chairman Holmvik adjourned the meeting at 10:03 am.

Curt Johannsen, Secretary

Date	Num	Name	Memo	Amount
Mar 13 - Apr 8, 20				
03/17/2020		QuickBooks Payroll Service	Created by Payroll Service on 03/16/2020	6,399.73
03/31/2020		QuickBooks Payroll Service	Created by Payroll Service on 03/30/2020	6,200.23
03/15/2020	ACH	Aflac		112.20
03/13/2020	ACH	MN Dept of Revenue	5062265	2.00
03/13/2020	ACH	US Treasury-Payroll	41-6145653	194.26
03/20/2020	ACH	MN Dept of Revenue	5062265	363.00
03/20/2020	ACH	US Treasury-Payroll	41-6145653	1,788.70
04/05/2020	ACH	MARCO, Inc.		608.84
03/16/2020	ACH	PERA		122.51
04/03/2020	ACH	Arvig		370.86
03/30/2020	ACH	Minnesota Energy Resources Corporation		33.00
03/20/2020	ACH	PERA		960.57
04/07/2020	ACH	Verizon Wireless		148.14
04/03/2020	ACH	PERA		960.57
04/03/2020	ACH	MN Dept of Revenue	5062265	363.00
04/03/2020	ACH	US Treasury-Payroll	41-6145653	1,788.64
03/13/2020	17500	Norman County East	River Watch Donation	800.00
04/08/2020	17501	Curt Johannsen		107.31
04/08/2020	17502	Dean P Spaeth		115.44
04/08/2020	17503	Duane L Erickson		107.31
04/08/2020	17504	Gregory R Holmvik		115.44
04/08/2020	17505	Mark L Harless		115.43
04/08/2020	17506	Michael K Christensen		107.30
04/08/2020	17507	Raymond M Hanson		115.44
04/08/2020	17508	Houston Engineering, Inc.		165,985.84
04/08/2020	17509	Afixia	Tech Support	31.25
04/08/2020	17510	AmeriPride	rugs	98.72
04/08/2020	17511	Arvig	Hanson Relocate	747.00
04/08/2020	17512	Becker Co. Auditor		2,267.00
04/08/2020	17513	Braun Intertec Corporation	Technical Eval	553.50
04/08/2020	17514	Cardmember Service	March Billing	850.55
04/08/2020	17515	Clay County Auditor Treasurer		5,113.00
04/08/2020	17516	Eugene Vik and Marijo Vik	Easement Option Price	9,530.62
04/08/2020	17517	FP Mailing Solutions	Postage Meter	118.63
04/08/2020	17518	Liberty Business Systems	Postage Meter Ink	122.27
04/08/2020	17519	Liberty Mutual Insurance	Bond	125.00
04/08/2020	17520	MARCO, Inc. Mpls		690.00
04/08/2020	17521	McCollum Hardware, Inc.		39.72
04/08/2020	17522	Midway Motor	Pump Repairs	119.62
04/08/2020	17523	Morris Electronics, Inc.		2,091.30
04/08/2020	17524	Norman County Abstract	Welch Abstract	205.50
04/08/2020	17525	Norman County Recorder	Ditch Research Documents	35.00
04/08/2020	17526	Norman County Treasurer/Auditor		1,500.41

04/08/2020	17527	Northwest Beverage, Inc.	water	9.00
04/08/2020	17528	Office Supplies Plus		62.62
04/08/2020	17529	Range Printing	Supplies	239.45
04/08/2020	17530	Red River Basin Commission	LTFS Cost Share	2,500.00
04/08/2020	17531	Red River Watershed Management Board	Levy	23,362.33
04/08/2020	17532	Renae Kappes	2 months cleaning	240.00
04/08/2020	17533	Richard A. Merkens, Trustee	LWRR Option Payment	651.11
04/08/2020	17534	Skyler Bergeson	Office Doors (3)	1,800.00
04/08/2020	17535	Supermarket Foods	Supplies	75.70
04/08/2020	17536	Wambach & Hanson	March Legal	3,401.20
04/08/2020	17537	Norman County Recorder	recording fee - Vik	46.00
TOTAL				244,612.26

Appendix A

Quarterly transfers between Red River Construction account and unassessed projects and ditches

3/31/2020			
	3/31/2020	RRC	Survey & Data
PROJECTS			
Project Development - other			
#336 - Community Dikes			
#12 Hendrum Road Raise	34,978.50	(34,978.50)	
#375 - Property Acq/Demo	6,439.26	(6,439.26)	
Project Development - RRC			
#368 - 2016 Rural Ring Dike	210.00	(210.00)	
#354 Goose Prairie WMA Storage	89,417.51	(89,417.51)	
#357 Lower Wild Rice	5,534.18	(5,534.18)	
#369 - One Watershed One Plan LGU Coord	3,603.14	(3,603.14)	
#12 Permits			
#18 Violations - other	4,004.50	(4,004.50)	
#96 Bill Chisholm	2,057.12	(2,057.12)	
#98 Walworth Twp 22	83.00	(83.00)	
#99 Walworth Twp 23 Walworth Twp 23	41.50	(41.50)	
#102 Hendricks 2019	102.00	(102.00)	
#12 Permits - Other	9,509.75	(9,509.75)	
Special Revenue Fund Job:FEMA Programs	1,500.00	(1,500.00)	
	157,480.46	(157,480.46)	-
	157,480.46	-157,480.46	

Appendix B

RESOLUTION OF WILD RICE WATERSHED DISTRICT RE MINNESOTA BONDING FUNDING

A duly noticed meeting of the Wild Rice Watershed District (WRWD) Board of Managers (Board) was held at the WRWD office at 11 East 5th A venue in Ada, MN on April 8, 2020, (said meeting conducted via teleconference due to the covid-19 pandemic), with the following quorum of the Board present: Gregory Holmvik, Mark Harless, Dean Spaeth, Curt Johannsen, Michael Christensen, Duane Erickson, Raymond Hanson.

DISCUSSION was had regarding the WRWD's request for State of Minnesota Bond Funding for multiple projects of the WRWD including the Goose Prairie Wildlife Management Area Enhancement Project -- WRWD Project #45; and the City of Perley Community Levee Improvements - Phase 2 - Perley Grade Raises; and

WHEREAS, FURTHER DISCUSSION was had the State of Minnesota Funding Request Procedure seeks the WRWD prioritize such multiple projects in need of requested bond funding from the state; and

WHEREAS, FURTHER DISCUSSION was had that, in light of the request by the State of Minnesota to prioritize multiple projects for which bond funding is sought, the WRWD finds Goose Prairie Wildlife Management Area Enhancement Project - WRWD Project #45 is priority #1; and the City of Perley Community Levee Improvements-Phase 2-Perley Grade Raises is priority #2.

There being no further Discussion, upon motion made by Dean Spaeth seconded by Michael Christensen, and unanimously carried, the WRWD hereby RESOLVES as follows:

1. That the WRWD Administrator and Engineer are to advise the Senate Capital Investment Committee, together with such other persons and the Department of Management & Budget as may be in need of such information, that the WRWD's bond funding priority for the WRWD's multiple projects in need of such funding are as follows: Priority #1 is the Goose Prairie Wildlife Management Area Enhancement Project- WRWD Project 45; and Priority #2 is the City of Perley Community Levee Improvements - Phase 2 - Perley Grade Raises.
2. The WRWD Administrator and Engineer are to take such other action as may reasonably be necessary to give effect to this Resolution.

Date: _____, 2020

By: _____
Gregory Holmvik, WRWD Chairman

Date: _____, 2020

By: _____
Curt Johannsen, WRWD Secretary

Appendix C

RESOLUTION OF WRWD TO TRANSFER OWNERSHIP OF LEVEE SYSTEM PROPERTY TO HALSTAD

A duly noticed meeting of the Wild Rice Watershed District (WRWD) Board of Managers (Board) was held at the WRWD office at 11 East 5th A venue in Ada, MN on April 8, 2020, (said meeting conducted via teleconference due to the covid-19 pandemic), with the following quorum of the Board present: Gregory Holmvik, Mark Harless, Dean Spaeth, Curt Johannsen, Michael Christensen, Duane Erickson, Raymond Hanson.

DISCUSSION was had that the City of Halstad (Halstad) in 2013 requested the WRWD complete improvements to the Halstad Levee System (See Attachment 2);

AND WHEREAS FURTHER DISCUSSION was had that the WRWD received a grant from the State of Minnesota pursuant to a Flood Hazard Mitigation Grant Agreement (Grant) between the State of Minnesota and the WRWD for the WRWD to complete the Halstad Levee improvements (See Attachment 1);

AND WHEREAS FURTHER DISCUSSION was had that, pursuant to the Grant, the WRWD obtained necessary land rights for the Halstad Levee System using state bond financing and acquired the property rights (some by fee title purchase, some by permanent easement, and some by temporary easement) in those parcels depicted on the map an described on Attached 3, with said map and legal descriptions included, and described in the City of Halstad Flood Control Levee Improvement Project Real Estate Summary Report dated 5-5-17 (Halstad Summary Report) prepared by Houston Engineering. The property described and depicted on Attachment 3 is hereafter Property;

AND WHEREAS FURTHER DISCUSSION was had that the WRWD is obligated under the requirements of the Fourth Order Amending Order of Commissioner of Finance Relating to Use and Sale of State Bond Financed Property (See Attachment 4) (Fourth Order) to comply with all such requirements including, inter alia, transferring the Property to another public entity for a nominal consideration where authorized by state law and in accordance with state law;

AND WHEREAS FURTHER DISCUSSION was had that the WRWD is nearing completion of the Halstad Levee System and upon completion of said system, all future operations, maintenance, repair, replacement, and rehabilitation (OMRRR) regarding the system and Property will be solely the responsibility of the City of Halstad;

AND WHEREAS FURTHER DISCUSSION was had that the City of Halstad has accepted all future OMRRR regarding the Halstad Levee System and the Property with no future obligations of the WRWD;

AND WHEREAS FURTHER DISCUSSION was had that the Property acquired with the state bond financing is no longer useable nor needed by the WRWD to carry out the governmental program for which it was acquired or constructed, and that the City of Halstad, MN, a public entity, has determined that the Property is needed and useful for a governmental program of the City of Halstad as authorized under applicable laws of Minnesota, and further that the City of Halstad is willing to operate such governmental program on or in such Property in compliance with the terms/provisions of the Grant;

AND WHEREAS FURTHER DISCUSSION was had that Section 5.02d of the Fourth Order allows for state bond financed property to be transferred by a public officer or agency to another public entity for a nominal consideration where authorized by state law if the transferor, determines by official action that such

property is no longer useable nor needed for it to carry out the governmental program for which such property was acquired or constructed, and the transferee, determines by official action that such property is needed or useful for a governmental program of the transferee authorized in applicable state law, that the transferee is willing and able to operate such governmental program on or in such property, the official action is filed with the Commissioner of Finance, and the transferee public entity acknowledges and agrees that the operation and sale of the property by the transferee remain subject to the provisions of Minn. Stat. section 16A.695, as it may be amended, modified or restated, and the Fourth Order;

AND WHEREAS FURTHER DISCUSSION was had that the WRWD has statutory authority under Minn. Stat. 103D.335, incorporating the provisions of Minn. Stat. section 471.64, to transfer the Property to the City of Halstad (consistent with this Resolution).

NOW, THEREFORE, based on the above **DISCUSSION**, and upon **MOTION** made by Raymond Hanson, seconded by Curt Johannsen, and unanimously carried, it is **HEREBY RESOLVED AS FOLLOWS**:

1. The WRWD finds its ownership of the Property (described on Attachment 3) is no longer useable or needed by the WR WD to carry out the governmental program for which it was acquired or constructed and that such Property be conveyed/deeded by the WRWD to the City of Halstad, provided the City of Halstad by Resolution (or other official action) determine such Property is needed or useful for a governmental program of the City of Halstad as may be authorized under state law, provided further the City of Halstad be willing and able to operate such governmental program on or in such Property.
2. The conveyance/deeding by the WRWD to the City of Halstad, and the acceptance of ownership of such Property by the City of Halstad, shall be subject to and in accordance with the Grant, the Fourth Order, with the City of Halstad accepting all future OMRRR regarding such Property/Halstad Levee System, and such other requirements (including, but not limited to, approval) as may be imposed by the Commissioner of Commerce re such conveyance/deeding.
3. The WRWD Chairman, Greg Holmvik, and the WRWD Secretary, Curt Johannsen, are hereby authorized to sign the necessary deed(s) and/or such other documents as may reasonably be required to give effect to this Resolution.

Date: _____, 2020

By: _____
Gregory Holmvik, WRWD Chairman

Date: _____, 2020

By: _____
Curt Johannsen, WRWD Secretary

Appendix D

RIGHT OF WAY AUTHORIZATION

Background:

Halstad Municipal Utilities and the FireFrost ATV Club are developing a trail on the former Minnesota Northern P-Line Railroad Corridor between Perley and Nielsville, Minnesota. The trail will allow multiple uses, including ATVs, snowmobiles, pedestrians and bicyclists. In order to continue a trail through this twenty-five mile corridor, several public roads and private driveways will need to be crossed. The corridor owners are applying for grant funds in 2020, and anticipate developing the trail starting in 2021 if grant funds are approved. The owners are seeking permission for the trail to utilize two parcels of Wild Rice Watershed District land for a trail route around Halstad. This is necessary because the elevator in Halstad owns and uses part of the former railroad corridor. Because the trail owners are committing to maintaining the trail for a minimum of twenty years, the owners seek approval for use of the land for a minimum of twenty years.

Planned Trail Location(s) __parcels 07-3174001 and 07-3174001 southeast of Halstad, MN____

I authorize the FireFrost Trail to develop a multi use trail on the land parcels listed above and owned/managed by the Wild Rice Watershed District for the duration of 20 years (or as otherwise amended in the formal agreement referred to below). I will cooperate with the trail owners and managers for the trail development and maintenance, and will collaborate on trail upgrades or rehabilitation if needs change in the future.

A more formal agreement X IS IS NOT necessary for the use of the listed parcels for the trail.

If it is, I preliminarily agree with plans to develop the proposed trail on land administered by my agency, and will cooperate in seeking more formal authorization in the event the project proposal is authorized for funding through the Minnesota Off-highway Vehicle Trails Assistance (Grant-In-Aid) Program, or when project funding is obtained through other means. Any future approval and formal agreement for the trail system will need to meet and be permitted in accordance with the rules of the Wild Rice Watershed District, be authorized by the United States Army Corps of Engineers under 33 USC 408 (Section 408) of Section 14 of the Rivers and Harbors Act, and would subject to approval of the Commissioner of Minnesota Management and Budget since this property is designated as Restricted Property that was state bond financed within the meaning of Minn. Stat. Sec. 16A.695, and is subject to the encumbrance created and requirements imposed by such statute.

Name: Gregory Holmvik

Title: Chairman

Unit of Government: Wild Rice Watershed District

Appendix E

List of Acronyms Used:

1W1P	One Watershed One Plan
ATV	All Terrain Vehicle
DRM	Drainage Records Modernization
LOMR	Letter of Map Revision
MNDOT	Minnesota Department of Transportation
RCPP	Regional Conservation Partnership Program
SWCD	Soil and Water Conservation District
WMA	Wildlife Management Area
WRWD	Wild Rice Watershed District