

WILD RICE WATERSHED DISTRICT
11 Fifth Avenue East
Ada, MN 56510
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APPROVED MINUTES

City of Ada, Petition to Relocate J.D. #51
Hearing Minutes
April 19, 2012
Ada/Borup School Auditorium

A Special Meeting of the Wild Rice Watershed District Board of Managers regarding the Petition of the City of Ada to relocate J.D. #51, was held on Thursday, April 19, 2012, at the Ada/Borup School Auditorium. The following Managers were in attendance. John Austinson, Duane Erickson, Mike Christensen, Curt Johannsen, Raymond Hanson, Dean Spaeth and Greg Holmvik. Chairman Holmvik called the meeting to order at 7:00 p.m.

Engineer Jerry Bents gave a PowerPoint presentation, a copy of which is available. Bents stated that the petition is part of the process the city will go through in eventually building a levee to protect the city from future flooding. Due to the original ditch system being under the U.S. Corps of Engineers, this petition has also been submitted to the COE. The city, being a municipality, the district is waving its right to a bond. The City provided the WRWD with a hydraulic analysis from engineers at Moore Engineering, Fargo. To try to determine possible downstream impacts both Moore and Houston Engineering, used Norman County DFIRM modeling. Following is the engineering review and summary results provided by Houston Engineering:

- Significant public benefit to the City of Ada
- Increase in flood elevations along J.D. #51 is less than 0.25 feet in the 10-, 50-and 100-year events.
- Alterations will be of both public and private benefit and will not impair the utility of the drainage system or deprive affected land owners of its benefit.
- Resultant realigned channel will also result in decreased future maintenance and subsequent future costs.

The conditions recommended by the District's engineering on approval consist of the following:

- All costs associated with the proposed modification shall be paid by the petitioner.
- Before installing or constructing the project the petitioner shall
 - Obtain and provide documentation of all required permits.
 - Provide the WRWD with the final construction plans showing all proposed features of the project.
 - Obtain a General WRWD permit for the proposed project.
 - Obtain and provide documentation of all necessary rights-of-way from owners of land to be affected by the project.
 - Obtain and provide documentation of all necessary flowage easements from owners of land to be affected by the project.
 - Take appropriate measures to comply with floodplain zoning regulations.
- Following construction, the petitioner shall be responsible for all maintenance of the proposed for a period of 3-years, unless otherwise approved by the WRWD Board of Managers. This shall include all required maintenance including, but not limited to, mowing, erosion repair, sediment removal, and spraying of weeds.
- After the initial 3-year maintenance period, all future operation and maintenance of the relocated channel will be the responsibility of the WRWD (drainage authority) using drainage system funds.

Following are some of the public comments that were taken:

- Ronnie Rasmusson asked if anyone had ever seen water run over the road north of Ada.
- Joe Kroshus stated he had in 1997.
- Joe Kroshus asked where north of Ada the five foot road raise would be located as his farm site located in Section 4, is right north of Ada on the west side of Hwy #9. Lyndon Bees, Moore Engineering, answered that he didn't think any more water should run over #9 than before. Engineer Bents stated that the 50 year flood event seems to have the largest impact.
- Joe Kroshus asked if there will be increased water under Hwy #9, stating he has concerns about the spot at the abandoned railroad bridge. Engineer Bents stated that they are simulating an open channel with no blockages.
- Nathan Redland asked if the additional culverts under Hwy #9 will send more water.
- Neil Rockstad, stated concerns with the increase of the culverts sizes and asked that the petition be denied unless the culverts are downsized.
- Jerry Bitker expressed concerns with the interior water during a major rain event and also had a problem with the other projects downstream being affected during major events and expressed concerns regarding the cumulative affect downstream and landowner farmers' crops being inundated.
- Dan Hanson, Moore Engineering, stated that the interior drainage will be pumped.
- Curt Johannsen asked about a spring event with snow and ice in the channel. Dan Hanson, Moore stated that they should be able to keep the water flowing with a limited amount of pumping.
- Darin Ramy stated that some may not be familiar with the terms 50 and or 100 year event and asked if overland flooding is changing the ditch.
- Myron Motteberg stated that he felt the changes are minimal and the benefits to the city is what should be considered. Motteberg asked that the petition be approved to drastically lower the costs of flood insurance to residents of the city of Ada.
- Ross Pfund stated that in 2002 his property on the south side of Ada was inundated and urged the Board of Managers to approve the petition.
- Joe Kroshus stated that he did not say that the city didn't need flood protection, but he would like something from the city offering him flood protection. Administrator Ruud stated that question is outside the scope of the WRWD and stated he realized city representatives were here.
- Paul Miller, a rural homeowner, stated that he has had his farmstead flooded in prior years and expressed concerns regarding it going through his home under the new conditions.
- David Dahl asked what would happen if the culvert sizes were not changed. Engineer Bents replied that the District is only reacting to the proposal submitted by the City.
- Oliver Sorenson stated that he agreed with Miller and talked about Hegne Township having concerns.
- Nathan Redland stated that he wanted the proposed culverts to remain the same size.
- Dick Storsved stated he is from the west side of the county and asked if this is based on gauge flows. Engineer Bents stated that in part it is and includes a mapping of the 100 year flood plain.
- Jim Ellefson read a letter of some of the history of the proposed levee to protect the city and asked that the Board approve the petition.
- Neil Hultin, landowner 1.5 miles east of Ada asked about the weir. Moore Engineering stated that the weir slope is the same as the original and the drop inlet will not affect the capacity.
- Mike Stene from Ada, stated that every flood event is different and asked that the board pass this petition.
- Mchael Bedore discussed the possible economic danger to the City of Ada and stated that the City needs this protection now.

Chairman Holmvik closed the public discussion and the board continued the meeting.

Manager Erickson asked about possible changes to what is proposed and felt the dike is needed but would like to ask more questions of the city. Engineer Bents stated that the only thing the Board can answer is action on what is actually proposed.

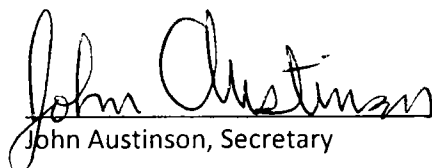
A motion was made by Manager Hanson and seconded by Manager Christensen to approve the petition. Attorney Hanson read the following procedure s from 103E.227, with states that for permission to relocate a drainage system: "If at the hearing it appears from the engineer's report and other evidence presented that the project will be of public or private benefit and that it will not impair the utility of the drainage system or deprive affected landowners of its benefit, the drainage authority shall make an order modifying the drainage system." The following modifications to the petition were read by Chairman Holmvik.

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Manager Erickson asked Attorney Hanson if the Board had a conflict of interest with Moore Engineering and Houston Engineering forming an LLC, Inc. for the City of Fargo Levee. Engineer Bents stated that clearly there was not a conflict of interest, the LLC, Inc. was for the Fargo Levee only and both Moore and Houston are still competing and independent engineering firms.

Chairman Holmvik asked if Manager Hanson agreed to amend the motion to include the modifications and Manager Christensen if he agreed to second the motion with modifications. Both indicated yes. Motion carried with Manager Erickson opposed.

Chairman Holmvik adjourned the hearing at 9:00 p.m.


John Austinson, Secretary