

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

REGULAR MEETING
September 13, 2023
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, September 13, 2023. Managers in attendance included: Greg Holmvik, Raymond Hanson, Duane Erickson, Mark Harless, Dean Spaeth, Curt Johannsen and Mike Christensen. In addition, the following people were in attendance: Administrator Tara Jensen, Engineer Jerry Bents, and Attorney Elroy Hanson. Various other interested taxpayers and landowners attended in person or via electronic means.
2. Chairman Holmvik called the meeting to order at 8:30 a.m. with recital of the pledge of allegiance.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve the agenda with the following items removed: Ring Dikes and 2023 Flood Repairs. Carried.
4. Meeting Minutes. A motion was made by Manager Johannsen and seconded by Manager Harless to approve the August 9, 2023, Regular Meeting Minutes as presented. Carried.
5. Approval of Billings. A motion was made by Manager Spaeth and seconded by Manager Christensen to approve the payment of billings as presented. Carried.
6. Financial Report. A motion was made by Manager Spaeth and seconded by Manager Harless to approve the monthly financial report dated August 31, 2023 as presented. Carried.
7. Open Mic. No one spoke.

PERMITS

8. Andrew Johnstad, Section 27, Reis Twp. Permit #23-071 to install subsurface drain tile. A motion was made by Manager Hanson and seconded by Manager Erickson to approve the permit with standard tile conditions. Carried.
9. Paul Larson/Don Johnson, Section 28, McDonaldsville Twp. Permit #23-064 to place fill on the driveway to repair it from flood damage. Engineer Bents presented the results of the survey showing an increase in elevation. Garry Johanson with Norman County presented County floodplain regulations to the Board. A motion was made by Manager Hanson and seconded by Manager Spaeth to table the permit requesting the applicant provide a hydraulic analysis. Carried.
10. Cris Anderson, Section 35, Goose Prairie Twp. Permit #23-083 to install subsurface drainage tile and a water and sediment control basin. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the permit with standard tile conditions. Carried.

11. Wild Rice Township/Wayne Thom, Section 1, Wild Rice Twp. Permit #23-074 to replace a 36" approach culvert with a 48" culvert. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the permit. Carried.
12. Doug Kettner, Sections 10 and 15, Pembina Twp. Permit #23-060 to install subsurface drain tile with a revised outlet location. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve the permit with standard tile conditions. Carried.
13. Doug Kettner, Sections 4 & 9, Pembina Twp. Permit #23-079 to install subsurface drain tile. Landowner Chris Otto spoke via TEAMS in opposition stating the ditch that the tile would outlet into hasn't been maintained. He doesn't want the lift station in that location due to flooding concerns. A neighbor in attendance offered to clean the ditch. Discussion was held about the natural waterway. A motion was made by Manager Erickson and seconded by Manager Hanson to approve the permit with standard tile conditions. Carried.

Mr. Otto asked if the District has record of a permit to install the ditch. He was advised to submit a data request to the office.
14. Doug Kettner, Section 5, Pembina Twp. Permit #23-080 to install subsurface drain tile. A motion was made by Manager Erickson and seconded by Manager Spaeth to approve with standard tile conditions. Carried.
15. Keith Berndt, Norman County, Section 9, McDonaldsville Twp. Permit #23-087 to install a wider driveway with an 18" culvert. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve the permit. Carried.
16. A motion was made by Manager Harless and seconded by Manager Spaeth to approve the following permits as listed. Carried.
 - Michael Eggen, Section 26, Good Hope Twp. Permit #23-086 to remove a field approach and install a new wider field approach.
 - Corey Jacobson, Section 26, Good Hope Twp. Permit #23-077 to install subsurface drain tile with standard tile conditions.
 - Valley United Coop. Section 10, McDonaldsville Twp. Permit #23-084 to install a new driveway with an 18" culvert.
17. Alex Engelstad, Section 9, Lockhart Twp. Permit #23-055 to install a 24" culvert and flap gate into Project 5-Norman Polk. The permit was revised to be an East-West culvert. A motion was made by Manager Johannsen and seconded by Manager Harless to approve the permit with the condition that the applicant gets approval from the road authority - Norman County and 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 pre-project 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. Carried.
18. Brad Erickson-Clay County, Sections 1 & 2, Goose Prairie Twp. Permit #23-073 to replace a bridge with two 10'x7' box culverts. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve the permit. Carried.

19. Darin Erickson, Section 36, Home Lake Twp. Permit #23-033 to install subsurface drain tile. A motion was made by Manager Johannsen and seconded by Manager Harless to continue to table pending information from the applicant. Manager Erickson abstained from voting. Carried.
20. Duane Erickson, Section 36, Home Lake Twp. Permit 23-075 to install subsurface drain tile. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve with standard tile conditions and the condition that the applicant provide written permission from any other landowners who own property that the proposed project would cross. Manager Erickson abstained from voting. Carried.
21. Beau Jacobson, Section 2, Highland Grove Twp. Permit #23-070 to install subsurface drain tile. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the permit with standard tile conditions. Carried.
22. Corey Jacobson, Section 14, McDonaldsville Twp. Permit #23-076 to install subsurface drain tile. A motion was made by Manager Hanson and seconded by Manager Erickson to approve the permit with standard tile conditions and the condition that the outlet pipe is a solid pipe constructed over the top of the existing levee with a minimum of two feet of fill placed over the pipe to allow seeding and mowing activities. Fill over the pipe should not be less than a 10:1 slope perpendicular to the pipe and all disturbed areas are to be seeded with grass cover by the applicant. The pipe outlet shall be a minimum of 20 feet away from the north toe of the levee. Carried.
23. Norman RNG, LLC, Section 29, Waukon Twp. Permit #23-082 to construct a new ditch. A motion was made by Manager Johannsen and seconded by Manager Spaeth to table the permit pending additional information from the applicant. Carried.
24. Trent Prestegard, Section 4, Waukon Twp. Permit #23-078 to widen a field approach with an 18" culvert. A motion was made by Manager Spaeth and seconded by Manager Johannsen to approve the permit. Carried.
25. Spielman Farms, Section 11, Flom Twp. Permit #23-085 to install a water and sediment control basin. A motion was made by Manager Hanson and seconded by Manager Erickson to approve the permit with standard tile conditions. Carried.
26. Barent Thronson, Section 15, Sundal Twp. Permit #23-049 to install subsurface drain tile. A motion was made by Manager Spaeth and seconded by Manager Harless to continue to table pending information from the applicant. Carried.
27. Ryan Zimmerman, Section 2, Georgetown Twp. Permit #23-081 to install subsurface drain tile. A motion was made by Manager Johannsen and seconded by Manager Hanson to approve the permit with standard tile conditions. Carried.

COMPLAINTS

28. Wayne Stundahl, Section 7, Fossum Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to authorize staff to send a letter to Mr. Neset closing the complaint as the required work has been completed. Carried.
29. Nancy Merkens, Section 33, Good Hope Twp. Restoration work is mostly complete. A motion was made by Manager Johannsen and seconded by Manager Spaeth to continue to table and authorize staff to send a letter requesting that seeding be done before the October 11, 2023 Board meeting. Carried.

30. John Pazdernik, Section 6, Lake Grove Twp. A motion was made by Manager Hanson and seconded by Manager Spaeth to dismiss the complaint at the applicant's request. Carried.
31. Discussion was held regarding the complaints listed below. A motion was made by Manager Johannsen and seconded by Manager Hanson to table the complaints and authorize staff to send a letter to the landowner that the driveway should either be restored to its original elevation or that the hydraulic evaluation requested associated with Permit 23-064 be provided to the WRWD office by November 1, 2023. Original elevation will be considered the elevation as documented from the Lidar flight from approximately 2008. Manager Erickson opposed. Carried.
- Kevin Anderson, Section 28, McDonaldsville Twp.
 - Sam Larson, Section 28, McDonaldsville Twp.
32. Don Johnson, Section 24, Winchester Twp. A motion was made by Manager Harless and seconded by Manager Hanson to dismiss the complaint as the District did not find evidence of a violation. Carried.
33. Goose Prairie. Engineer Bents gave an update on the project. Remaining work to be done includes punch list items. Stop logs were delivered. We are waiting on a new change proposal to install mounts for removing gates. The initial proposal was not satisfactory.

As part of ordinary ditch maintenance on CCD 18, staff is working to remove beaver dams. Staff will complete this work concurrent with the cleanout on Joe Brainard's property after the beans are harvested in that area.

34. Upper Reaches Project Team. Administrator Jensen gave an update stating that no meeting was held in August. Staff is continuing to work on securing funding options for the survey and hydraulics work.
35. Norman-Polk Project Team. Administrator Jensen reported that the Team met on August 23, 2023. The agenda included comments on the Problem Statement and Purpose/Need draft and reviewing a range of alternatives from the last meeting. Next steps include finalizing the Problem Statement and Purpose/Need document as well as developing rough cost estimates for the options that were carried forward. The SHRWD will gather input on diversion options.
36. Community Flood Protection. Administrator Jensen presented and read to the Board the *Local Government Resolution For Flood Hazard Mitigation Grant Assistance: "PERLEY COMMUNITY LEVEE PHASE II"*. A motion was made by Manager Johannsen and seconded by Manager Hanson to pass the Resolution. A roll call vote was held. All Managers voted for the Resolution. Carried. A copy of the Resolution can be found in Appendix A at the end of this report.

Engineer Bents reported that the design work on the Perley Grade Raise continues. 60% plans were submitted to MNDOT. Right-of-way acquisition is underway.

37. Acquisition Properties. Administrator Jensen reported that work is complete on Phase 1. A final pay application is expected at a future meeting. Work is complete on Phase 2 and the contract is closed. Regarding Phase 3, the Vik property, Administrator Jensen stated there are no significant changes. We anticipate closing in October 2023. Mrs. Vik was in attendance and confirmed plans to close in October and thanked the Board for their patience while they move things from the property. On Phase 4, applications for the 5 new applicants have been submitted for federal and state funding.

38. Ditch and Project Maintenance. Engineer Bents reported that work is nearly complete on the JD 53 bridge replacement. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve a pay request from Visser Trenching in the amount of \$109,045.75. Carried.

Engineer Bents reported that the Upper Reaches repair work is nearing completion. Grass is growing and the live stakes will go in this Winter. A motion was made by Manager Johannsen and seconded by Manager Spaeth to approve the pay request from Rigid Excavating for \$10,220.00. Carried.

39. Lower Wild Rice. Administrator Jensen reported that the hearing on funding was completed at the end of August for our proposal to the Lessard Sams Council. We are awaiting the decision on the next round of funding. Attorney Hanson's office is finalizing 2 easements for closing.

40. November Board Meeting. A motion was made by Manager Spaeth and seconded by Manager Hanson to move the November Board Meeting date to November 15, 2023. Manager Johannsen opposed. Carried.

41. Rice Creek Watershed District MAWD Resolution. A motion was made by Manager Johannsen and seconded by Manager Hanson to authorize staff to send a letter of support for the Rice Creek Watershed District MAWD Resolution. Carried.

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

43. 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 10:52 am.

Curt Johannsen, Secretary

Date	Num	Name	Memo	Amount
Aug 10 - Sep 13, 23				
08/15/2023		QuickBooks Payroll Service	Created by Payroll Service on 08/14/2023	6,340.42
08/21/2023			Funds Transfer	470,000.00
08/29/2023		QuickBooks Payroll Service	Created by Payroll Service on 08/28/2023	7,610.88
09/12/2023		QuickBooks Payroll Service	Created by Payroll Service on 09/11/2023	6,649.63
08/10/2023	ACH	Ada City		403.73
08/30/2023	ACH	Minnesota Energy Resources Corporation		97.00
09/03/2023	ACH	Arvig		349.39
08/11/2023	ACH	PERA		105.02
08/10/2023	ACH	US Treasury-Payroll	41-6145653	229.48
08/25/2023	ACH	MN PEIP		2,909.62
08/17/2023	ACH	Aflac		112.20
08/17/2023	ACH	MN Dept of Revenue	5062265	354.00
08/17/2023	ACH	US Treasury-Payroll	41-6145653	1,947.48
09/05/2023	ACH	MARCO, Inc.		642.79
08/18/2023	ACH	PERA		1,111.57
09/06/2023	ACH	Verizon Wireless		49.35
08/31/2023	ACH	MN Dept of Revenue	5062265	442.00
08/31/2023	ACH	US Treasury-Payroll	41-6145653	2,345.06
09/01/2023	ACH	PERA		1,111.57
09/11/2023	ACH	Ada City		406.04
09/10/2023	ACH	MN PEIP		2,909.62
09/13/2023	19123	Anders Valley Publishing, LLC		360.00
09/13/2023	19124	Border Appraisals Inc		750.00
09/13/2023	19125	Clay County Union	Advertising-budget & levy	913.92
09/13/2023	19126	Clay County Auditor Treasurer	09.014.2500 Dalen Coulee	94.00
09/13/2023	19127	Clearwater SWCD	Coordinator costs	4,140.69
09/13/2023	19128	Dyrdahl Construction, Inc	Beaver dam removal	480.00
09/13/2023	19129	Elan Financial Services	August Statement	505.58
09/13/2023	19130	Hanson & Liebl Law Office, P.C.	August Legal	1,454.30
09/13/2023	19131	Hendrum City	Mowing	375.00
09/13/2023	19132	Houston Engineering, Inc.		109,127.98
09/13/2023	19133	Hutman Inc.	Website maintenance	75.00
09/13/2023	19134	Larson Helicopters	Spraying for cattails	10,528.00
09/13/2023	19135	McCollum Hardware, Inc.	Supplies	6.43
09/13/2023	19136	Minnesota Labor Law Poster Service	Posters	99.50
09/13/2023	19137	Morris Electronics, Inc.		1,000.00
09/13/2023	19138	Norman County SWCD		36,854.60
09/13/2023	19139	Norman County Treasurer/Auditor		1,344.67
09/13/2023	19140	Northern States Excavating		17,955.00

09/13/2023	19141	Office Supplies Plus	Supplies	26.08
09/13/2023	19142	Polk County Taxpayer Service Center		178.00
09/13/2023	19143	Red River Watershed Management Board	Tax share	29,469.25
09/13/2023	19144	Rigid Excavating LLC	Pay request 7 Upper Reaches	10,220.00
09/13/2023	19145	Supermarket Foods	August statement	90.25
09/13/2023	19146	The Forum	Advertising-levy hearing	204.28
09/13/2023	19147	Tony Sip	Mowing	19,570.00
09/13/2023	19148	Visser Trenching	JD53 Bridge Replacement Pay Request 1	109,045.75
09/13/2023	19149	Curt Johannsen		236.25
09/13/2023	19150	Dean P Spaeth		314.72
09/13/2023	19151	Duane L Erickson		146.60
09/13/2023	19152	Gregory R Holmvik		230.87
09/13/2023	19153	Mark L Harless		131.16
09/13/2023	19154	Michael K Christensen		140.06
09/13/2023	19155	Raymond M Hanson		254.45
TOTAL				862,449.24

Appendix A

Local Government Resolution For Flood Hazard Mitigation Grant Assistance: “PERLEY COMMUNITY LEVEE PHASE II”

BE IT RESOLVED that Wild Rice Watershed District, hereinafter referred to as the “Applicant” act as legal sponsor for the project contained in the **Flood Damage Reduction Grant Assistance Program Application** to be submitted on September 13, 2023 and that Tara Jensen, Administrator, is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the Applicant.

BE IT FURTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, administrative, and managerial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the Applicant has the financial capability to provide any required matching funds.

BE IT FURTHER RESOLVED that the source of Applicant’s matching funds shall not include other State funds.

BE IT FURTHER RESOLVED that the source of Applicant’s matching funds shall be \$3,382,784.79 – Federal; 625,000.00 – Red River Watershed Management Board/Local

BE IT FURTHER RESOLVED that the Applicant hereby pledges to complete the project or phase if it exceeds the total funding provided by the Department of Natural Resources and any required local match.

BE IT FURTHER RESOLVED that the Applicant has not incurred any costs, and has not entered into any written agreements to purchase property proposed by this project.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Applicant may enter into an agreement with the State of Minnesota for the above- references project, and that the Applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that Gregory Holmvik, Chairman is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the Wild Rice Watershed District of on September 13, 2023.

SIGNED:

(Signature)

(Title)

(Date)

WITNESSED:

(Signature)

(Title)

(Date)

Appendix B

List of Acronyms Used:

CCD	Clay County Ditch
JD	Judicial Ditch
MNDOT	Minnesota Department of Transportation
SHRWD	Sand Hill River Watershed District
WRWD	Wild Rice Watershed District