

# **WILD RICE WATERSHED DISTRICT**

**11 Fifth Avenue East**

**Ada, MN 56510**

**Ph: 218-784-5501**

## **REGULAR MEETING**

**May 8, 2013**

## **APPROVED MINUTES**

1. The regular meeting of the Wild Rice Watershed District Board of Managers was held on Wednesday May 8, 2013. Managers in attendance included Greg Holmvik, Mike Christensen, John Austinson, Raymond Hanson and Dean Spaeth. Absent: Duane Erickson and Curt Johannsen. In addition the following persons were in attendance: Administrator Kevin Ruud, Loretta Johnson, Engineer Jerry Bents, Attorney Hanson and various other interested taxpayers and landowners.
2. Chairman Holmvik called the meeting to order 8:30 a.m.
3. Agenda Approval. A motion was made by Manager Spaeth and seconded by Manager Hanson to approve the agenda as distributed. Carried.
4. Approval of Billings. A motion was made by Manager Christensen and seconded by Manager Spaeth to approve payment of billings as presented. Carried.
5. Meeting Minutes. A motion was made by Manager Hanson and seconded by Manager Christensen to approve the minutes of the regular April 10, 2013, meeting as presented. Carried.
6. Financial Report. There was no Financial Report presented.
7. Community Flood Control Levee Projects. Engineer Bents reported that in discussions with Pat Lynch, DNR Flood Hazard Mitigation Grant Program Coordinator, it sounds very optimistic that assistance will be available from the State of MN for raising of the roads for Hendrum and Perley.
8. J.D. #51 Realignment – USACE Update. Administrator Ruud reported that he had received notification that the U.S. Corps of Engineers approved the plug in J.D. #51 for the City of Ada, dike. The City Council also intended to open bids and award the bids on the evening of May 7, 2013, contingent on Watershed District approval.
9. Goose Prairie WMA Storage Evaluation. Engineer Bents reported on the proposed Goose Prairie Storage Site, stating that it appears that it would be o.k. for a flood control project. Bents stated it would store between 900-1200 acre feet of storage. Administrator Ruud said that would be about a 3-4 inch rain in that area. Funding the project was discussed and Administrator Ruud stated that the District could try to work with the DNR for flood damage reduction funds, along with applying to the RRWMB for a cost share. A motion was made by Manager Spaeth and seconded by Manager Christensen authorizing the staff and board to proceed on this project, using WRWD funds at this time and not tying it to CD #18. Carried.
10. Duane Erickson arrived at 8:45 a.m.
11. No one came forth for Open Microphone.

12. Moccasin Creek O & M Plan/Moccasin Creek Preliminary Storage Evaluation. Administrator Ruud reported that confirmation was received from the US COE on April 26, 2013, that the modification to the operating plan of Moccasin Creek submitted by the District was acceptable.

13. Curt Johannsen arrived at 9:00 a.m.

14. 9:00 a.m. Public Hearing, Brad Arends Petition to Drain into Project #3/Norman County Ditch #20. Engineer Bents distributed information regarding the petition by Brad Arends to drain into Project #3, along with the costs recommended to be charged to Arends. According to the Engineer's Report dated Feb. 19, 1976, Project #3, the total cost of the project was estimated to be \$46,940 and the total benefits per the Viewers' Report was \$53,000. Thus the initial cost for construction was approximately 89% of the benefits at that time. Since that time the WRWD has also completed routine maintenance of the project for the past 36 years. Using the US Army Corps of Engineer's publication – EM 1110-2-13-4 Civil Works Construction Cost Index System (CWCCIS) dated March 31, 2013, the cost index for Channels and Canals in 1977 was \$212.28 and in 2013 was \$813.87. Based on this, the estimated 2013 cost of the project can be estimated at approximately \$180,000 or 340% of the established benefit amount. Based on this, we recommend that the board set the outlet feet at 340% of the \$5/acre benefitting rate or \$17/acre (340% x \$5). This results in 466.6 acres x \$17/acre or \$7,932.20. This amount is what Arends would need to pay to be included into the ditch system and therefore able to outlet his drain tile into that system. A motion was made by Manager Hanson and seconded by Manager Spaeth to adopt the letter presented by Jerry Bents, Houston Engineering, as findings for the petition, and approve the petition for drainage into the system contingent on payment in the amount of \$7,932.20 from Brad Arends. Carried.

15. Lower Wild Rice River Storage Evaluation Vik/Tufte/Heitman. Discussion was held regarding the storage site proposed to the District by Vik and Tufte along the Wild Rice River Southwest of Ada. Landowner meetings have been held and staff is now considering authorization from the Board to continue investigation into this site. A motion was made by Manager Austinson and seconded by Manager Johannsen authorizing staff to continue work on the Vik/Tufte proposed storage site. Carried.

16. 9:30 a.m. Acquisition Lease, Section 34, Hegne Twp. Managers met with Stash Hempeck and Attorney Julie Bruggeman and her client Larry Houge regarding the rural acquisition lease the District has with Stash Hempeck in Section 34, Hegne Twp. Houge felt that he had made it known to the District staff that he was interested in leasing the property. Houge did state however, that he had not submitted a bid or proposal, but stated that if the District ever has the opportunity to bring the property up for sale he is interested in purchasing it. Attorney Hanson stated that the District currently has a lease agreement in effect with Hempeck, but if these parties can come to an agreement for a sublease that is in accordance with District policy, it could be approved by the Board. Consensus of Managers was for the parties to work on this together for a brief time and then bring back to the Board prior to the end of the meeting.

## PERMIT APPLICATIONS

17. Norman County Highway Dept. Section 30, Wild Rice Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #5-8-13-20 to install culverts, build berms and install a subsurface culvert with the condition that the tile line be a 42" minimum and that the applicant provide and be responsible to maintain adequate erosion control on the outlet. Carried.

18. Norman County Highway Dept. Section 28, Wild Rice Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve Permit #5-8-13-19 to reconstruct a roadway and replace culverts. Carried.

19. Todd Gilbertson, Section 13, Shelly Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve Permit #5-8-13-13 to raise a farmstead ring dike approximately 2 feet and raise the driveway from 1.5 feet to 3 feet in elevation with the condition that the driveway is raised no more than three feet in elevation. Carried.

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

- Andrew Borgen, Section 7, Felton Twp. Permit #5-8-13-2 to install subsurface drain tile with the approved with the following recommendations and conditions: 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 USFW 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 and that pumps and associated pipes will not be installed above ground and will not block vehicle traffic on the ROW of ditch systems. Also all disturbed areas in the ditch ROW's will be restored and reseeded to preexisting conditions.
- Paul Borgen Farms, Section 5, Winchester Twp. Permit #5-8-13-4 to install subsurface drain tile with recommendations and conditions as shown above.
- Paul Borgen Farms, Section 16, Winchester Twp. Permit #5-8-13-5 to install subsurface drain tile with the recommendations and conditions as shown above.
- Danny Brandt, Section 21, Green Meadow Twp. Permit #5-8-13-7 to install subsurface drain tile with the recommendations and conditions as shown above.
- Brady Braseth, Sections 14 and 23, Ulen Twp. Permit #5-8-13-8 to install subsurface drain tile with the recommendations and conditions as shown above and also the condition that the applicant provides written approval from the landowner(s) within the project construction corridor.
- Innovative Crop Solutions, Section 29, Ulen Twp. Permit #5-8-13-15 to widen a driveway and install a longer 18" CMP.
- Steve Kahlbaugh, Section 18, Rosedale Twp. Permit #5-8-13-17 to install subsurface drain tile with the recommendations and conditions as shown above.

- MnDOT. Permit #5-8-13-18 to do a culvert lining project, approved.
- Erik Rockstad, Section 22, Pleasant View Twp. Permit #5-8-13-21 to clean and improve a ditch, approved.

21. Brad Arends, Section 22, Mary Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #5-8-13-1 to install subsurface drain tile pending approval by the Board of 103E proceeding and with the same recommendations and conditions as shown above. Carried.

22. Brandon Borgen, Section 6, Viding Twp. A motion was made by Manager Hanson Lee and seconded by Manager Spaeth to approve Permit #5-8-13-3 to install subsurface drain tile with the same recommendations and conditions as shown above. Carried.

23. Lee Charles, Sections 2, 9 & 10, Strand Twp. A motion was made by Manager Hanson and seconded by Manager Austinson to table Permit #5-8-13-9 to construct wetland restorations and creations and notice appropriate landowners. Carried.

24. Clay County Hwy. Dept., Various Locations. A motion was made by Manager Hanson and seconded by Manager Spaeth to approve Permit #5-8-13-10 to install culverts and replace bridges in various locations. Carried.

25. Clay County Highway Dept. Sections 14/15, Viding Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to approve Permit #5-8-13-11 for a bridge replacement with a culvert. Carried.

26. Duane Erickson, Section 9, Walworth Twp. A motion was made by Manager Hanson and seconded by Manager Christensen to approve Permit #5-8-13-12 to install subsurface drain tile with the recommendations and conditions as shown above and the condition that the cover over the tile does not exceed the elevation of the invert of "Pipe A" as shown on the attachment to the permit Application. Carried with Manager Erickson abstaining.

27. Good Hope Twp., Section 1, Good Hope Twp. A motion was made by Manager Christensen and seconded by Manager Johannsen to approve Permit #5-8-13-14 to replace an 18" X 40' long culvert with an 18" X 60' long culvert with the condition that the elevation of the new culvert is the same as the existing culvert. Carried.

28. Corey Jacobson, Section 15, McDonaldsville Twp. A motion was made by Manager Hanson and seconded by Manager Johannsen to table Permit #5-8-13-16 to install subsurface drain tile and request a tile plan. Carried.

29. Shane Sharpe, Section 30, Shelly Twp. A motion was made by Manager Johannsen and seconded by Hanson to approve Permit #5-8-13-22 of Shane Sharpe to install subsurface drain tile with the same recommendations and conditions as shown above. Carried.

30. Upper Green Meadow Preliminary Storage Evaluation (Klask). Discussion was held on a preliminary storage evaluation site brought forward by Stewart Klask on property in Section 18, Strand Twp. west of Gary along County Road #19. Engineer Bents stated that from previous investigations at this site, the struggle is that the clay needed for the levee part is down at least 5-7 feet. Bents also reviewed another possible site that could benefit the Green Meadow Dam farther west, which at this

time, however, doesn't have a landowner bringing forth the proposal. Chairman Holmvik stated it was a good idea but we do have Klask interested and we should move forward and do more research in this area. Consensus of Managers was to take this proposal to a sub-committee with Township officials, N.C. Highway Department, and various other agencies.

31. Acquisition Lease, Section 34, Hegne Twp. Hempeck, Houge and Attorney Bruggeman came back before the board and discussed a possible sub-lease that had been discussed between them and an agreement reached. Consensus of the Board was for Attorney Bruggeman to prepare the lease agreement and get it back to the Board for approval.

32. Board Reorganization – Election of Officers.

- Chairman. Manager Spaeth made a motion seconded by Manager Hanson nominating Greg Holmvik for Chair. A motion was made by Manager Austinson and seconded by Manager Johannsen that nominations cease. Carried unanimously. Greg Holmvik was elected Chairman.
- Vice Chairman. A motion was made by Manager Johannsen and seconded by Manager Erickson nominating Mike Christensen as Vice Chairman. There being no further nominations, Mike Christensen was unanimously elected Vice Chairman. Carried.
- Secretary. A motion was made by Manager Hanson and seconded by Manager Christensen nominating John Austinson as Secretary. There being no further nominations, John Austinson was unanimously elected as Secretary. Carried.
- Treasurer. A motion was made by Manager Erickson and seconded by Manager Hanson nominating Dean Spaeth as Treasurer. There being no further nominations, Dean Spaeth was elected as Treasurer. Carried.

33. Committee Assignments. A list of committee and representatives was distributed for review. Administrator Ruud asked the Board if they wanted to make any changes to the current list. A motion was made by Manager Erickson to nominate Manager Hanson to the RRWMB. Chairman Holmvik called for a second three times and no second was made. The motion failed for lack of a second. Manager Johannsen stated that Greg Holmvik has a wealth of experience on the RRWMB and Mike Christensen with his long time experience and felt they should be left on as the appointees. A motion was made by Manager Johannsen and seconded by Manager Austinson to approve the list as distributed. Manager Erickson requested that he be removed from the Personnel Committee. Chairman Holmvik asked Board members if anyone was interested in being on the Personnel Committee. Manager Johannsen stated that he would be interested and Manager Hanson also brought his name forward. Manager Spaeth made a motion to appoint Manager Hanson to the Personnel Committee. He then withdrew the motion, to appoint Manager Hanson to the Personnel Committee. A motion was then made by Manager Spaeth to amend the original motion and appoint Manager Hanson to the Personnel Committee in place of Manager Erickson. Manager Austinson seconded the motion which was carried. A call for the vote on the original motion was made and it passed. Carried. Following is a list of the 2013 committee members and representatives.

## **COMMITTEES**

### **FINANCE**

Greg Holmvik  
Dean Spaeth  
Mike Christensen

### **BONDING/LEGISLATIVE**

Mike Christensen  
Duane Erickson  
Curt Johannsen

### **PERSONNEL**

Greg Holmvik – Employee Liaison  
Dean Spaeth  
Raymond Hanson

### **PROJECT TEAM**

Mike Christensen  
Curt Johannsen  
Duane Erickson

### **RING DIKE**

John Austinson  
Raymond Hanson  
Dean Spaeth

## **REPRESENTATIVES**

### **RRWMB**

Greg Holmvik  
Mike Christensen (alternate)

### **BECKER COUNTY SWCD**

Duane Erickson

### **CLAY COUNTY SWCD**

John Austinson

### **NORMAN COUNTY SWCD**

Mike Christensen

### **MAHNOMEN COUNTY SWCD**

Dean Spaeth

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

35. Snow Removal Policy, Watershed District Project and Ditch Systems. Administrator Ruud brought up the District's Snow Removal Policy on its Projects and Ditch Systems. Ruud requested a policy be addressed to prevent problems in the future as taking snow from one party's ditch may cause the next landowner downstream some problems. A motion was made by Manager Erickson and seconded by Manager Spaeth that the policy for the District on projects and ditches is that we do not remove snow. Carried.

36. Manager Austinson left the meeting at 11:00 a.m.

37. DNR Letter on Fargo-Moorhead Diversion. Correspondence from the MN DNR was discussed with the opportunity for the District to submit any questions or comments they might have.

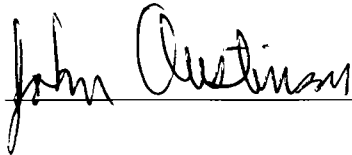
38. Permit Appeal, Richard Oberg, Section 35, Pleasant View Twp. Administrator Ruud reported that he received an appeal on the Oberg permit from some neighboring landowners, based on the fact that they were not noticed. Consensus of Managers was to hold a special meeting and address this issue.

39. Special Meeting Date. A motion was made by Manager Hanson and seconded by Manager Christensen to schedule a special meeting for 8:30 a.m. on Wednesday, May 22, 2013, for the purpose of addressing the appeal at 8:30 a.m. followed by any additional agenda items that may come into the office by that time. Carried.

40. Red River Watershed Management Board Storage Expanded Distributed Detention Site Update. Engineer Bents gave a presentation authorized by the RRWMB on the expanded distribution detention which has a goal of a 20% reduction in flooding coming from the Wild Rice Watershed District. This is a goal established in the entire Red River Basin in the hopes of reducing overall flooding.

41. MAWD Summer Resources Tour June 20-21, New Ulm, MN. A motion was made by Manager Hanson and seconded by Manager Christensen authorizing staff and Managers attendance. Carried.

42. 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 12:00 Noon.



John Austinson, Secretary

Date	Num	Name	Memo	Amount
<b>Apr 11 - May 8, 13</b>				
04/17/2013	DD	US Postal Service	POSTAGE METER	500.00
04/23/2013	DD	QuickBooks Payroll Service	Created by Payroll Service on 04/22/2013	5,211.63
04/23/2013	DD	PERA	pera	583.68
05/06/2013	14817	Jon Schauer	Technical Support	2,208.33
05/07/2013	DD	QuickBooks Payroll Service	Created by Payroll Service on 05/06/2013	6,172.26
05/07/2013	14819	Ada City	Utilities	285.59
05/07/2013	14820	AmeriPride	Office Maintenance	74.12
05/07/2013	14821	Arvig	Utilities	72.52
05/07/2013	14822	Cardmember Service	office	34.11
05/07/2013	14823	Drees, Risky & Vallager, Ltd.	2012 audit info	151.00
05/07/2013	14824	Houston Engineering, Inc	Engineering Fees	19,750.38
05/07/2013	14825	Loretel Systems	utilities	276.98
05/07/2013	14826	MARCO, Inc	Contract payment	614.53
05/07/2013	14827	McCollum Hardware, Inc.	Office Supplies	26.12
05/07/2013	14828	Morris Electronics, Inc.	Technical Support	721.30
05/07/2013	14829	Norman County Index-Ada	arends public hearing notice	50.00
05/07/2013	14830	Northwest Beverage, Inc.	Supplies	52.75
05/07/2013	14831	Office Supplies Plus	Office Supplies	273.77
05/07/2013	14832	Ralph's Food Pride	Supplies	87.79
05/07/2013	14833	Renae Kappes	Cleaning	120.00
05/07/2013	14834	Wambach & Hanson	legal services	1,596.26
05/08/2013	9178	Northwest Beverage, Inc.	Supplies	52.75
05/08/2013	8084	Wambach & Hanson	legal services	1,596.26
05/08/2013	14859	John D Austinson	Managers per diems & exp	102.04
05/08/2013	14856	Dean P Spaeth	Managers per diems & exp	126.15
05/08/2013	14858	Gregory R Holmvik	Managers per diems & exp	69.26
05/08/2013	14860	Michael K Christensen	Managers per diems & exp	92.83
05/08/2013	14861	Raymond M Hanson	Managers per diems & exp	89.60
05/08/2013	14857	Duane L Erickson	VOID.	0.00
05/08/2013	14855	Curt Johannsen	Managers per diems & exp	166.43
05/08/2013	14835	Ueland Construction Inc.	Office	1,444.00
05/08/2013	14836	FP Mailing Solutions	Meter/Scale Upgrade	236.94
05/08/2013	14862	N C Treasurer/Auditor	Tax Statements	389.06
05/08/2013	14863	Lunde Blade & Gravel LLC	Cleaning Snow out of Ditch	<u>1,275.00</u>
<b>Apr 11 - May 8, 13</b>				<b><u>44,503.44</u></b>